



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 89th CONGRESS, SECOND SESSION

SENATE

FRIDAY, JANUARY 28, 1966

(Legislative day of Wednesday, January 26, 1966)

The Senate met at 10 o'clock a.m., on the expiration of the recess, and was called to order by the President pro tempore.

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

Our Heavenly Father, again we wait before Thee for assurance of Thy presence in the deliberations of this day. We are grateful for the traditional courtesy of this honored body. Grant that again today there may be expressed the mutual respect that so greatly advances the work committed to their hands.

May we who exercise freedom of speech likewise honor freedom to be heard.

Grant that, on this Hill of the law—and of judgment—the lowly as well as the exalted may ever be heard, their rights protected, and justice served. Even as we pray that our cry may come unto Thee, so do we pray for the compassion and the patience to let the cry of the oppressed come unto us: the cry of grief and of suffering, of poverty and privation, of despair and alienation.

May we who put forth so great effort to be understood, strive also to understand.

We know not what a day—or a decision—may bring forth. But before the day is done, or the decision made, we pause in Thy presence to plead that nothing shall be done in this place that will make our children ashamed of us; but that here may be spoken a word heard 'round the world, a word of such elevation and enlightenment as shall lift men's hearts and strengthen their hands to rid the world of the sin and obscenity of the war system, and to establish—though with toil and tears—a human habitation fit for the family of man for whom Christ died.

For His sake. Amen.

THE JOURNAL

On request of Mr. INOUE, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 27, 1966, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting

nominations, were communicated to the Senate by Mr. Jones, one of his secretaries.

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.)

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. INOUE. Mr. President, I ask unanimous consent that there be a morning hour, and that statements during the transaction of routine morning business be limited to 3 minutes.

Mr. DIRKSEN. Mr. President, meaning routine only; that is, the reading of speeches, and so forth?

Mr. INOUE. The Senator is correct.

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

REQUEST FOR COMMITTEE MEETING DURING SENATE SESSION

Mr. INOUE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be permitted to meet during the session of the Senate today.

Mr. DIRKSEN. Mr. President, I am compelled to object.

The PRESIDENT pro tempore. Objection is heard.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,
The following favorable reports of nominations were submitted:

By Mr. ANDERSON, from the Committee on Aeronautical and Space Sciences:
Robert C. Seamans, Jr., of Massachusetts, to be Deputy Administrator of the National Aeronautics and Space Administration.

By Mr. HILL, from the Committee on Labor and Public Welfare:

Harold Howe II, of North Carolina, to be Commissioner of Education;

Franklyn A. Johnson, of California, to be an Assistant Director of the Office of Economic Opportunity;

Dr. William B. Bean, of Iowa, to be a member of the Board of Regents, National Library of Medicine, Public Health Service; and

Dr. Stewart G. Wolf, Jr., of Oklahoma, to be a member of the Board of Regents, National Library of Medicine, Public Health Service.

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 Mr. INOUE:

S. 2844. A bill to provide credit under the Civil Service Retirement Act for periods of separation from the service of certain employees of Japanese ancestry during World War II; to the Committee on Post Office and Civil Service.

By Mr. JAVITS (for himself and Mr. CASE):

S. 2845. A bill to provide for the selection of qualified persons to serve as jurors in each U.S. district court without regard to their race or color; to the Committee on the Judiciary.

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

By Mr. JAVITS (for himself, Mr. CASE, and Mr. KUCHEL):

S. 2846. A bill to protect civil rights by providing that it shall be a Federal offense to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any of his civil rights; by providing criminal and civil remedies for unlawful official violence; and for other purposes; to the Committee on the Judiciary.

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

By Mr. MAGNUSON (by request):

S. 2847. A bill to amend the Northwest Atlantic Fisheries Act of 1950 (Public Law 845-81); and

S. 2848. A bill to provide basic authority for the performance of certain functions and activities of the Federal Aviation Agency, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bills, which appear under separate headings.)

By Mr. BREWSTER:

S. 2849. A bill for the relief of Philip Dunstan Gabb; to the Committee on the Judiciary.

By Mr. JAVITS:

S. 2850. A bill to authorize the posthumous promotion of 2d Lt. Walter Neville Levy, U.S. Marine Corps Reserve; to the Committee on Armed Services.

By Mr. KENNEDY of Massachusetts:

S. 2851. A bill to amend the Federal Water Pollution Control Act with respect to grants for construction of treatment works; to the Committee on Public Works.

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

By Mr. SCOTT:

S. 2852. A bill to authorize the conveyance of certain lands on Hog Island in Northampton County, Va., to the individuals who originally donated the land to the United States; to the Committee on Government Operations.

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

By Mr. HART (for himself and Mr. McNAMARA):

S.J. Res. 131. Joint resolution favoring the holding of the Olympic games in America in 1972; to the Committee on Foreign Relations.

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

CONCURRENT RESOLUTION

EXPRESSING THE SENSE OF THE CONGRESS WITH RESPECT TO INTERCHANGE OF VIEWS AND INFORMATION BY AGENCIES OF THE GOVERNMENT SHAPING FISCAL AND MONETARY POLICY

Mr. JAVITS submitted a concurrent resolution (S. Con. Res. 73) expressing the sense of the Congress with respect to the full and free interchange of views and information by agencies of the Government shaping fiscal and monetary policy, which was referred to the Committee on Banking and Currency.

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

ADMINISTRATION OF JUSTICE IN CIVIL RIGHTS CASES

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, on behalf of myself, the Senator from New Jersey [Mr. CASE], and the Senator from California [Mr. KUCHEL], two bills to provide for effective law enforcement and nondiscriminatory administration of justice in civil rights cases.

Because of the public outcry in recent years caused by the acquittal of persons charged with crimes against Negroes and civil rights workers, the attention of legislators and civil rights groups has focused on this problem and we propose action during this session of Congress.

The bills would—

First, make it a Federal crime for a person or a group of persons to conspire or to act to deprive another person of his constitutional rights, and would provide greater penalties when bodily injury or death results; and

Second, provide a uniform method of jury selection through the use of names from the U.S. census, and allow the U.S. attorney to seek relief in the Court of Appeals if a local jury commissioner continued to discriminate even in the use of names from the census lists.

It is acknowledged that in many parts of this country citizens are excluded from participation on juries solely because of race. In large measure, the reason is the wide discretion given jury commissioners in choosing members of jury panels. In some districts panel members are chosen from the voting lists, which even today contain few Negroes in some States; in others, they are chosen from the telephone books, where the poor are not represented to the same extent as the affluent, and, in at least one instance, juries were chosen from the membership lists of the local PTA—

hardly an organization likely to produce a jury of his peers to try an illiterate Negro laborer.

When an unrepresentative jury convicts a man unjustly, he has a remedy in an appeal to a higher court, and if systematic exclusion can be proved, the conviction is reversed. When guilty defendants are unjustly acquitted, however, no remedy exists because the State cannot appeal an acquittal. These bills seek to provide such a remedy, first by making the trial of civil rights offenses possible in Federal instead of State courts and by providing meaningful penalties and second, by providing a uniform method of jury selection which will preclude the possibility of systematic exclusion.

The first bill is actually a composite and expansion of bills I have already introduced. Combining my earlier bill to clarify court interpretation of section 242 of title 18, with my bill to increase the penalties in civil rights crimes where death or serious bodily harm result, we now offer a completely rewritten section 241 and 242. These new sections would make it a Federal crime for an individual or group of individuals to conspire or act so as to deprive another of his constitutional rights. Penalties are greater where bodily injury or death result. It is our intention to make it possible to try offenders such as the murderers of Michael Schwerner, Andrew Goodman, and James Chaney in Federal courts under these statutes, and to provide appropriate penalties. This bill also makes local governments responsible in civil damages for the wrongs of their employees.

We believe this legislation is critically necessary, and shall do our utmost to obtain action on it.

The second bill provides a uniform method for choosing jury panels so that when these cases are brought to Federal court, the accused will be judged by a truly representative cross section of his community. Briefly, the method set out in the bill requires the Director of the Bureau of the Census to submit a list of names, chosen at random, to each jury commissioner, and requires that jury panels be chosen from those lists. Of course, some of the names on the list may not be useful since the latest census would not necessarily reflect deaths and changes in residence, but as many names as would be necessary to form a jury panel would be made available by the census. Further, if the jury commissioner continued to discriminate among the names submitted, the U.S. attorney would be empowered to go to the U.S. court of appeals for that circuit and ask relief.

These bills may not be the final answer. Different versions will be submitted by both a bipartisan group of Senators and by the administration. I welcome those bills; in fact I fully expect to cosponsor them because I believe every aspect of this problem should be studied and considered and no particular solution is, at this point, definitive. In offering these two bills today, however, I hope we are beginning the debate, and putting

before the public this grave and pressing problem. We respectfully submit that action is urgently due, and that grave deficiencies in our judicial system, causing it to be held in disrepute, have been evidenced; and we hope there may be early action.

The PRESIDING OFFICER (Mr. Russell of South Carolina in the chair). The bills will be received and appropriately referred.

The bills, introduced by Mr. JAVITS (for himself and other Senators), were received, read twice by their titles, and referred to the Committee on the Judiciary, as indicated:

By Mr. JAVITS (for himself and Mr. CASE):

S. 2845. A bill to provide for the selection of qualified persons to serve as jurors in each U.S. district court without regard to their race or color.

By Mr. JAVITS (for himself, Mr. CASE, and Mr. KUCHEL):

S. 2846. A bill to protect civil rights by providing that it shall be a Federal offense to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any of his civil rights; by providing criminal and civil remedies for unlawful official violence; and for other purposes.

AMENDMENT OF NORTHWEST ATLANTIC FISHERIES ACT OF 1950

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Northwest Atlantic Fisheries Act of 1950. I ask unanimous consent that the letter from the Assistant Secretary for Congressional Relations of the Department of State requesting the proposed legislation be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 2847) to amend the Northwest Atlantic Fisheries Act of 1950 (Public Law 845-81), introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

DEPARTMENT OF STATE,

Washington, D.C., November 26, 1965.

The VICE PRESIDENT,
U.S. Senate.

DEAR MR. VICE PRESIDENT: There is enclosed a draft of a proposed bill "To amend the Northwest Atlantic Fisheries Act of 1950" (Public Law 845-81).

It is requested that this bill be referred to the appropriate committee for consideration; its enactment is recommended.

At present, the act is concerned only with the conservation of fish and shellfish. However, currently pending ratification or adherence is a protocol to the International Convention to the Northwest Atlantic Fisheries, 1949, which would permit the conservation of harp and hood seals under the terms of the Convention. The Northwest Atlantic Fisheries Act of 1950 is the implementing legislation for the Convention. To date, 11 of the 13 parties to the Convention, including the United States, have ratified or adhered to the protocol. It is expected to enter into force presently. One purpose of the proposed amendment is to bring the act into conformity with the provisions of the Convention as amended by the said protocol.

Although Americans do not participate in the harp and hood seal fishery at present, the Department believes that this Government should be empowered to enforce any measures for the conservation of harp and hood seals which might come into force under the protocol and be thus prepared to fulfill obligations the United States assumed in ratifying the protocol.

A further amendment is proposed in order to remove an ambiguity in the act. Section 4(b) provides that not more than five members of the industry advisory committee to the U.S. Commissioners to the Commission, designated by the committee and upon approval by the Commissioners, may be paid their expenses "incident to attendance at meetings outside of the United States." The Department of State, responsible for the selection of the U.S. delegates such as those from the industry advisory committee, has interpreted this section to mean that up to five committee members may be paid their expenses to Commission or panel meetings outside the United States but that no committee members may have their way paid by the Government to meetings inside the United States. This works a hardship on advisory committee members who must pay their own expenses if they are to attend such meetings in this country. However, it is also possible to interpret the section to mean that not more than five committee members may have their way paid to meetings held outside the United States but that there is no limitation on the number of members who may have their way paid to meetings inside the United States. This would also be undesirable. The act should be amended to bring it into accord with implementing legislation of other fisheries conventions and to clarify its meaning. We believe that the act should clearly limit the number of committee members whose expenses may be paid, but that it should be possible to pay such expenses to meetings of the Commission or a panel thereof held within the United States. The next Commission meeting in the United States is scheduled to be convened at Boston in June 1967.

The Bureau of the Budget advises that there is no objection to the presentation of this draft bill from the standpoint of the administration's program.

Sincerely yours,

DOUGLAS MACARTHUR II,
Assistant Secretary for Congressional
Relations.

AUTHORITY FOR THE PERFORMANCE OF CERTAIN FUNCTIONS AND ACTIVITIES OF FEDERAL AVIATION AGENCY

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to provide basic authority for the performance of certain functions and activities of the Federal Aviation Agency, and for other purposes. I ask unanimous consent that a letter from the Administrator of the Federal Aviation Agency, requesting the proposed legislation, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 2848) to provide basic authority for the performance of certain functions and activities of the Federal Aviation Agency, and for other purposes, introduced by Mr. MAGNUSON, by request,

was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

FEDERAL AVIATION AGENCY,
Washington, D.C., January 11, 1966.
HON. HUBERT HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: It is requested that the enclosed proposed bill "To provide basic authority for the performance of certain functions and activities of the Federal Aviation Agency, and for other purposes" be introduced in the Senate at your earliest convenience.

The proposed bill would amend the Federal Aviation Act to authorize the Administrator to provide certain goods and services not otherwise available to Agency employees and dependents as necessary in remote areas. Specifically, it would provide the Administrator with authority to (1) furnish emergency medical services and supplies; (2) purchase, transport, store, and distribute food and other subsistence supplies; (3) establish, maintain, and operate messing facilities; (4) provide motion pictures for recreation and training; (5) reimburse Agency employees for food, clothing, medicine, and other supplies furnished by them in emergencies for the temporary relief of distressed persons; and (6) construct and maintain living and working quarters and facilities.

This proposal is remedial in nature and would, if enacted, provide the Administrator of the Federal Aviation Agency with specific legislative authority in carrying out his responsibilities. It is remedial in nature because similar authority was given to the Secretary of Commerce by Public Law 390, 81st Congress (63 Stat. 907), and delegated by the Secretary to our predecessor agency, the Civil Aeronautics Administration. However, Public Law 390, 81st Congress, was, through inadvertence, not incorporated into the Federal Aviation Act of 1958 and, while the functions of the Administration of Civil Aeronautics were transferred to the Administrator of the Federal Aviation Agency, the authority of Public Law 390, 81st Congress remained in the Secretary of Commerce. Since the establishment of the Federal Aviation Agency, the provisions of Public Law 390 have been extended to the Agency by language in the annual appropriation acts.

In drafting the proposal, several minor changes have been made to the provisions of Public Law 390. For example the Administrator already possesses adequate authority to make available to other agencies services, equipment and facilities on a reimbursable basis when appropriate (sec. 302(k) of the Federal Aviation Act). Therefore, all provisions relating to this subject in Public Law 390 have been deleted. The limitation on providing certain services within the contiguous United States has been removed. The provisos of paragraphs (b) and (c) of Public Law 390 calling for reports to the Congress have likewise been omitted, consistently with the congressional intent expressed in Public Law 706, 83d Congress (68 Stat. 966). In addition, the provision relating to the furnishing of emergency medical services has been modified. The Administrator would have authority in emergencies to provide employees and their dependents with free medical supplies and free transportation to the nearest locality where suitable medical care can be obtained. However, in any case where medical treatment is afforded under this bill, the employee would be charged a fee in an amount reflecting reasonable value of the treatment.

In exercising his authority under paragraph (6) of the proposed bill, the Administrator would continue to utilize, to the

fullest extent practicable, the existing capabilities of the Department of Defense in awarding contracts for the performance of construction services so as to avoid duplicating existing engineering and construction capability within the Department of the Defense. Living quarters would be made available to employees in accordance with other applicable provisions of law.

The Bureau of the Budget has advised that there is no objection from the standpoint of the administration's program to the submission of this proposed legislation to the Congress.

Sincerely,

WILLIAM F. MCKEE,
Administrator.

AMENDMENT OF FEDERAL WATER POLLUTION CONTROL ACT RELATING TO GRANTS FOR CONSTRUCTION OF TREATMENT WORKS

Mr. KENNEDY of Massachusetts. Mr. President, after many years we in this country are finally beginning to realize that we have poisoned to an alarming degree one of America's priceless natural heritages—our bountiful supply of water. We do not have to look far to see the damage that our past neglect has caused. Our streams teem with pollution, our rivers run high with waste, our lakes can support less life with each passing day. The problem is manifest; only the solution is hard to see.

In the State of Massachusetts, the damage caused by water pollution is apparent. The Merrimack River in northeastern Massachusetts has the unhappy distinction of being the oldest polluted river in the country today, and naturally it is one of the dirtiest.

The Merrimack is the worst example of a bad situation, a situation which is having a subtle but profound effect on much of our Nation. The water shortage confronting my State and many other States in the country would not exist if our rivers could be used safely. Nor would we face the dangers that pollution brings to animal life, nor the denial of recreational opportunity, nor the odors and sights and dangers to health.

Innumerable Federal, State, and private programs have documented the dangers of water pollution. It has been recognized by Federal legislation since 1948, and continuing through the passage last session of the Water Quality Act of 1965.

But even though we recognize the need and take legislative action, we will not win our battle against pollution until we develop a program of government assistance which is comprehensive enough to meet the enormous challenge that we face.

The Department of Health, Education, and Welfare has estimated that we will need more than \$850 million each year through 1970 to finance the construction of the pollution abatement plants which are vital to clean our waters. Yet our present Federal program provides only a small part of that amount. Only 5 States offer financial support to local anti-pollution projects, and most of the areas

in our Nation which are affected by pollution lack the resources to build the necessary facilities.

We have stopped turning our backs to the problem of pollution, but we have not yet fully faced it. It is time that we did face it, and time that we realized it will take a great deal of effort and money to undo the damage which our past neglect has caused.

Our Nation's water supplies are a precious national resource. It is fitting that the Federal Government protect that resource, through joint Federal, State, and local effort. Accordingly, I am introducing at this time a bill to amend the Federal Water Pollution Control Act, and provide:

First. That \$500 million be authorized each year beginning in fiscal year 1967.

Second. That the first \$250 million appropriated each year be allotted to all States under basic per capita income and population formula.

Third. That the remaining \$250 million be allotted to States which match Federal grants and have projects ready to be put into operation which cannot be funded under the first allotment.

Fourth. That an additional 10 percent, making 40 percent, be provided for projects which receive 30-percent State matching grants.

Fifth. That existing dollar ceilings be eliminated, and a full 30-percent grant be provided for all projects regardless of total cost.

The bill increases the amount of Federal assistance offered each year for pollution abatement, from \$150 million to \$500 million. Measured against the annual need of \$850 million, the amount specified in this bill seems the realistic minimum contribution which the Federal Government must make. Because of the severe limitation on the fiscal resources of States and local areas, it is clear that Federal assistance will have to be substantial.

But simply making more money available will not be enough. To be truly effective, a program of Federal assistance must be designed to assure maximum participation by the States in support of pollution abatement projects.

The bill I introduce today would encourage that participation. It would divide the \$500 million appropriation into two basic parts; \$250 million would be appropriated each year on the present formula; that is, distributed to all States on the same basis of per capita income and population as is done currently with \$150 million.

The other \$250 million of the annual Federal appropriation would go to those States which are prepared to match Federal grants, and which have projects ready to begin that cannot be funded under the basic per capita income and population formula.

This approach would reward States that take the initiative in committing their own funds for pollution abatement, and develop their own programs for assistance. Today only five States have grant programs. This response is inadequate, but it is unlikely to improve because of the serious limitations on

State financial resources unless State participation is made more attractive.

Under my proposal, States which are willing to assist in cleaning our waters would be rewarded by receiving \$1 of Federal aid for every \$1 they appropriated for local pollution projects. This financial assistance would be in addition to the Federal funds available to local projects in any particular State under the program's basic formula. If enough States developed programs to take advantage of this Federal incentive arrangement, the \$250 million appropriated for this purpose could become \$500 million in community antipollution spending.

There are other features in this bill which I feel would give incentive to State and local pollution abatement projects.

The bill authorizes an additional 10-percent grant in Federal funds, making a total of 40 percent, for projects which receive a full 30-percent State matching grant. This would offer States an additional incentive to match funds, and it would motivate communities to increase the pressure for State assistance by making the overall impact of such State assistance far greater than the State contribution standing alone.

Local communities hoping to fight the battle against pollution encounter an immense burden. Since 1957, the Secretary of Health, Education, and Welfare has held 37 enforcement conferences, involving over 1,200 communities, to consider the pollution of interstate waters endangering the health and welfare of the Nation. It is estimated that almost \$2 billion is needed to build the pollution abatement plants which are needed for full compliance with the Secretary's guidelines.

A recent survey by HEW has also disclosed that the 100 largest cities in this country need \$1.3 billion for pollution abatement facilities. These needs are immediate, and they will not be met without a massive and united effort.

If the additional Federal funds I propose are authorized, it will also be possible to remove the existing dollar ceilings on project grants.

These dollar ceilings have severely handicapped the ability of the program to encourage local action and initiative. Congress has gradually increased the ceiling from \$250,000 per project in 1956 to \$600,000 in 1961, and, most recently, to \$1,200,000 in the Water Quality Act of 1965. But these limited increases have only drawn attention to the fact that the incentives have not been enticing. They offer little attraction when compared with the high costs of financing pollution abatement facilities.

When this Senate approved the conference report of the Water Quality Act on September 21, 1965, my distinguished colleague from Maine, Senator MUSKIE, emphasized that the change in the allocation formula did not represent a judgment as to the realistic levels of Federal grants in the future.

From my experience in the State of Massachusetts, I know how unrealistic the present ceilings are. For instance, the city of Haverhill, with a population of 43,000, is planning a \$23.9 million fa-

cility to treat the raw sewage being dumped into the Merrimack River. But even with a maximum \$1.2 million grant, the remaining \$22 million expense will have to be financed by 30-year municipal bonds. This debt will increase the city property tax rate at least \$10 by 1967, to a total of about \$110 per \$1,000 valuation. This burden is unreasonable: Haverhill is not a wealthy city. The Secretary of Labor has classified it an area of surplus labor. The same situation exists in neighboring Lowell. Lowell has a population of 86,000 and needs a \$25.2 million facility. I could cite many similar examples throughout my State. In short, Mr. President, it is imperative that we remove the existing dollar ceilings and provide a full 30-percent grant if we seriously intend to stimulate local pollution abatement. Only such a grant can offer a realistic incentive for communities to act promptly and effectively.

The need to clean our waters is great and pressing. The costs are immense. But they must be met if we are to have the water necessary for the future. The potential returns, therefore, certainly far exceed the investment. The \$500 million to be authorized by these amendments, along with the \$250 million which the States can be expected to contribute, will be a decisive step toward meeting the more than \$850 million annual need projected by the Department of Health, Education, and Welfare. Emphatic action is needed now, and I am confident that we shall not refuse to act.

In 1869, George C. Whipple, speaking for my State's first board of health said:

We believe that all citizens have an inherent right to the enjoyment of pure and uncontaminated air and water and soil; that this right should be regarded as belonging to the whole community; and that no one should be allowed to trespass upon it by his carelessness or his avarice or even his ignorance.

Now, almost 100 years later, the pollution of this Nation's waters is far more serious. We are confronted with at least 37 interstate waters whose pollution threatens the health and welfare of our citizens. If we are to insure the inherent right of which George Whipple spoke, we must act resolutely and we must act now. Water, the natural resource upon which we daily depend for life, is far too precious for us to delay in its care.

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

The bill (S. 2851) to amend the Federal Water Pollution Control Act with respect to grants for construction of treatment works, introduced by Mr. KENNEDY of Massachusetts, was received, read twice by its title, and referred to the Committee on Public Works.

CONVEYANCE OF CERTAIN LANDS ON HOG ISLAND, NORTHAMPTON COUNTY, VA., TO THE FORMER OWNERS

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, a bill for the relief of Edward O'Neill II and George P. O'Neill. The purpose of this legislation is to enable the U.S. Government to

fulfill what I feel is a moral obligation to the O'Neil brothers.

In 1935, the U.S. Coast Guard asked the O'Neil brothers to donate some of their land on Hog Island, Northampton County, Va., for use by the Government as a Coast Guard station. The O'Neil brothers agreed to the Government's request, and for the token sum of \$1, sold 5.4 acres. At that time, the Coast Guard assured them, in a letter of October 17, 1935, that "the erection and operation of the Coast Guard station at the place specified will not in any way hamper your actions or rights to the rest of the property." This assurance was of paramount importance to the O'Neils since the 5.4 acres that they donated to the Government represented only a minute portion of the island in question. They continued to hold title to approximately 3,000 additional acres on the island.

The 5.4 acres deeded to the Coast Guard, however, represented the only navigable harbor on the island. The Coast Guard allowed the O'Neil brothers to use this area as access to the balance of their property which, without such access, would become useless to them.

The O'Neils now confront this situation: The Coast Guard has decided that it no longer needs its station on Hog Island and, accordingly, has turned it over to the General Services Administration for use by other Federal agencies or sale. No other Government agency has expressed an interest in the property. The GSA, therefore, has declared the property to be excess to the needs of the U.S. Government. The property is now advertised for sale by sealed bids on February 7, 1966.

The O'Neil brothers, acting on the good faith of their Government, and in response to a direct request from the United States, now find themselves faced with the possibility of having their patriotic act of 30 years ago return to destroy the inherent value of the balance of their property. This will happen, if the property is sold in the manner presently expected, because they will be totally at the mercy of the future owners of the Coast Guard station for access to their property.

In light of the fact that the Coast Guard has had the use of the O'Neils' property for 30 years, and that the O'Neil brothers were originally assured that deeding the property to the Government would "not in any way hamper their actions or rights as to the rest of the property," the equities of their case demand the return of these 5.4 acres to the O'Neil brothers upon payment by them to the Government of the fair market value of the land. This can be accomplished by the prompt enactment of my bill.

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

The bill (S. 2852) to authorize the conveyance of certain lands on Hog Island in Northampton County, Va., to the individuals who originally donated the land to the United States, introduced by Mr. SCOTT was received, read twice by its title, and referred to the Committee on Government Operations.

OLYMPIC GAMES IN AMERICA IN 1972

Mr. HART. Mr. President, the city of Detroit, which performed so superbly at the last meeting of the International Olympic Committee, is cranking up a new effort to host the Olympic games.

The U.S. Olympic Committee has authorized Detroit to be the lone U.S. city to appear before the international committee in April, when it begins deliberations of the site of the 1972 games.

The entire community was at a peak of enthusiasm when it made its bid for the 1968 games. More than 300,000 citizens signed petitions declaring eager support. An Olympic stadium was blue-printed. Both business and labor rallied behind the drive.

It was—why disguise the fact—a bitter disappointment when Detroit was edged out in the final competition by Mexico City.

It is a tribute to Michigan resiliency that Detroit is coming back to try again, even though its chances are diminished by the fact that the international committee might be reluctant to locate two successive games in North America.

Nevertheless, Detroit is trying again and its presentation—I can promise—will be an impressive one.

Today, I ask that the U.S. Congress formally support the city in its new effort. I ask passage of a joint resolution to that effect.

I hope that the Congress will consider it approvingly and speedily, secure in the knowledge that—win or lose—Detroit will play the game well.

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

The joint resolution (S.J. Res. 131) favoring the holding of the Olympic games in America in 1972, introduced by Mr. HART (for himself and Mr. McNAMARA), was received, read twice by its title, and referred to the Committee on Foreign Relations.

CONCURRENT RESOLUTION TO ENCOURAGE STRENGTHENING COORDINATION BETWEEN THE ADMINISTRATION AND THE FEDERAL RESERVE BOARD

Mr. JAVITS. Mr. President, as the ranking Republican member on the Joint Economic Committee, I submit a concurrent resolution expressing the sense of Congress that the coordination between the administration and the Federal Reserve Board must be strengthened and improved. I am honored to announce that a companion measure is being introduced in the House of Representatives by Representative ROBERT F. ELLSWORTH, of Kansas, also a member of the Joint Economic Committee.

Our hearings with respect to the interest rate increase by the Federal Reserve Board very clearly indicated that coordination between the Federal Reserve Board and the other Agencies of Government leaves a great deal to be desired, and is largely informal, on an "I will take you out to lunch" basis. I be-

lieve the Senator from Wisconsin [Mr. PROXMIRE] who also introduced a resolution on this subject, may wish to say a word on this subject also.

It is my conclusion and that of several of my colleagues on the Joint Economic Committee that the present state of coordination and cooperation is very unsatisfactory to the Nation and to the processes of Government. This resolution would put Congress on record as favoring:

First. Regular meetings—at least six times a year—of the Chairman of the Board of Governors of the Federal Reserve System, the Secretary of the Treasury, the Chairman of the Council of Economic Advisers, and the Director of the Bureau of the Budget.

Second. Procedures which would require key administration economic advisors to keep the Federal Reserve Chairman fully apprised of any development or information of which they are respectfully aware and which should be brought to the attention of the Board for the effective discharge of its responsibilities.

Third. Procedures requiring the Federal Reserve Chairman to keep all members of the Federal Reserve Board fully apprised of any information he receives from the executive branch which has relevance to the effective and informed exercise by the Board of its responsibilities.

Mr. President, it is essential that the coordinating mechanism be improved.

During the Joint Economic Committee's hearings concerning the Federal Reserve Board's decision to raise the discount rate, the committee spent considerable time on the question of how well that decision was coordinated with the administration and it seems to me that the hearings which were splendidly conducted, very conclusively proved the need.

Our hearings show that while there was a degree of coordination between the Chairman of the Federal Reserve Board and the President and his key economic advisors last December, these arrangements were quite imperfect. Existing coordination between the Federal Reserve Board, the Council of Economic Advisers, the Secretary of the Treasury, and the Director of the Bureau of the Budget remains largely informal, and to an important degree, dependent on the personal dispositions of the individuals involved. Chairman Martin indicated at the hearings that prior to Robert Anderson's tenure as Secretary of the Treasury, he had no way to talk to the President about matters of mutual concern. During the tenure of Secretary Humphrey, the Chairman of the Federal Reserve Board again had no access to explain his point of view.

I believe that the determination of sound economic policy, which requires close coordination of key economic policymakers, is far too important to be left to chance or informal arrangements.

These hearings left me unsatisfied regarding the extent to which the administration itself fully coordinates its economic policymaking with that of the

Federal Reserve Board. The burden of coordinating economic policy falls as much on the administration as on the Federal Reserve Board. If the administration's main complaint against the Board's action was that its timing was wrong and that it acted without full knowledge of the fiscal 1967 budget—and I believe that was the administration's main complaint—then it is clear that the administration was not living up fully to its responsibility for coordinating economic policy.

At the time of the hearings it was difficult for me to believe—and it is difficult for me to believe now—that with little more than 1 month to go before the fiscal 1967 budget was to be announced, the administration had not yet decided upon the main features of its budget, including the financial requirements of the war in Vietnam. Those decisions require long and careful planning, the broad details of which should have been made available to the Federal Reserve Board, which after all is charged by law—the Federal Reserve Act, as amended—to set interest rates and the availability of credit. If the administration replies that such information was available to the Fed, then its ringing accusations against the Federal Reserve Board sound hollow indeed. I could understand the President's dismay at the Fed's action if he was contemplating a drastic change from existing administration economic policy, but neither the state of the Union message nor the budget failed to disclose information to that effect.

I draw two additional lessons from these hearings: First, the flow of information between the administration and members of the Federal Reserve Board as well as the Chairman should be improved; second, the President should be given ample notice of any request received by the Federal Reserve Board from Federal Reserve banks for a change in the discount rate.

The resolution I am submitting today makes an attempt to improve the coordinating mechanism between the administration and the Nation's money managers. The form of the measure I introduce is a concurrent resolution, a "sense of the Congress" resolution. I do this because evidence obtained at these hearings does not call for legislation amending the Federal Reserve Act and because I remain convinced of the desirability of the present independence of the Federal Reserve System. This independence, circumscribed by responsibility and the dictates of the Employment Act of 1946—which places a major responsibility in the sphere of economic policymaking in the hands of the President and the Federal Government—has served this Nation well under both Republican and Democratic administrations.

The Joint Economic Committee will begin its hearings on the President's Economic Report and budget within the next few days. In view of the administration's unwillingness to appear before us on this issue in December, I plan to question the Secretary of the Treasury, the Chairman of the Council of Economic Advisers, and the Director of the

Bureau of the Budget, with regard both to their position on the Federal Reserve Board's action of December 3, and on the subject of economic policy coordination in general at that time. I believe that the committee's Republican members—and I am sure many members of the committee's majority—will be equally interested in hearing what the administration witnesses have to say on these vital issues.

I hope that appropriate arrangements will be made among members of the "Quadriad," that they will promulgate regulations for the purpose, and that thus this resolution will be unnecessary, but I hope it will point the way to a very necessary reform of what seems to be a large loophole in the coordination of economic policy within our Federal Government.

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

The concurrent resolution (S. Con. Res. 73) was referred to the Committee on Banking and Currency, as follows:

S. CON. RES. 73

Resolved by the Senate (the House of Representatives concurring). That the Congress finds that determination of sound national economic policy requires a full and free interchange of views and information among the agencies of the Government exercising primary responsibilities in fiscal and monetary affairs, and that a failure to achieve such interchange can result in actions which are detrimental to the American economy. It is accordingly the sense of the Congress—

(1) that meetings of the Chairman of the Board of Governors of the Federal Reserve System, the Secretary of the Treasury, the Chairman of the Council of Economic Advisers, and the Director of the Bureau of the Budget, should be held at regular intervals but not less often than six times a year;

(2) that the Secretary of the Treasury, the Chairman of the Council of Economic Advisers, and the Director of the Bureau of the Budget should keep the Chairman and the members of the Board of Governors of the Federal Reserve System and other members of the Federal Open Market Committee fully apprised of any developments or information of which they are respectively aware and which should be brought to the attention of the Board for the effective discharge of its responsibilities;

(3) that the Chairman of the Board of Governors of the Federal Reserve System should keep the members of the Board apprised of any information which he has received from any officer or agency of the Government which has relevance to the effective and informed exercise by the Board of its responsibilities; and

(4) that the Chairman of the Board of Governors of the Federal Reserve System should notify the President whenever any request to raise discount rates is received by the Board from a Federal Reserve bank.

Mr. PROXMIRE. Mr. President, I warmly support the sentiments expressed by the Senator from New York [Mr. JAVITS]. As a matter of fact, 2 weeks ago I introduced a similar resolution. I hope the Senate Banking and Currency Committee will hold hearings on these resolutions, and that the Senate may consider them. It is a fact that there is not the kind of cooperation between the Federal Reserve Board and the other fiscal policymaking agencies of our Federal Government which there should be.

ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Under authority of the order of the Senate of January 20, 1966, the names of Mr. BIBLE, Mr. DOUGLAS, Mr. INOUYE, Mr. MCGEE, and Mr. MOSS were added as additional cosponsors of the joint resolution (S.J. Res. 126) 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, introduced by Mr. BAYH (for himself and Mr. METCALF) on January 20, 1966.

MICHIGAN OFFICIAL PROTESTS SCHOOL MILK SLASH

Mr. PROXMIRE. Mr. President, despite the fact that I have been daily protesting the action of the Budget Bureau in withholding \$3 million from the special milk program for schoolchildren, I have not heard one word spoken in defense of the cut. Instead, there has been an anguished outcry from public servants and private citizens alike over this false economy move which, in reality, saves the taxpayer nothing.

Today, I read into the RECORD one such protest from the chief of the Michigan Department of Education's school lunch program. The letter points out, as I have done so many times on the floor of the Senate, that the price increase resulting from the milk program cutback will necessitate a rise in the price of milk to the schoolchild and a consequent decrease in consumption. It also mentions the difficulty school districts have in adjusting to an unanticipated program cutback after the school year has begun.

Before I read the letter, Mr. President, I should like to inform the Senate that the two Senators from Michigan [Mr. McNAMARA and Mr. HART] fully support my position concerning this cut. In fact, the Senator from Michigan [Mr. HART] indicated his intention to insert the letter in the RECORD if I did not do so.

Mr. President, this is an excerpt from a letter written by James L. Borough, chief, school lunch program, Department of Education, State of Michigan:

To make a long story short—I should like to register a serious objection to the recent instructions of the Bureau of the Budget. School budgets have been predicated upon a 5-percent reduction in special milk claims and have been set for many months. Pricing arrangements have been determined prior to the consideration of any reduction whatsoever and have also been set for months. I am convinced that as a result of these instructions, many schools will be forced to raise prices in order to balance budgets and as a consequence reduce the amount of milk served to children.

It may be that the Bureau of the Budget anticipates that out of a \$103 million program, a \$3 million reduction will not be noticeable. Let me assure you that our share of this amount will be.

Naturally, being somewhat unaccustomed to such procedures, I cannot help but wonder if in the future based upon this experience the Bureau could limit expenditures to \$98 million, \$95 million, or \$90 million.

Next year—what?

It is one thing to anticipate a reduction of funds at the beginning of the school year and quite another to reduce an appro-

priation and force unanticipated adjustments after the year is half over.

I repeat—next year—what?

Mr. President, let me conclude by stating that next year, if the recommendations of the Bureau of the Budget are carried out, the school milk program will be virtually destroyed and cut down to a small fraction of what it has been in the past.

Mr. HART. Mr. President, as the Senator from Wisconsin [Mr. PROXMIRE] has so effectively been underscoring in recent days, I, too, have shared the disappointment which he has voiced at the reduction in the current school milk program and the recommended reduction for the year ahead.

To me, it is regrettable that in both the school lunch and school milk programs, we do not find a highly concentrated effort made to insure that those who need it most shall get it, a concept with which few would quarrel.

There is an overall reduction in both programs, in a day when we are debating the problem of guns or butter. It seems to me clear that whether it be guns or butter, we are slashing away at one defenseless area in our society.

It seems to me that Congress, at least, should maintain the present level of the school milk program as well as the school lunch program.

The Senator from Wisconsin, in his daily insistence on bringing this subject to the attention of the Senate, serves us all very well.

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

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 18 Leg.]

Alken	Javits	Proxmire
Anderson	Long, Mo.	Ribicoff
Boggs	Mansfield	Russell, S.C.
Cannon	Morse	Saltonstall
Dirksen	Morton	Talmadge
Hart	Muskie	Thurmond
Inouye	Nelson	Young, N. Dak.
Jackson	Prouty	Young, Ohio

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. BASS], the Senator from Indiana [Mr. BAYH], the Senator from Connecticut [Mr. DODD], the Senator from Louisiana [Mr. ELLENDER], the Senator from Minnesota [Mr. MONDALE], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Utah [Mr. MOSS], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Georgia [Mr. RUSSELL], and the Senator from Maryland [Mr. TYDINGS] are absent on official business.

I also announce that the Senator from Illinois [Mr. DOUGLAS], the Senator from New York [Mr. KENNEDY], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Michigan [Mr. McNAMARA], the Senator from New Mexico [Mr. MONTGOMERY], the Senator from Florida [Mr. SMATHERS], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Oregon [Mrs. NEUBERGER] are necessarily absent.

Mr. DIRKSEN. I announce that the Senator from Kansas [Mr. CARLSON], the

Senator from Colorado [Mr. DOMINICK], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from California [Mr. KUCHEL], the Senator from Iowa [Mr. MILLER], and the Senator from Kansas [Mr. PEARSON] are absent on official business.

The PRESIDING OFFICER. A quorum is not present.

Mr. INOUE. Mr. President, I move that the Sergeant at Arms be instructed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Hawaii.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. ALLOTT, Mr. BARTLETT, Mr. BENNETT, Mr. BIBLE, Mr. BREWSTER, Mr. BURDICK, Mr. BYRD of Virginia, Mr. BYRD of West Virginia, Mr. CASE, Mr. CHURCH, Mr. CLARK, Mr. COOPER, Mr. COTTON, Mr. CURTIS, Mr. EASTLAND, Mr. ERVIN, Mr. FANNIN, Mr. FONG, Mr. FULBRIGHT, Mr. GORE, Mr. GRUENING, Mr. HARRIS, Mr. HARTKE, Mr. HAYDEN, Mr. HICKENLOOPER, Mr. HILL, Mr. HOLLAND, Mr. HRUSKA, Mr. JORDAN of North Carolina, Mr. JORDAN of Idaho, Mr. KENNEDY of Massachusetts, Mr. LAUSCHE, Mr. LONG of Louisiana, Mr. MAGNUSON, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MCGEE, Mr. MCGOVERN, Mr. METCALF, Mr. MUNDT, Mr. MURPHY, Mr. PASTORE, Mr. PELL, Mr. ROBERTSON, Mr. SCOTT, Mr. SIMPSON, Mrs. SMITH, Mr. STENNIS, Mr. SYMINGTON, Mr. WILLIAMS of New Jersey, Mr. WILLIAMS of Delaware, and Mr. YARBOROUGH, entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

WHY YOU SHOULD BE QUIET IN THE HALL

Mr. NELSON. Mr. President, at the Midvale School in Madison, Wis., a teacher, tired of student noise in the hall, required fifth graders to write an essay entitled: "Why You Should Be Quiet in the Hall."

Mr. President, I believe that this would be a very useful essay for every Senator to read.

The fifth grader, Jim Shaw, settled everyone's hash with what I suspect is the most devastating satire on the cult of conformism uttered by man or boy in this century.

I ask unanimous consent that this essay be printed at this point in the RECORD for consideration by Senators and others.

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

WHY YOU SHOULD BE QUIET IN THE HALL

(By Jim Shaw, fifth grade, Midvale School, Madison, Wis.)

Your reputation on being quiet (if you have one) in the hall will last you the rest of your life. It is a very valuable reputation to have, so I'm going to talk about it.

First, talking in the hall gets a very big rage out of the teacher. Second, it probably will make you talk when you are not sup-

posed to do it (like in a hospital, for instance). Third, if you talk in lines too much, nobody will be your friend.

Talking when you are not supposed to is not at all polite. If a professor came to school, and saw you talking in line, he wouldn't like it at all. When you grow up, you will hardly have any friends at all. The Armed Forces (Army, Navy, Marines, Air Force) would like you a lot better if you didn't talk as much.

If you're a Senator, OK; but if you're not, be quiet in the halls.

POLICY IN SELECTING DISTRICT OF COLUMBIA SCHOOL SITES

Mr. BYRD of West Virginia. Mr. President, the Washington Star of Thursday, January 20, carried a news story with the headline: "Integration Urged as Policy in Picking District of Columbia School Sites." According to the Star, the District Board of Education is being urged by one of its members "to make an official policy of encouraging integration in the selection of school sites and attendance boundaries."

Mr. President, as the chairman of the Appropriations Subcommittee on the District of Columbia, I am opposed to such a policy, and I shall be alert to any effort to make such a policy a guideline in the selection of school sites.

Education—rather than integration—remains the prime purpose and objective of the public school system. Apparently, some people would invert the order and would have the public school system exist for the overriding purpose of integration, with education being secondary. In this instance, the suggestion is being advanced that integration be a State policy in the location of schools.

The U.S. Supreme Court in the case of Brown against Board of Education on May 17, 1954, ruled that children in public schools could not be segregated on the basis of race, as this would contravene the equal protection clause of the 14th amendment. The same Court ruled the same day in the case of Bolling against Sharpe, that racially segregated public schools could not be maintained in the District of Columbia by virtue of the due process clause of the fifth amendment. But the Court has never ruled against de facto segregation nor against racial imbalance in the public schools. The Court only ruled that race shall not be a factor in the assignment of children to schools in the public school system.

The ruling cuts both ways. Just as it prohibits State-enforced segregation of a Negro child in the public school system because of his race, by any fair interpretation, it would also prohibit the State-enforced assignment of a white child, solely on the basis of race, to a particular school in order to achieve integration or racial balance. To do that would be to deprive the white child of its liberty in violation of the due process clause of the 5th and 14th amendments.

By the same token, the Court has not ruled that integration must be a State-enforced factor in the selection of public school sites any more than segregation can be a State-enforced objective in such selection.

Therefore, Mr. President, I insist that, while we must abide by the decision of the Court, we are not required to make integration the primary goal, the alpha and omega, of the public school system.

As long as it is my duty to act upon budget requests for the District of Columbia public school system, I shall attempt to act in fairness toward both Negro and white children, and I shall strive to provide the best educational programs possible to all in order that each individual may develop whatever potential he possesses to the extent to which he is inherently capable.

I do not subscribe to the notion that the only quality education is that education which has been acquired under conditions which meet some preconceived State-enforced or pressure-group-advanced theory of what constitutes a proper racial mix or balance. I shall continue to support those public school sites which best serve the most students, regardless of race, and always with due regard to the reasonable cost and fair value of the property.

Mr. President, I ask unanimous consent to have the entire news story printed at this point in the RECORD.

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

[From the Washington (D.C.) Evening Star, Jan. 20, 1966]

INTEGRATION URGED AS POLICY IN PICKING D.C. SCHOOL SITES

(By Harriet Griffiths)

The District Board of Education was urged by one of its members yesterday to make an official policy of encouraging integration in the selection of school sites and attendance boundaries.

"I think this is done now, but I think we want it stated someplace," said Mrs. Louise B. Steele, the Board member who suggested it. She said a written guideline would help the public and school administrators at the same time.

A committee to be appointed by Wesley S. Williams, Board chairman, will look into the drafting of a policy statement on the promotion and preservation of integration as a factor in school planning.

The Board now has guidelines dating from 1954, the year of the Supreme Court ruling against segregated schools. The guidelines are designed to help the integrating school system prevent racial discrimination or the flouting of school boundaries for racial reasons.

Earlier, the Board decided to revise its plans for replacement of the Ludlow School building at 7th and G Street NE. to avoid the purchase and demolition of 14 homes on the south side of Morris Place NE.

The revision followed a tour of the site on Tuesday by Board and school officials in response to objections by Mrs. Marguerite Kelly, Democratic precinct chairman, that the overall plan would displace 500 persons, mostly Negroes, and result in de facto segregation.

The original plans for the new school called for destruction of all units on the north side of Morris Place and of another group at the 7th Street end of the south side.

The Board has now decided that the site should be restricted to the area bounded by 6th, 7th, and Morris Street, leaving the property on the south side of Morris Place intact.

The revision partially satisfied Mrs. Kelly, who wants the site to be bounded by 4th, 5th, D, and E Streets NE.—2 square blocks that include the old Carberry School now used as a warehouse.

"We still protest the site which takes 73 homes and a 12-unit apartment building and will displace a minimum of 500 people," she said in a statement.

The Board approved some preliminary plans for replacement of Seaton Elementary School, to be moved from its present site at 2d and I Streets NW. to a site near Shiloh Baptist Church, 1500 9th Street NW.

A tentative move arose during the session to drop the Board's advisory committee on the District's model school system, an experimental subsystem in the Cardozo area.

Its chairman, Judge David L. Bazelon, chief judge of the U.S. Court of Appeals for the District, has been highly critical of what he sees as deficiencies in the division.

Mrs. Gloria K. Roberts, Board member who raised the question, made no mention of Bazelon or his criticism, however, in suggesting a review of the value of continued service by the advisory committee.

The Board decided that its president would discuss the matter with Judge Bazelon.

THE RIGHT OF PRIVACY

Mr. LONG of Missouri. Mr. President, in a recent issue of *Catholic Lawyer* is an excellent article entitled "The Right of Privacy."

I ask consent that this provocative article be printed in the RECORD.

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

[From the *Catholic Lawyer*, autumn 1965]

THE RIGHT OF PRIVACY

The right of privacy has been defined as the individual's right to be free from unwarranted intrusions and publicity. It is, in essence, "the right of the individual to be let alone."¹ Although the right of privacy appears to be a recently emerging doctrine, its basis can be traced to the laws of ancient Greece and Rome, and to the Anglo-Saxon common law,² whereat protection was granted only from physical interference with life and property. In its development, a trend has evolved which evidences a fuller recognition and appreciation of the more intangible and spiritual values inherent in the scope of protection afforded by the right.³

The best known exposition of a modern right of privacy is found in the often-cited law review article by Samuel D. Warren and

¹ Warren and Brandeis, "The Right to Privacy," 4 *Harv. L. Rev.* 193, 205 (1890).

² Hofstadter, "The Development of the Right of Privacy in New York" 1-7 (1954); Pound, "Interests in Personality," 28 *Harv. L. Rev.* 343, 357 (1915). For example, subsequent to the passage of the New York statute, the Supreme Court of Georgia condemned the *Roberson* decision as repugnant to the ordinary concepts of justice, and espoused a concept that there was a distinct non-statutory right of privacy which is capable of judicial recognition. Despite the lack of common-law precedent or commentary as a determinative factor, support was found for the decision in the natural law and in the State and Federal constitutional guarantees that no person shall be deprived of liberty. However, the use of constitutional guarantees as a foundation for the right has been criticized as being logically weak. The Constitution and Bill of Rights, although recognizing in the abstract the existence of the right of privacy, do not allocate to each individual his specific personal rights against such an invasion. These provisions furnish only the safeguards and bulwarks against governmental power.

³ Nizer, "The Right of Privacy: A Half Century's Development," 39 *Mich. L. Rev.* 526, 527-28 (1941).

Louis D. Brandeis.⁴ In reviewing early decisions granting relief for violation of privacy on the basis of defamation, invasion of a property right, and breach of contract or of implied trust, the authors determined that an underlying theory permeated such decisions; this theory was "the right of privacy."

The right of privacy is presently protected in the vast majority of jurisdictions in the United States.⁵ In some jurisdictions the right is based solely upon statute; in others, the right finds its basis in the Constitution, in the natural law or as an evolution of the early common law.⁶ In either case, an expanded right of privacy is one that has received only recent recognition. Its development has been revolutionary, even in its most conservative form, and it has arisen in an area which, prior to 1890, was only scantily recognized. This note shall discuss the present status of the right of each individual to a share of privacy, and will attempt to predict the ultimate resolution of various problems created by the extension of the right.

EVOLUTION AND SCOPE OF THE COMMON-LAW RIGHT Intrusion

In those jurisdictions which have recognized the common-law right of privacy, the developing case law has been penetrating and extensive.⁷ Early in the common law of the United States, it was recognized that physical intrusion violated the right of privacy.⁸ This concept of unauthorized intrusion was logically extended in the case of *Rhodes v. Graham*⁹ to the tapping of telephone wires running into the plaintiff's home. The court held that such action constituted an unwarranted intrusion; ergo, an invasion of the right of privacy.

Exposition of public facts

Generally, an act will constitute a violation of privacy at common law if it constitutes a prying or intrusion into a private matter which would be offensive to a reasonable man.¹⁰ On the other hand, if the matter is public, e.g., a public document, death certificate, or photograph taken while part of the public scene, there is no recognized invasion because one impliedly consents to the revelation.¹¹ Therefore, under normal circumstances, if a fact is public in nature, there can be no intrusion or invasion of pri-

⁴ Warren and Brandeis, *supra* note 1.

⁵ Prosser, *Torts* sec. 112 at 831-32 (3d ed. 1964).

⁶ Comment, 16 *U. Det. L.J.* 78 (1952). While some jurisdictions recognize the right as an evolutionary concept, others do not. New York, for example, rejected evolutionary foundations and pioneered in the statutory coverage. *Pavesich v. New England Life Ins. Co.*, 122 Ga. 190, 50 S.E. 68 (1905) (acceptance of evolutionary foundations); *Roberson v. Rochester Folding Box Co.*, 171 N.Y. 538, 64 N.E. 442 (1902) (rejection of evolutionary foundations).

⁷ See generally Green, "The Right of Privacy," 27 *Ill. L. Rev.* 237 (1932).

⁸ *DeMay v. Roberts*, 46 *Mich.* 160, 9 N.W. 146 (1881) allowed recovery against a physician who allowed an unauthorized man to accompany him during a childbirth. See generally Ludwig, "Peace of Mind" in 48 *Pieces versus Uniform Right of Privacy*, 32 *Minn. L. Rev.* 734, 735 (1948).

⁹ 238 Ky. 225, 37 S.W.2d 46 (1931); see also *McDaniel v. Atlanta Coca Cola Bottling Co.*, 60 Ga. App. 92, 2 S.E.2d 810 (1939), wherein recovery was allowed for the use of microphones in a hospital room.

¹⁰ *Brex v. Smith*, 104 N.J. Eq. 386, 146 *Atl.* 34 (ch. 1929). An unauthorized investigation into a bank account was enjoined. See generally Prosser, "Privacy," 48 *Calif. L. Rev.* 383, 389-92 (1960).

¹¹ Note, 44 *Va. L. Rev.* 1303 (1958).

vacy in obtaining it. Analysis reveals that although the public record factor is of importance in determining the difference between public and private facts, it is not to be considered conclusive.

In the case of *Melvin v. Reid*,¹² the plaintiff, formerly a prostitute, had been a defendant in a sensational murder trial. After her acquittal she abandoned her prior profession and became a virtuous member of society. Subsequently, a motion picture was exhibited which utilized her name and past as revealed on the record of the murder trial. The court held that even though the incidents used were part of the public record, the movie was a direct invasion of her right of privacy.¹³ Thus, although the disclosure in *Melvin* was of a public record, the decision is indicative of the fact that there is something in the nature of a "mores" test by which liability exists for publicity given to those things which the customs and ordinary views of the community will not tolerate.

Disclosure

In addition to intrusion, the common-law jurisdictions have also held the public disclosure of embarrassing private facts, e.g., publicizing delinquent accounts,¹⁴ to be generally actionable as a violation of the right of privacy. In this situation, it is the publicity afforded the private matter which is actionable, not the invasion or intrusion. Hence, a garageman who notified the community that a customer's payment was past due by means of a sign posted in his window violated the customer's right of privacy.¹⁵

It is important to realize that truth, which is usually a defense to an action for defamation, is not a defense to an action for invasion of privacy. Thus, the fact that the plaintiff actually owed the money would not alter the determination. It appears, therefore, that the common-law jurisdictions have been able to develop, in the area of publications, an extension of the law of defamation which is not confined by the defense of truth.¹⁶

Appropriations

The most recently protected area, in common-law jurisdictions, deals with the individual's right to be free from the commercial exploitation of his identity.¹⁷ In regard to this phase of the common-law right, it is necessary to note that it applies only to natural living persons; corporations, deceased persons, and animals are thus excluded.¹⁸ Generally, the exploitation takes the form of appropriation of the plaintiff's name or likeness for the defendant's benefit.¹⁹ Recovery for appropriation can be

had if a photograph or likeness is published in or as part of an advertisement, or used in connection with an article of fiction, since either would have an advantageous commercial use. On the other hand, recovery has been denied when an identity is utilized in news or material which is educational or informative in nature since it is the public at large which reaps the benefit, and not the defendant. Between the poles of news and fiction there appear to be no guidelines by which the eventual determination of a specific case may be reached. However, courts have generally applied a de minimis rule in order to avoid the consequences of a violation of the right in extreme situations.²⁰ For example, a sailor who had posed for a recruiting poster which appeared as background in 9 out of 8,500 feet of film was unable to recover.²¹

THE EVOLUTION AND SCOPE OF THE STATUTORY RIGHT OF PRIVACY

*Schuyler v. Curtis*²² was the earliest New York case acknowledging the possible existence of a right to privacy. In *Schuyler*, the trial court enjoined the display of a statue of a deceased person because she had not attained public notoriety. The court of appeals, however, held that if any right of privacy existed at all, it did not survive after death and could not be enforced by the relatives of the deceased. The tenor of the court's opinion indicated that New York was not disposed, at that time, to recognize a right of privacy as a legal entity, or to entertain its invasion as the basis for an independent cause of action. In *Roberson v. Rochester Folding Box Co.*,²³ the court of appeals clarified the New York position when it declared that no common law right of privacy existed in the State. This decision was primarily based upon three factors: (1) the lack of common law precedent; (2) the mental character of the injury; and (3) the fear of a deluge of litigation.²⁴ In response to the storm of professional and popular disapproval following this holding, the legislature created a statutory right of privacy.²⁵ This highly specific enactment made it both a misdemeanor and a tort to make use of the name, portrait or picture of any living person for advertising purposes, or for purposes of trade without the person's written consent.

Both the common law and the statutory jurisdictions protect a living person's identity from commercial exploitation. In the statutory jurisdictions, however, the legislature provides the sole protection. The New York statute, and those patterned after it,²⁶

prohibit the use of the name, portrait or picture of any living natural person without his written consent for advertising purposes or purposes of trade.²⁷ Although the statutory right appears somewhat restricted, there has been no significant difference of application in this area as compared with the common law jurisdictions.²⁸ Both statutory and common law jurisdictions recognize that the unauthorized use of another's name or picture for commercial purposes cannot be countenanced.

The problems involved in determining an actionable violation of the right in a statutory jurisdiction are illustrated by the recent decision of *University of Notre Dame v. Twentieth Century-Fox*,²⁹ wherein the president of the university sought relief under sections 50 and 51 of the New York civil rights law. The court noted that he was named only in two brief passages in the book "John Goldfarb, Please Come Home," and not at all in the film. In applying the de minimis rule, this was considered to be of "fleeting and incidental nature which the civil rights law does not find offensive."³⁰ The university, being an incorporated institution was afforded no right of privacy under the statute. The court concluded by stating that since Notre Dame's grievances sounded in defamation, its remedy lay at law in libel, not in equity for invasion of the right of privacy.

Although the right-of-privacy statutes afford protection similar to that offered in common law jurisdictions, they have an inherent defect since their applicability is severely limited to certain enumerated instances. While legislation encompasses the most common method of invasion of privacy, other flagrant abuses actionable at common law, such as wiretapping and eavesdropping, are outside the statutory protection. In addition, the statutes prohibit only the use of a name or likeness. The publication of embarrassing intimate details of private life is without their scope.

Viewing the New York statute mechanically, it appears to be plagued with a dual character. Its penal sanction and the fact that it is unrecognized in New York's common law require that it be given strict interpretation.³¹ However, its remedial purpose would seem to foster an expansive liberal construction. The resulting stresses have caused confusion, and have narrowed its effectiveness by limiting and restricting its apparent purpose to the literal confines of the statute. It has been remarked that the statute "has never emerged from its shadow."³² Thus, in an area where the statutory right could have surpassed the protection provided by the common law, the New York statute, instead, followed the common law by denying public institutions,

the subject's death or, if there are no descendants, it protects the memory of the deceased for 50 years. Violation is a felony. Utah Code Ann. secs. 76-4-7, 8, 9 (1953) follows New York generally but includes prohibition of commercial exploitation of public institutions and public officials. It also protects against the use of a deceased's likeness by requiring written consent of the personal representative or heir. Va. Code Ann. secs. 8-650 (1957) limits protection to residents of the State.

²⁷ N.Y. Civ. Rights Law, secs. 50, 51.

²⁸ Prosser, supra note 10, at 401.

²⁹ 22 App. Div. 2d 452, 256 N.Y.S. 2d 301, aff'd, 15 N.Y. 2d 904, 207 N.E. 2d 508, 259 N.Y.S. 2d 832 (1965).

³⁰ *University of Notre Dame v. Twentieth Century-Fox*, 22 App. Div. 2d 452, 256 N.Y.S. 2d 301, 304 (1st Dep't 1965).

³¹ *Binn v. Vitograph*, 210 N.Y. 51, 55, 103 N.E. 1108, 1110 (1913).

³² Hofstadter, "The Development of the Right of Privacy in New York," 13 (1954).

¹² 112 Cal. App. 285, 297 Pac. 91 (1931).

¹³ *Melvin v. Reid*, 112 Cal. App. 285, 297 Pac. 91 (1931); see *Man v. Rio Grande Oil Co.*, 28 F. Supp. 845 (N.D. Cal. 1939). Contra, *Sidits v. F.R. Pub. Corp.*, 113 F. 2d 806 (2d Cir. 1940).

¹⁴ *Brents v. Morgan*, 221 Ky. 765, 299 S.W. 967 (1927).

¹⁵ *Ibid*; see Kacedan, "The Right of Privacy," 12 B.U.L. Rev. 353, 376-79 (1932).

¹⁶ Prosser, supra note 10, at 398.

¹⁷ This area corresponds with that protected by statute, see Ludwig, supra note 8, at 747.

¹⁸ See generally Nizer, supra note 3, at 549-53. N.Y. Gen. Bus. Law, sec. 397 prohibits the use of the name or identity of a nonprofit association or corporation organized exclusively for charitable, patriotic or religious purposes for advertising purposes or purpose of trade. This legislation was mainly designed to operate in regard to services and sale of goods. *University of Notre Dame v. Twentieth Century-Fox*, 22 App. Div. 2d 452, 455-56, 256 N.Y.S. 2d 301, 305 (1st Dep't), aff'd, 15 N.Y. 2d 904, 207 N.E. 2d 508, 259 N.Y.S. 2d 832 (1965), 40 Notre Dame Law. 330 (1965).

¹⁹ Prosser, supra note 10, at 401.

²⁰ Ludwig, supra note 8, at 742.

²¹ *Freed v. Lowes, Inc.*, 175 Misc. 716, 24 N.Y.S. 2d 679 (Sup. Ct. 1940).

²² 15 N.Y. Supp. 787 (Sup. Ct. 1892); see *Pavesich v. New England Life Ins. Co.*, supra note 6, at 207-10, 50 S.E. at 75-76.

²³ Supra, note 6. Defendant, without knowledge or consent of plaintiff, printed and circulated in public places about 25,000 likenesses of plaintiff, a young woman, with the words, "Flour of the Family" and the name of the milling company on each print. The Court of Appeals refused to enjoin the defendant.

²⁴ Kacedan, supra note 15, at 621-22.

²⁵ N.Y. Sess. Laws 1903, ch. 132, secs. 1, 2 (embodied in N.Y. Civ. Rights Law, secs. 50, 51). The statute was held constitutional in *Rhodes v. Sperry & Hutchinson Co.*, 193 N.Y. 223, 85 N.E. 1097 (1908), aff'd, 220 U.S. 502 (1911). See generally Hofstadter, op. cit. supra note 2, at 12, 13; note, 9 St. John's L. Rev. 159 (1934).

²⁶ Okla. Stat. Ann. tit. 21, secs. 839-40 (1958) which is similar to the New York legislation, except that it provides greater protection of privacy by requiring the written consent of descendants for 50 years after

corporations or deceased persons the right of privacy.³³

The rationale for withholding recognition of a right of privacy in a deceased person appears to be that it is a personal right of the deceased³⁴ and further, that the exercise of such a right would impose burdensome restrictions upon the freedom of the press.³⁵ This reasoning, however, would seem fallacious in both respects. It is not the deceased's privacy, but that of his relations which is invaded by unwarranted disclosure concerning him.³⁶ In addition, recognition of the right would not impose upon the communications media any greater restriction than now exists for a living person, and the exceptions relating to public figures and newsworthiness would still be applicable. Statutory protection against the use of a deceased's likeness is already adopted to a limited degree in other States and by the Federal Government.³⁷ This type of legislation appreciates the continuing character of the deceased's identity, and protects his memory and those persons closely related to him from commercial exploitation.

THE FEDERAL RIGHT OF PRIVACY

Increased appreciation of the rights of the individual in general, must be accompanied by an increased sensitivity to the right of an individual to be "left alone." The U.S. Supreme Court recognized this right in *Griswold v. Connecticut*.³⁸ Although the facts of *Griswold* necessarily limit its conclusion and impact, the recognition of any facet of the right of privacy must be considered a significant development. The subject of the discussion in *Griswold* was a Connecticut statute which had historically made the use of contraceptive devices a criminal offense. In holding the statute to be unconstitutional, the Supreme Court declared that implicit in the U.S. Constitution is a right to privacy in the marital relationship; that the Connecticut statute abridged that right; and that this statute was also in violation of the process, as stated in the 14th amendment.

Thus, the Court has directly postulated that a right of privacy is extant in one sphere. Although this sphere is the marital relationship, an historically sacrosanct area, the case may be the precursor of significant applications of the right in other areas.

It must be stressed that the right, as interpreted in the *Griswold* case, is a right to be free from governmental interference, at both the State and Federal levels. Therefore, any extensions of the *Griswold* doctrine will be available only as rights of action against governmental agents. Invasions, by individuals, of the privacy of other individuals, whether that privacy be of the marital relationship or otherwise, is apparently not included in *Griswold's* impact. This conclusion flows from the fact that in other areas, where governmental interference with individuals has been proscribed as violative

of the Constitution, e.g., illegal searches and seizures, similar actions by individuals have not been proscribed.

CONCLUSION

The need for legislative updating of the right of privacy in New York and other States with similar approaches, whether statutory or not, is evident. What is required is intensive examination of the current status of the position of these jurisdictions in relation to that of other States and foreign countries. Original legislation is necessary not only to place these jurisdictions at the level of the more liberal jurisdictions, but also to insure the proper development of this right within a dynamic society. The nationwide syndicated press and network communication systems require that the individual be afforded a more uniform protection, since these scientific advances have multiplied the potential for infringement of his privacy. In addition, the advent of electronic eavesdropping devices greatly increases the possibility of intrusions designed solely to acquire and disclose injurious information in order to satisfy personal vengeance. Such activity would not constitute commercial exploitation, and if the information was truthful, the injured party would lack a remedy. Lastly, if a New York revision is effected, there exists the distinct possibility that it may be adopted as the nucleus of uniform legislation. With this in mind, it seems that New York should enlarge the right of privacy and overcome the inadequacies created by anachronistic approaches, thereby creating a common denominator in an area otherwise without a standard.

"WHY CAN'T YOU STAY WITH YOUR CHILD IN THE HOSPITAL?"

Mr. CASE. Mr. President, the leading article in the January 23 issue of *Parade* was an article entitled, "When He's in the Hospital, Why Can't You Stay With Your Child?" The article pointed out the advantages of allowing parents of young patients to visit freely, even stay with, their children.

It is a thoughtful, provocative piece and I was pleased to note that, of the relatively few hospitals in the United States which have unlimited visiting and living-in facilities for parents of small children, a 121-bed rural hospital in Flemington, N.J., sets so splendid an example that medical men have come from as far as South America and Ceylon to see the system in operation.

The article points out that at the Hunterdon Medical Center visiting hours are unlimited for parents of children up to 14, and a parent may room in with any child up to 14. In 75 percent of the cases, the mother stays with her child. She may dress and bathe the child; be with him through every phase of his hospital stay except in the operating room. She may give him pills or liquid medication under supervision of a nurse, may hold and comfort the child during spinal tap and catheterization.

Mr. President, I ask unanimous consent that the complete text of the article appear at this point in the RECORD.

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

WHEN HE'S IN THE HOSPITAL WHY CAN'T YOU STAY WITH YOUR CHILD?

(By Peggy Mann)

"That's my mummy's chair. Don't take it away."

Obligingly the nurse returned the hospital chair to its place beside the child's crib, and Laura, 2½, lay for hours staring out through prisonlike bars at the empty seat.

She was in her quiet way helping to foment a major revolution that has dramatically affected most of the pediatric wards in Great Britain in the past 10 years—a revolution that can, with the cooperation of local communities, be extended to every hospital in the United States which accepts small children.

Parental visiting procedures are perhaps the most anachronistic feature of hospital care in America today. In many hospitals parents are allowed to visit their sick toddlers only twice a week. Of some 5,550 general hospitals in this country, a mere 28 provide facilities for parents to remain overnight with their sick children. (One of these, the Hunterdon Medical Center, is described in the accompanying text.)

In Great Britain the statistics are startlingly different. Almost two-thirds of the hospitals that accept small children allow unrestricted visiting by parents, and the majority of these also permit parents of toddlers to room-in with their hospitalized child. This situation is due in large measure to the campaign spearheaded by a tall, gentle, Scottish-born psychoanalyst, James Robertson, who has recently concluded a tour of this country. After meeting with numerous American pediatricians, nurses, hospital authorities, and young mothers, Robertson is convinced that today any American community—following the basic pattern set by Britain's campaigning parents—can achieve impressive results. "American doctors and hospital administrators," he says, "are far more willing than ever before to listen to the case for unlimited visiting and rooming-in. The climate now is right."

A 15-YEAR CAMPAIGN

The climate was far from right when James Robertson began his campaign in Britain some 15 years ago. At first little Laura was his only aid. Using a simple hand-held camera, Robertson made a film that revealed the close-up reactions of the small child suddenly left alone in a white-robed world of strangers—allowed to see her parents for one brief visiting hour every other day. During the remaining interminable time the child tried her best to cope with the situation. Her best was not very good.

The best of any hospitalized child of preschool age is never very good if the youngster is separated from his mother.

Robertson—a member of Britain's world-famed Tavistock Child Development Research Unit—has observed hundreds of hospitalized British, American, and West European children as part of his pioneering efforts to right an incredibly archaic blind spot in the care of small children in hospitals. His studies have proved conclusively that no matter how much toddlers and their individual histories may differ, the aftereffects of a motherless hospital situation are always basically the same. "Upon a small child's return home," says Robertson, "he almost invariably shows acute behavior difficulties which usually persist for weeks or months and which can permanently impair personality development. This is true even when the youngster has received the highest quality of care, kindness, and affection from doctors and nurses."

Laura provided an eloquent example of this. Her name had been chosen completely at random from a list of toddlers scheduled for minor operations. She proved a beautiful, blonde child, unusually well adjusted, secure, self-possessed and unspoiled.

She entered the hospital a week later. Tricked by an invitation to "come and see the rocking horse," she obediently allowed herself to be led away from her mother by a total stranger, who promptly stripped off her clothes and immersed her in an immense

³³ However, it is interesting to note that N.Y. Gen. Bus. Law, sec. 397 does provide this protection for religious, benevolent, and educational associations.

³⁴ *Schuyler v. Curtis*, 147 N.Y. 434, 42 N.E. 22 (1895).

³⁵ Comment, 1953 Wash. U.L.Q. 109.

³⁶ Green, "Relational Interests," 29 Ill. L. Rev. 460 (1934); note, 40 Notre Dame Law. 324 (1965).

³⁷ For the States involved, see *supra* note 26. Federal law prohibits the registration of a trademark if it consists "of or comprises a name, portrait, or signature identifying a particular living individual except by his written consent, or of the name, signature or portrait of a deceased President of the United States during the life of his widow, if any, except by the written consent of the widow." 60 Stat. 428 (1946), 15 U.S.C., sec. 1052(c) (1964).

³⁸ 381 U.S. 479 (1965).

bathtub. Most small children scream with indignation and terror at this point, but Laura, after an initial spasm of tears, gathered herself together and cooperated with the nurse, who proceeded to dress her in a sterile, shapeless hospital gown.

The following morning when her mother came to visit she was told by the ward nurses that Laura had "settled in" very nicely and had not cried at all. Many other youngsters went into hysterics, moaned and rocked in misery, banged their heads against their crib or wept and wailed unceasingly.

Laura's tears came only when visiting hour was over. Then her sobs and piercing screams of "Mummy don't leave me here" seemed to bear out the hospital's contention that visits from the parents merely upset young children.

The trouble continued when Laura returned home. "It always does," says Robertson.

Laura, who had been a very independent little girl, now screamed in terror whenever her mother was out of sight. She would snuggle in her mother's arms, then without warning sit bolt upright and sock her mother with hard-clenched fists or scratch her face.

"WHERE WAS YOU?"

The child had, since infancy, slept undisturbed through the night. Now she would not close her eyes unless her mother was in the cot by her crib. She would scream out in her sleep and wake up sobbing, "I'm not a naughty girl. I'm not. Please don't send me there again." Or, awake, she would demand with tearful belligerence, "Where was you all that time?"

Laura's reactions, says Robertson, were basically those of almost every toddler who undergoes this motherless hospital situation: extreme overdependence on the mother coupled with outbursts of aggression toward her. The mother's reactions were typical, too. "She seems to blame me for something," she told Robertson, bewildered.

James Robertson at first took his film, "A Two-Year-Old Goes to Hospital," to members of the medical and nursing professions. The initial reactions were vehement attempts to deny its validity. But the Minister of Health took cognizance of the controversy, and on June 12, 1956, he appointed a committee to study the matter. They did so for 2 years.

Meanwhile, Robertson produced another film about a little girl 9 months younger than Laura. Sally entered Amersham General, one of the few hospitals in Britain which routinely invite mothers to room in. Sally's mother had a cot in her daughter's small glassed-in cubicle, shared kitchen facilities with other mothers, and was encouraged to help in the care of her child. Although Sally's operation proved surgically more difficult than Laura's, she returned home and took up her life where she had left off. There were no traumatic psychological aftereffects whatsoever.

The film "Going to Hospital With Mother," shown in conjunction with the saga of Laura, made Robertson's point doubly eloquent. The following year the Government's 40-page report on the subject was published. It contained many valuable recommendations. But the two most important advocated (1) that the parents of any hospitalized child should be granted unrestricted visiting privileges—and should help as much as possible with the care of the child and (2) that mothers of children under 5 should be allowed—indeed encouraged—to room in with their youngsters and that accommodations should be provided.

The Minister of Health made it clear that the recommendations were to be regarded as official Government policy.

But official reports can easily be pigeonholed. A year after the report was issued,

only some 30 hospitals had made much effort to follow its recommendations.

The report was not, however, ignored by mothers. In 1960 a meeting was organized by a London housewife, Mrs. James Thomas Robertson's films were shown, and in the ensuing discussion an organization was born: Mother Care for Children in Hospital. It is now nationwide with some 70 local branches.

The methods and arguments used by these parents have been extraordinarily successful. In February 1965 the Minister of Health announced that 560 of the 853 hospitals that admitted children were allowing unrestricted visiting by parents. An additional 48 hospitals had adopted extremely generous visiting hours. And all new hospitals being built, or old hospitals being modernized, were to have 8 separate rooming-in cubicles for every 20 children's beds.

What is the current situation in American hospitals? The relatively few hospitals that do permit the mother to room in usually do so only if the child has a private or semi-private room. According to Dr. Claire Fagin, who has done an extensive study of the subject, even in these hospitals "the mother is * * * often ignored as though she were not there at all. As for unlimited visiting, there are hospitals scattered throughout the country which allow it, but they are certainly the exception rather than the rule."

American parents who wish to press for unlimited visiting and rooming-in accommodations have no Government proclamation to aid them. However, they have an equally effective tool. Most American hospitals are dependent upon local communities for financial support. Local organizations may offer to help the hospital—if the annual drive is devoted in part to raising money for added rooming-in accommodations. Or chapters may organize their own drives.

Mothers can also show willingness to help the hospital meet any problems that may arise in regard to unrestricted visiting. For example, many MCCH chapters have organized a baby sitting service available to the mother who must leave her other children when she visits her hospitalized youngster.

All MCCH chapters act as clearinghouses for the latest information about parental visiting at nearby hospitals. And a national newsletter gives mothers ammunition by pointing out the changes in visiting policies being made by hospitals throughout the country. Copies of these newsletters may be obtained by writing to Mother Care for Children in Hospital, c/o Mr. N. Safford, 16 Berwyn Road, Surrey, England.

How do local groups operate?

Most British MCCH chapters have started with a few telephone calls plus a letter to a local newspaper stating the time, place, and purpose of the first meeting. This invariably results in a surprisingly good turnout. Invitations are also extended to local hospital authorities and pediatricians.

At the first meeting British MCCH chapters generally show Robertson's two films. These are now available at minimal cost from: New York University Film Library, 26 Washington Place, New York, N.Y. Robertson's two books on the subject are also now available here: "Young Children in Hospitals" (Basic Books) and "Hospitals and Children: A Parents'-Eye View (International Universities Press).

A committee is appointed to investigate the visiting hours and rooming-in situation of hospitals in the vicinity which accept children. The next step is to visit local hospital authorities in order to discuss these questions. "It is important," says Robertson, "that the matter be treated as a common concern. And mothers should repeatedly point this out in their answers to the objections they are likely to receive."

What are these objections?

Dr. Harold Goldstein, chief of pediatrics of the Central Manhattan Medical Group (which favors rooming-in), says, "The heads of numerous children's pavilions or pediatric wards are very often doctors who also specialize in infectious diseases or virology and immunology. They have stressed the idea of increased cross-infection if parents were permitted to wander at will in and out of the children's sections."

Actually, however, exactly the contrary has proved to be the case. As the highly respected British medical magazine *Lancet* puts it: "There is a decrease in cross-infection when there is more handling by the mother." The reason? When the child is "specialized" by his mother, "his contact with multiple caretakers is reduced."

"Settling in" is another argument. Most children do tend eventually to adapt to the hospital routine. They erupt into emotional displays only when parents visit and when they depart. "But," says Robertson, "we know now that the visits of the parents, far from making the unhappiness, reveals the desperate unhappiness that is already there. Furthermore, a small child has no time sense. Each time his mother leaves he believes it may be forever."

A GENUINE HELP

Another common hospital objection: Unlimited visiting of parents interferes with hospital routine.

Again, the opposite has proved to be true. The quiet coming and going of parents at various times during the day and evening means avoiding the congestion and excitement of rigidly restricted visiting hours in which a sudden flood of parents does create minor havoc among the children—and, consequently, the staff. The mother can also be a genuine help to the hospital staff if she is allowed to play a part in the care of her child.

Britain's Amersham General Hospital has had over a decade of experience with rooming-in mothers for children under 5 and with unlimited visiting hours for parents of all children. The statement of the chief pediatrician seems to sum up succinctly the answers to all objections raised by other hospital officials: "We have found that the mother's presence helps the hospitalized child recover more quickly and eliminates the problem of a distressed child at home afterward."

If you are the mother of a young child, have you ever asked about the visiting-hour policies of the hospital with which your pediatrician is connected? "Too many mothers," says Robertson, "wait until emergency descends before learning the answers to this question. Then it is usually too late for effective action."

In most American communities this is a situation which cries out for change. It is also a situation of which you can say with certitude: "I can do something about this."

HOW ROOMING-IN WORKS IN ONE HOSPITAL

Of the relatively few hospitals in the United States which have unlimited visiting and rooming-in facilities for parents of small children, a 121-bed rural hospital in Flemington, N.J., sets so splendid an example that medical men have come from as far as South America and Ceylon to see the system in operation.

At Hunterdon Medical Center visiting hours are unlimited for parents of children up to 14, and a parent may room in with any child up to 14. In 75 percent of the cases, the mother stays with her child. She may dress and bathe the child, be with him through every phase of his hospital stay except in the operating room. She may give him pills or liquid medication under supervision of a nurse, may hold and comfort the child during spinal tap and catheterization. "She's there strictly for moral support," says Chief Pediatrician Avrum Katcher.

COMMUNITY ANTENNA TELEVISION

Mr. BREWSTER. Mr. President, in recent days, I have received many hundreds of letters from constituents who are subscribers to community antenna television and who are concerned for the future of this industry which currently provides superior reception for those many thousands of citizens who live in fringe areas.

The CATV subscriber is concerned with anticipated rulings of the FCC. Many of their letters raise specific questions about the authority of the Commission and the need for the Congress to act in this matter.

My own inquiries into the background of this issue indicate that the Congress interested itself in the case in 1958, 1959, and 1960. Extensive hearings were held but opposition of CATV owners and operators to any action by the Congress prevented a satisfactory resolution of the question.

As far back as 1961, the FCC asserted its authority over certain aspects of the CATV system and was sustained by the courts. Although it has been reluctant to move further into this field, the absence of congressional action and the growth of the industry have required it to continue to study the issue. A brief history of these considerations is provided in a recent letter from the FCC to the chairman of the Senate Subcommittee on Communications.

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:

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C., January 24, 1966.

Hon. JOHN O. PASTORE,
Chairman, Subcommittee on Communications,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: In light of recent inquiries and interest concerning community antenna television (CATV) matters now before the Commission, I thought it might be helpful to bring you and the committee up to date on our current activities in this important field.

The Commission, as the committee is aware, has long been concerned with the matter of CATV growth and its impact upon the fullest development of our nationwide television system. We have had these long-standing CATV questions under close and active study in a number of proceedings dating back to the late 1950's. In our May 1961 decision of *Carter Mountain Transmission Corp.* (32 F.C.C. 459), the Commission asserted jurisdiction over common carrier microwaves serving CATV systems, a jurisdiction which was subsequently sustained by the courts (321 F. 2d 359 (C.A. D.C.) cert. den. 375 U.S. 951). Following our *Carter Mountain* decision, the Commission commenced further intensive studies and accumulated additional data on the overall CATV situation. These have enabled us to proceed to come to grips with the swift-moving developments in this field.

In April 1965, the Commission adopted rules governing the grant of microwave authorizations being used to relay television signals to CATV systems (first report and order, docket Nos. 14895 and 15233). In general, these rules require that any microwave-served CATV system, upon request, carry the signals of local stations and refrain from duplicating their programs from 15 days before and after the local broadcast.

Preexisting microwave licensees were not immediately subject to these new microwave rules, but will generally be required to come into compliance at their license renewal time. These licenses generally expire on February 1, 1966, and applications for their renewal, which are now pending before the Commission, will be acted upon as soon as feasible consistent with our consideration of other basic CATV matters in docket No. 15971, discussed below. Individual requests for waiver and exemption from these rules will, of course, be considered.

On the same date in April 1965, the Commission also instituted a further CATV rulemaking proceeding, divided into two parts, which is presently in progress. (Notice of inquiry and notice of proposed rulemaking, docket No. 15971.) Part I of this proceeding proposed to finalize the Commission's initial conclusion that it had and should also exercise jurisdiction over the CATV systems not served by microwaves and, pursuant thereto, to extend to them the same requirements now governing the microwave-served systems. In part II of the proceeding, the Commission initiated an inquiry looking toward possible rulemaking on broader questions posed by the trend of CATV development. These included the effects on independent UHF stations in major markets of CATV entry into those markets; possible limitations on the long-distance extension of stations' signals by CATV and on CATV program origination, together with several other matters related to CATV impact on our broadcast system. Part II also included a notice of proposed rulemaking under which rules or other measures, interim or final, might be taken to deal effectively with some of the more pressing problem areas.

Interested parties have, of course, been provided an opportunity to submit counterproposals, comments and replies on the matters raised by the Commission's proposals and inquiry. All such filings have now been completed. No final action on any aspect of this matter (docket No. 15971) has been taken to date. However, the Commission has now scheduled a meeting with its staff for February 10, 1966, at which time it will consider the issues involved in light of the comments addressed to them.

The Commission intends to resolve as many of these CATV questions as it can as soon as it can. It is not possible at this stage to know what and when final action will be taken. In light of the complex and extensive record before us, I believe that no dispositive action will be taken at our February 10 meeting, and that subsequent meetings will be required for our final decisions.

I trust that the foregoing will be of assistance to you and the committee. I will, of course, be pleased to keep you advised of further developments in these areas and certainly of any actions taken by us.

Sincerely yours,

E. WILLIAM HENRY,
Chairman.

Mr. BREWSTER. Mr. President, it will be noted that the Commission has taken testimony and received comments from all interested parties and that it has not taken any final action. In fact, the letter from the Commission indicates that whatever action they may take will require additional meetings subsequent to February 10.

The jurisdiction of the FCC to act in matters of CATV under present legislation can only be determined by the courts. The need for congressional action in this matter cannot be decided until the Congress has had an opportunity to review the opinion of the FCC.

In the meantime, I think it only proper for those of us who have received so much mail on this matter to inform the FCC of the views of our constituents. I have done so.

REGULATION OF CLINICAL LABORATORIES

Mr. JAVITS. Mr. President, the problem of those clinical laboratories which render inferior service continues to be a major interest of professionals in the health field. The Governing Council of the American Public Health Association, at its most recent annual meeting, adopted a resolution expressing the concern of the Association and its membership on this topic.

Enactment of the Clinical Laboratory Control Act of 1965, S. 2184, would safeguard the interests of the public impaired by inefficient clinical laboratories. This measure, introduced last year by the junior Senator from California [Mr. MURPHY], and myself is presently pending before the Senate Committee on Labor and Public Welfare. It establishes controls by the Public Health Service over all clinical laboratories operating in interstate commerce. In addition to the American Public Health Association this proposal has the support of the American Chemical Society and professional groups in the clinical laboratory field. I am pressing for hearings this year on this measure which is so important to the protection of the public.

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

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

REGULATION OF CLINICAL LABORATORIES

The proper performance of laboratory and blood banking services is of vital concern to the public health, safety, and welfare of our citizens. Improper performance of a laboratory procedure may induce an erroneous diagnosis or contribute to the selection of an inappropriate method of treatment, resulting in illness or unnecessary disability, hospitalization, injury or even death.

The rapidly increasing complexity and scope of laboratory procedures demands a greater knowledge of developing scientific techniques. Despite this fact, a minority of States have laws regulating procedures and practices of clinical laboratories and blood banks.

The American Public Health Association urges:

1. The U.S. Public Health Service to develop recommendations on minimal standards and on improvement of services of clinical laboratories and blood banks.
2. Each State health department to assess the situation in its State and where necessary obtain appropriate legislation to regulate practices in clinical laboratories and blood banks.
3. State health departments to provide consultation and training programs to assist clinical laboratories and blood banks in meeting established standards.
4. Support of the principle contained in legislation introduced into the 89th Congress which would regulate practices of clinical laboratories engaged in interstate commerce.

(Adopted by the Governing Council of the American Public Health Association, October 20, 1965.)

ADDRESS BY VICE PRESIDENT HUMPHREY ON THE OCCASION OF THE TRUMAN AWARD

Mr. LONG of Missouri. Mr. President, the significant contributions of President Harry S. Truman to achievement of world peace were recounted by Vice President HUBERT H. HUMPHREY in Kansas City late last year. The tribute was included in remarks of the Vice President on the occasion of his receipt of the Harry S. Truman Commendation Award for dedicated service to world peace and for building bonds of friendship between Israel and the United States.

In addition to his remarks to President Truman, Vice President HUMPHREY outlined recent progress in the development of Israel. He points particularly to the spirit of the country which has given the people the will to make the desert bloom in the years following its declaration as a State in May 1948.

Mr. President, I ask unanimous consent that the remarks of the Vice President in Kansas City be printed in the RECORD.

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

REMARKS OF VICE PRESIDENT HUBERT HUMPHREY, TRUMAN AWARD, KANSAS CITY, MO., DECEMBER 19, 1965

I am highly honored to receive from you, Mr. President, the Harry S. Truman Commendation Award.

But I feel that I should be giving it to you rather than the other way around.

Mr. President, if anyone deserves the highest commendation for dedicated service to world peace and for building bonds of friendship between Israel and the United States, it is you.

You ended World War II and brought peace to a weary and shattered world.

You transformed President Franklin Roosevelt's vision of a United Nations into reality.

You took the historic decision to aid Greece and Turkey when the flames of freedom had almost flickered out in that part of the world.

You launched and saw through to sensational success the Marshall plan of aid to the war-torn nations of Europe.

In the best American tradition, you aided friend and former foe alike.

You first proposed—as point 4 of your 1949 inaugural address—aid to the developing nations of the world. I hate to think what chaos would reign in this world of jostling new nations if you had not taken that initiative and followed through on it.

You rallied the free nations of Europe and America to halt the westward expansion of communism through the creation of the North Atlantic Treaty Organization.

You had the high courage to take firm and decisive action when action was required—in the Berlin airlift, and in the U.N. action against aggression in Korea.

These actions were aimed at maintaining the fabric of world peace in the face of aggression or threatened aggression—all were designed to defend freedom.

We Americans have never taken arms to commit aggression or impose our will on other peoples—and we never will.

And, Mr. President, you also played a crucial role at the rebirth of Israel. You have remained a firm friend of that gallant nation—small in area but great in spirit.

I had the pleasure of speaking earlier this month at a dinner in honor of a great friend of yours—the late Dr. Chaim Weizmann, the first President of Israel. In preparing for

that occasion, I did a little delving into the dramatic events of that year of 1948.

Dr. Weizmann was firmly confident that misunderstandings and misconceptions surrounding Israeli independence would be cleared away if he could only speak with you personally.

It took the two of you only three-quarters of an hour to resolve the difficulties which lesser men on both sides had created.

I think both of you must have had in mind the text from Isaiah which President Johnson is fond of quoting: "Come, let us reason together."

As a direct result of this meeting of two great-hearted men, the United States recognized Israel on the very day of its declaration as a state—May 14, 1948.

Mr. President, you were a great builder in your years of high responsibility—a builder of peace, of a new Europe, of Israel-American friendship, and of many other good things.

I want to report tonight how we who came after you have tried to fulfill our responsibilities—how Israel is faring and what, in this holiday season, are the prospects for peace on earth to all men of good will.

About Israel there is much good news to report. When it was reborn in 1948, it had less than 800,000 people. Now it has over 2½ million.

These people have truly made the desert blossom—they have more than tripled the amount of land under cultivation and the amount of reclaimed land alone has shot up from less than 500 acres to 84,000.

New cities have been built. Schools and hospitals have been established to educate and to heal.

Exports are running at a rate over 12 times the 1948 level.

But, with all the aid from good people like you, it's the Israelis themselves who have worked this miracle in the desert. And they are working hard today.

The spirit is so contagious that, when you visit there, you want to roll up your sleeves and get to work too.

But there's much more to Israel than its sheer physical achievements. I speak of its lively democratic process and how Israel has incorporated many peoples of different lands and cultural backgrounds into that democracy.

While some of the newer nations are drifting toward one-party or even one-man regimes, many parties flourish in Israel.

As the results of the recent election show, the elections are spirited, hotly contested, and the people are given meaningful choices in candidates and policies.

That's good evidence of a mature democracy—a democracy that works in practice as well as in theory.

Moreover, Israel has not husbanded her good fortune to herself.

Short of money but rich in brains and talent, she has given technical aid to over 70 nations—an effort second in scope only to our own.

She has received and trained thousands of students and technicians from other countries—something like 1,500 a year. And I am pleased to note that the great majority of them go back home and work at the jobs for which they have been trained.

Mr. President, news from Israel is good. I wish I could say as much about our progress toward building the enduring peace we all seek.

Since you left office 12 years ago, we have faced numerous crises and threats to the peace: the Berlin ultimatum, the breach of the test moratorium, the Berlin wall, the Cuban missile crisis.

There have been tensions and even hostilities between good friends of ours—Greece and Turkey over Cyprus—India and Pakistan over Kashmir.

But there have been very substantial gains as well. There has been the steady growth

in the prestige and influence for good of the United Nations. There has been the nuclear test ban treaty, putting a stop to the poisoning of the air we breathe by nuclear debris.

Of all the new nations which have come into being since 1953, not a single one has chosen to embrace communism.

Indeed, the Communists have yet to win a free election anywhere. They have a talent for marshalling the guns, but not for marshalling the ballots.

Above all, the monolith of world communism which you confronted has broken asunder—into two major adversaries and many smaller ones.

The Soviet leaders now say that they have abandoned war as the means of winning the world for communism. They profess confidence that peaceful competition will show that their system works best.

We welcome that kind of competition. I told Mr. Khrushchev 7 years ago that we'd compete him right out of Gorki Park. And I think that, under President Johnson's inspired leadership, we are doing just that.

But there's a dangerous loophole in these declarations of peaceful intent and peaceful competition.

The Communists reserve to themselves the right to support what they call wars of national liberation—which is Communist doubletalk for any effort by Communists to seize power by force of arms in any hitherto free nation.

And what President Johnson is seeking to accomplish in Vietnam is to convince the Communists that so-called wars of national liberation do not pay.

If they really believe in peaceful coexistence, they must practice it all the way and all of the time—not some of the time and part of the way.

And President Johnson is seeking to show the Chinese Communists—who have a great deal more to learn than their more experienced Soviet counterparts—that war does not pay—period.

Therefore, our soldiers and sailors and airmen in South Vietnam—the sons, perhaps, of some of you here in this room—are, in a very real sense, soldiers and sailors and airmen for peace. We can all be proud of what they are doing.

They are making great sacrifices—sometimes and too often the supreme sacrifice—so that our children and our children's children may live in peace.

This then is my progress report, Mr. President.

We have in Israel a heartwarming example of what free people working freely together can accomplish for themselves.

And we shall persist in our struggle for world peace, until all of God's children enjoy the freedom and the full dignity of human beings to which they are entitled.

And we must always remember:

Victory will not be won by military power alone.

The victory we seek will be won when children are educated, the hungry fed, the sick healed, the unemployed at work, and the land gives forth its full bounty.

Mr. President, I quote from your historic state of the Union address delivered to the Congress in January, 1947: "The spirit of the American people can set the course of world history. If we maintain and strengthen our cherished ideals, and if we share our great bounty with war-stricken people over the world, then the faith of our citizens in freedom and democracy will spread over the whole earth and freemen everywhere will share our devotion to these ideals."

This is what you sought, above all else, in your time.

This is what we, building on the foundations you laid so well, are seeking in ours.

AUTOMATION AND ITS EFFECTS

Mr. CASE. Mr. President, recently a stimulating series of articles on automation and its effects appeared in the press. Coauthors of the series were Roscoe Drummond, of the New York Herald Tribune syndicate, and Sam Zagoria, a member of the National Labor Relations Board.

I ask unanimous consent that these provocative columns be printed in the RECORD.

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

[From the New York Herald Tribune, Nov. 15, 1965]

BLESSING OR HARDSHIP?—COMPUTERS RAPIDLY ALTERING INDUSTRY

(By Roscoe Drummond and Sam Zagoria)

(NOTE.—Mr. Zagoria is a member of the National Labor Relations Board and former assistant to Senator Clifford CASE, of New Jersey.)

WASHINGTON.—How would you like an employee who can bake 25 kinds of cake, make sausage and mix cement—whichever you want, set type at the rate of 450 letters a second, setting a telephone book of 2,000 pages in less than 30 hours, do laundry, 1,500 pounds an hour, and fold each shirt in 1¼ seconds, run a warehouse, ordering materials, writing checks to pay for them, stocking, shipping, and billing?

This fantastic employee can do these things 24 hours a day, 7 days a week—with no overtime, no vacations, no coffee breaks.

Meet the employee—the computer.

Automation is fairly commonplace in American industry. But the computer has brought to automation a speed and precision raised to the nth degree.

And computerized automation is spreading far more rapidly than many realize.

It will change the whole face of American industry. It will change the whole face of American labor.

It can produce a prosperity beyond dreams. It can lead to a 4-day week, a 3-day week.

It could bring terrible unemployment and cruel hardship unless the problems it poses are met.

Labor fears that it will make industry strike-proof.

There is no visible limit to what the computer can do.

It already can check all the Nation's business income tax returns and a third of all the individual ones; take inventory; read gas meters; flash stock quotations; rate insurance risks; translate into 5 languages, plus Braille, as well as transcribe shorthand; scan newspapers and duplicate clippings; edit and cross-reference the medical literature of the world each month; give members of a State legislature immediate word on the action and status of every bill before it; write checks at the rate of 10,000 an hour; read and sort them at the rate of 72,000 per hour; post bank deposits and withdrawals; and when it's not busy, help make up class schedules for high school students, prepare bills for doctors and dentists, payrolls for industry, and even help a pro football team select its draft choices.

There is little public awareness of the broad advances of cybernation—as computerized automation is called—since it started in a spotty fashion.

In 1951, there were fewer than 100 computers in operation in the United States. Today, an estimated 22,500 are carrying out 3 million operations in the time it takes to read this sentence. Donald Michael, a social psychologist who coined the label "cybernation," predicts that "in the next 10 to 20 years cybernation will disrupt the whole labor market, from executive to menials."

Not everyone would go this far, but judge for yourself. Today, the United States is producing more than 10,000 computers a year with the ability to perform 700 different tasks. And every day new applications are being found for the mechanical wizard.

A USIA program estimated that "on the average every electronic computer puts 35 people out of work and changes the kind of work for 105 additional workers." There are others, too, who would be hired if not for cybernation.

The impact of these changes has been submerged from view in our healthy economy.

The computer is coming up a lot faster than any effort to deal with its consequences. (This is the first of a five-part series.)

[From the New York Herald Tribune, Nov. 17, 1965]

FOR THE COMPUTER: RUNNING BAKERY IS A CAKEWALK

(By Roscoe Drummond and Sam Zagoria)

WASHINGTON.—The world's largest cake bakery is run by a computer smaller than a bakery delivery van.

The bakery, home of 24 varieties of Sara Lee cakes and rolls on 52 acres outside Chicago, illustrates dramatically the potential of computerized automation.

Here's how it works:

The computer sets the daily production goal for each product, knowing that it must keep no item in the warehouse longer than a week.

The computer keeps inventory of all bulk ingredients—how much has been ordered, how much is on hand. It meters out the proper amount of milk, sugar, flour and eggs, moving ingredients from storage into mixers and running the mixtures at the right speed for the time required. It alerts workers to add what machines can't do.

Electronic quality controls are posted all along the assembly line and baker-engineers watch the marching batter. Doughs and batters are prepared under controlled temperature and humidity conditions in individual aluminum pans and march 12 abreast—into ovens 110 feet long. At the end of the oven is a cooler and then an icy blast takes the cake down to 40° below.

After icing and packaging, cartons are piled automatically on wooden pallets and guided into a holding freezer the size of a football field. Here, almost 8 million cakes are stacked by automated cranes and when ordered are retrieved by the cranes and put on conveyors moving to waiting trucks or railroad cars. The computer knows exactly what cake is on hand, where every cake is, and when it was baked.

When orders come, the stock is moved by the computer on a first-in, first-out basis. The procedure is so fast that when a truck arrives at the front gate with an order for various items, by the time the driver pulls into the shipping dock, a fork lift is waiting with the cakes stacked neatly on a pallet.

The lift rides onto the truck, unloads, and the computer sends off a bill for the goodies and makes note that tonight it has to make more cakes, and it can—at the rate of 30,000 an hour, 24 hours a day.

There are 1,000 workers in the plant, but if there is a little old cakemaker, he comes out only on payday.

Most of the manpower is made up of assembly line watchers and they look as if they are more familiar with screwdriver than rolling pin.

A computer similar to the Sara Lee generalissimo can sift through thousands of law cases to help attorneys research the law. The Law Research Service, Inc., in New York, has put on tape in one of the largest computers in the world the decisions in more than 1 million law cases.

For a fee the computer is put to work doing the humanly tedious work of digging out precedents—past decisions that bear on the case at hand—in a matter of minutes.

A lawyer calls or writes for cases relating, say, to the question of whether a court may issue a warrant directing the search of a person wherever the person may be found. He gives some background on his problem. The law research editor programs the query. The computer then prints out the case citations.

One of the service's lawyer-editors checks the citations to make sure the machine is on its electronic toes. The computer then zips to the most appropriate decisions on microfilm and reprints them. The results are now mailed or telegraphed. They can be clicked back on teletype or flashed on a video screen in the lawyer's office.

(This is the second article in a five-part series.)

[From the New York Herald Tribune, Nov. 19, 1965]

COMPUTER HELPS PRODUCE JUDGMENTS: THE GREAT THINKING MACHINE

(By Roscoe Drummond and Sam Zagoria)

(Third of a five-part series)

WASHINGTON.—The computer is quite a machine. It doesn't only produce more automation. It helps produce judgments.

With the aid of computers, the vast SAGE system (semiautomatic ground environment) quickly tracks all aircraft and missiles within its patrol and separates enemy action from all other military and civilian activity aloft. It can activate defense aircraft, missiles and rockets and provide crucial information on enemy speed, direction, and location.

The Post Office Department is posting an inventory bank of skills on a computer so its 600,000 employees can be more quickly and efficiently considered when new jobs open up.

The Los Angeles Police Department put an electronic rogues gallery of past crimes on tapes so that clues from new crimes can be matched against these records. The New York City police, plagued with traffic violators who parked and ran, put their license tag numbers on tape. As motorists crossed a bridge, the tag numbers were sent to the computer and in one ninety-two thousandths of a second the ticketholders were tabbed—and soon caught.

In Toronto a computer controls the flow of vehicles so that each wave of traffic arrives at an intersection from one direction just after the last wave passes by on the cross street. Cars are counted by a sensing device in the streets or by radar eyes overhead. The computer calculates the best way to keep traffic moving, activates the signals, checks results, and makes corrections. The computer can halt traffic on a street blocked by accident or fire and divert it elsewhere.

The computer helps navigate ships and planes. The Boeing Corp. is working on a computer-directed plane which can land in almost any weather without human help. The New York Central Railroad uses the computer to provide instant information on its 125,000 freight cars wherever they are along the road's 10,000 miles of track. Railroads are using the computer to make up lengthy trains and clear a path for them by handling remote switches for hundreds of miles.

North American Aviation runs 5,000 computer-simulated test flights on a new plane before it ever leaves the ground. Highway departments use the electronic console to design traffic interchanges and prepare blueprints. If the engineer doesn't like the esthetics of the design, he modifies the plan, feeds it back to the computer, and receives a revised layout. A computer is helping de-

sign and prepare specifications on the world's second tallest building, going up in Chicago.

Computers have been put to work on the farm, too. Given a set of farm conditions, it will prepare the best combination of crops and livestock. In Virginia, a farmer, a data processor, and a computer have combined to offer help to beef cattle ranchers. They keep continuous records on each head of cattle and dispatch biweekly warnings to breeders on what to do to keep in the black.

Hardly a profession is untouched by the computer. In the medical field it is credited with reading electrocardiograms faster and more accurately than a jury of physicians. Its automatic analysis of brain malfunction is rated as good as a highly trained doctor's. In diagnosing disease, its rapidity in matching symptoms with existing records of diseases is expected to lead to steadily increasing use.

Newspapers use the computer to help set type, bundle papers, prepare bills and payrolls, and in its spare time to prepare an index of clippings in the morgue. Advertising men have discovered it can put together a media program for a client faster than they can run a slogan up a flagpole. Brokers with computers analyze market portfolios with speed and confidence. Pollsters rely on the computer for projections and predictions. The Weather Bureau feeds information from satellites and other sources and gives detailed forecasts.

Scientists have relied on the computer to trace individual genes through many generations. It has helped an astrophysicist unlock the mystery of Stonehenge. And when there is time for the intellects to kill, the computer can play a passable game of bridge or chess.

[From the New York Herald Tribune, Nov. 21, 1965]

WHY LABOR IS SCARED

(By Roscoe Drummond and Sam Zagoria)

WASHINGTON.—Labor is scared of computerized automation.

This fear must be dealt with constructively if the vast benefits of automation are not to be lost.

Donald Michael, a leading social psychologist, estimates that workers displaced by computer automation "will probably change their skills no less than three times in the course of their active lives." This is an ominous warning.

Joseph Belrne, president of the Communications Workers of America, puts labor's most extreme anxiety in these words: "Automation is the science of making workers unnecessary."

This is an exaggeration, but it has elements of truth.

And there's this: automated plants tend to be strikeproof. Example—union employees struck the automated Shell refinery in Deer Park, Tex., for nearly a year. Production was maintained at 80 percent of normal, with all the union work done by supervisors. Even higher production was possible.

A handful of executives can frequently keep a plant going and this underscores the union premise that, if an effective strike cannot be mounted, an effective bargain cannot be made at the negotiating table.

For the workers in cybernated industry, working conditions change. The possibility of three-shift operations grows; chances for promotion are less since there are fewer supervisory levels to which to aspire. The work itself tends to be more monotonous and less sociable, and tends also to make management less patient with what it deems bad labor practices.

Union jurisdictional disputes sometimes follow the installation of a computer. In the newspaper industry, for example, computers can perform services for the composing room,

mailroom, accounting department and advertising department. So which union is to have jurisdiction over the operation?

Union jurisdiction is only one problem. The labor movement as a whole may have to change its objectives. Automation will spur new interest in signing up white collar workers. In the steel industry, one of every four workers is a white collar worker while 30 years ago it was only one in nine.

Throughout the United States there are now more white collar workers than blue ones.

Contracts emphasizing piecework payments will decline since neither computers nor computer operators need such speed-up incentives. Similarly, wage payments, which used to recognize the number of workers being supervised, will instead tend now to acknowledge the value of the costly automated equipment being supervised.

From management's view the computer makes round-the-clock operations feasible and opens the way to the fullest use of capital investment. It permits industries to locate outside high-rent, high-traffic urban areas since available labor supply becomes a lesser factor. In reducing the ratio of personnel to equipment, a firm expects savings on costs of labor recruitment, training, and handling of grievances, and counts on an improved safety record, reduced pilferage and breakage.

Sometimes this expectation is not clearly realized, for the computer often makes possible new additional services, such as record-keeping and statistics gathering. These may involve employing more people, but also result in more and better service.

Computers produce product standardization—every Sara Lee cheesecake is exactly like every other one, a claim few bakers can make. They also provide cost stabilization since the cost of computers or their rental varies less than fluctuating labor cost. The computer is more adaptable to ups and downs in market demands; it is easier to unplug the computer a day or two than to lay off workers for a day or two.

One of the most telling factors obviously is that employers expect savings of such magnitude as to pay for the automatic equipment in less than 5 years. Recent tax changes offer added incentives to industry to move toward automation.

Managements have found computers handy in making their own decisions. The ability to deal simultaneously with many variables and to handle enormous amounts of information, more than man can, makes it possible for a computer to explore various courses of action in fractions of minutes.

Management and labor will need to look at each other's problems more responsively.

[From the New York Herald Tribune, Nov. 22, 1965]

WHAT CAN BE DONE?—COMPUTER-AUTOMATION: SOCIAL GOOD OR DISASTER

(By Roscoe Drummond and Sam Zagoria)
(Last of a five-part series)

WASHINGTON.—Computer-automation can help labor and management reach their fondest objectives—or it can produce social disaster.

If it is to be allowed to work its wonders, management must accept humane responsibilities, labor must free itself from any blind resistance and government must help cushion its application.

You can't featherbed a computer, but no humane society can permit workers to be made jobless on a large scale through no fault of their own.

Nothing that is now being done is equal to the size of the problem.

Much labor opposition is hobbling computer-automation from accomplishing its vast potential.

Industry willingness to assure that the computer will not cost any present employee his job does not remove labor's understandable fear that massive automation will mean massive unemployment unless far-reaching advance preparations are made.

Individual companies and individual unions have made some beginnings. Kaiser Steel and the United Steel Workers of America have agreed that displaced workers would be guaranteed salaries for up to 3 years and placed in an employment reserve. The Armour meatpacking firm and its unions have set up a fund to study the effects of automation on employees and to retrain affected workers.

But the vision of the good the computer can do and the dangers to be averted in order to enable it to be humanely applied needs to be lifted higher.

Take, for example, the book-publishing field, which sparkles with enlightened businessmen.

A computer can arrange a book on a line-for-line basis, making all corrections, and alterations in copy and format before the final output tape is produced for activating an electronic typesetting device. The computer can process a 300-page book, 50 lines per page, in approximately 3 hours—a job which would tie up a single printer working manually for nearly a month, 12 hours a day, 6 days a week. The potential for upheaval in the composing room is readily visible.

What is management's responsibility to the worker being displaced? Clarence B. Randall, retired chairman of Inland Steel, is characteristically blunt: "It is our responsibility to prepare him for another task that will require a higher level of skill and will continue to exist after the change in the method of production."

Suppose the book publishing industry launched a study of the skills involved in composing room operations, worked with unions and government to determine how such skills could best be utilized in a worker-short industry (the office machine repair field, for example) and what type of training was necessary to make the transition. This is the suggestion of Dr. Herbert Striner, director of program development at the W. E. Upjohn Institute for Employment Research. Such an initiative might lead to a joint labor-management-government retraining program.

Another suggestion: develop a plan whereby workers can carry accumulated benefits such as pension rights, welfare and health benefits, sick leave, and vacation credits from job to job. It is grim enough for a worker to find that an electronic widget has taken his job, requiring him to find another, perhaps move to a far-distant community to do so, without also having to give up the work benefits he had accumulated in his years of service.

This central pension bank concept is not a new idea. The President's Committee on Corporate Pension Funds early this year included a similar but more limited proposal in its recommendations.

None of these suggestions are offered as solutions. They simply point the direction where more creative thinking is urgently and crucially needed.

The President's Commission on Automation is a useful think exercise.

What must come next is an energetic action exercise at the highest level of management, labor, and government.

PREVENTING NUCLEAR PROLIFERATION

Mr. MCGOVERN. Mr. President, I regret that because of a prior commitment I was unable to be present on the Senate floor January 18, when our distinguished colleague, Senator PASTORE, introduced

on behalf of himself and more than 50 Members of the Senate the significant resolution concerning the nonproliferation of nuclear weapons.

As a cosponsor of this resolution (S. Res. 179), I wish to commend my good friend from Rhode Island for the brilliant speech which he made at that time. It is my earnest hope that this body will take early action on the resolution.

The question of nuclear proliferation is perhaps the most significant and difficult problem which is facing the United States today. It is a significant problem because its resolution will determine, in a fundamental way, whether our children will inherit a world of nuclear anarchy or a world in which nuclear energy can be controlled so as to serve, rather than terrorize, mankind. It is a difficult problem because the ultimate decisions regarding whether or not there will be further nuclear proliferation rests not only in our hands but also in the hands of others. Most immediately, we are all aware that there are a number of countries which are technically capable of producing nuclear weapons but have so far restrained from doing so. The primary decisions regarding the future role of nuclear weapons currently rests in the governments of these countries.

At this point many well-meaning people tend to despair and ask whether it is really possible for us to determine the decisions which these countries will reach on the question of nuclear acquisition. They suggest that perhaps we should just accept the inevitability of uncontrolled spread of nuclear weapons and learn, to the extent possible, to live in such a world. To be sure, we shall not be assured of success in our endeavor to prevent a world of nuclear anarchy, just as we shall not be assured of success in our attempts to prevent other forms of social, political, and economic disasters. But if we were to shrink from doing our utmost in any of these areas, then we would not be discharging our responsibility to the people who have elected us to guide their destiny.

This is not to say that the legislative branch of the Government has neglected its responsibility in this area in the past. We can point with pride to the work which has been carried on by the Joint Committee on Atomic Energy which has worked so diligently to spread the economic fruits of atomic energy while safeguarding the nuclear materials which can be used for both peace and war. The crisis which we presently face is not the result of any laxity on their part; rather the problem is that the world has changed dramatically in the last 10 years and no amount of effort in the areas in which the Joint Committee has responsibility will be adequate to prevent further proliferation.

As I suggested earlier, the ultimate decisions regarding future proliferation lie in the hands of others—the governments of nonnuclear countries which are technically capable of producing nuclear weapons. However, the existing nuclear powers are instrumental in creating the international climate in which these decisions will be reached. In formulating their policies, the nonnuclear govern-

ments will weigh both the advantages and disadvantages related to nuclear acquisition and the various economic and technical barriers which stand between them and a nuclear arsenal. Until now, we as a nation have done everything we could to maintain the barriers to nuclear acquisition by others. We have safeguarded our atomic secrets effectively, we have imposed safeguards on nuclear materials which we have made available for peaceful purposes, and we have made it clear that we would look with displeasure on the development of more independent nuclear arsenals by either friends or adversaries. The fact that there are only five nuclear powers today may well reflect the effectiveness of our past efforts.

But inevitably these technical and economic barriers to the acquisition of nuclear weapons have become less significant. We are living in a world today where the secret of nuclear weapons is no longer a secret and in which any industrially advanced nation, with a will to do so, can produce nuclear weapons with a modest effort on its part. This situation suggests that we must increase the number of areas in which we seek to prevent further proliferation. Aside from maintaining what physical barriers exist to the actual construction of nuclear weapons, we must seek to change the international climate in such a way that countries weighing the various advantages and disadvantages of nuclear acquisition will continue to see the development of nuclear arsenals as being contrary to their interests. This is a challenge which we shall not be able to meet alone and in which varying degrees of cooperation from the other nuclear powers is essential. Nonetheless, we must begin by examining our own policies and actions in this regard. We must also ask how we can find a basis for all countries to act in their own long-range interests in the matter of nuclear acquisition.

A country deciding whether or not to develop a nuclear arsenal will attempt to resolve this question primarily in terms of national security considerations. Preventing nuclear proliferation therefore is primarily the problem of creating an environment in which other countries can do more to advance their national security by refraining from acquiring nuclear weapons than by attempting to become a nuclear power. In some areas, such as the Middle East, it seems clear that no country could increase its national security by developing nuclear weapons if such an act were to trigger similar decisions among its neighbors—as it inevitably would. For this reason the establishment of nuclear free zones in regions such as the Middle East, Africa, and South America is a practical step which would advance the security interests of the countries in these areas and, in the long run, of the entire world. Our support for nuclear-free zones has in the past been qualified and lacking in vigor. As part of a new program to prevent further proliferation it seems essential that the United States provide leadership in the establishment of nuclear-free zones in those areas where they are

so clearly practical and universally desirable.

In other areas the pressures for nuclear proliferation will be more difficult to counteract. Here we must include the problem of India and the nuclear problems of the NATO alliance.

While some would argue that nuclear acquisition by India would provide for a desirable power balance in the Asian subcontinent, it seems clear that nuclear acquisition by India alone is not a realistic option. The choice seems instead to be one of finding alternatives for Indian nuclear acquisition or else accepting a new family of nuclear powers including Pakistan, Indonesia, and later others. Before resigning ourselves to this latter development it seems vital that we attempt to explore recent suggestions that the United States and the Soviet Union, acting through the United Nations, find some means of providing India with guarantees against threats to her national security by means of nuclear blackmail or nuclear attack. Since the problem of nuclear blackmail may well be the more serious of the two threats—it is hard to see what China could hope to achieve through a nuclear attack on India—it seems important to attempt to bind China to the no-first-use declaration which she unilaterally proffered after the explosion of the first Chinese nuclear device. Steps in this direction will require that the other nuclear powers find ways to accept limitation on their own first-use option which are consistent with the legitimate commitments they have to their nonnuclear allies. Steps in this direction are worthy goals in themselves.

The problem in Europe is of a different sort. Western Europe is not faced by a primitive nuclear force of the kind presently posed by China, but rather by a sophisticated arsenal of medium-range bombers and missiles stationed in western Russia. At the same time, Western Europe does not in any sense lack military might of its own, with 5,000 to 6,000 U.S. nuclear warheads stationed in Western Europe, NATO conventional forces which now outnumber the conventional forces of the Warsaw pact, and a vastly superior American strategic arsenal which has been committed to NATO's defense.

Since the Soviets claim that it is only the question of future nuclear policies within NATO which blocks their support of a nonproliferation treaty, NATO nuclear policies may be intimately related to the problem of nuclear proliferation. While the question of West German access to nuclear weapons is an extremely complicated one, there are several points to which we have not given full attention in our discussions in NATO or at home. One is that West Germany has undertaken a solemn treaty commitment with its West European allies not to produce nuclear weapons. While this treaty, like all other treaty commitments, can be broken, its existence deserves greater consideration by those who would say West Germany cannot be expected to sign a nonproliferation treaty when in fact they have already made a nonacquisition pledge. The other point is that West Germany is the

only country in Europe which currently maintains territorial claims against its neighbors. Without judging the validity of these claims, this fact does put West Germany in a special status as far as nuclear weapons are concerned.

These observations should not be used as a basis for rash action which might be interpreted as prejudicial to legitimate West German interests. The reason why we must be frank about the present situation in Europe is that there exists a desperate need for new and imaginative attempts to resolve the NATO nuclear dilemma. In particular, it seems vital to explore whether or not there are ways of reducing the Soviet nuclear threat to Western Europe as an alternative to further nuclear diffusion within NATO. For while proponents of greater nuclear sharing within NATO have pointed to the Soviet nuclear arsenal as basis for various new NATO nuclear forces, neither the United States nor NATO has advanced any arms control agreement which would enable the Soviets to prevent the formation of such a force by agreeing to a reduction of nuclear forces relevant to the central European area. The last major attempt to negotiate a European settlement was in 1959; if the question of a NATO nuclear force is indeed a primary factor in blocking Soviet acceptance of our non-proliferation treaty proposal, then a U.S. effort to encourage a just European settlement may well be an essential part of an effective nonproliferation program.

Finally there is the matter of our own attitudes toward nuclear weapons. At the present time the United States constitutes about 7 percent of the world's population and possesses perhaps 70 percent of the world's nuclear power. If we are to ask the non-nuclear countries to forego the option of developing nuclear weapons, then we must also stand prepared to accept limitations on our own freedom of action when such limitations are consistent with legitimate national interests and contribute to international security. In this connection it seems essential that we seek national security in ways other than a continuing technological arms race. We must press vigorously for a comprehensive test ban treaty, recognizing that we cannot logically claim that our security depends on continued testing while the security of others lies in abstinence from such activities. And we must work earnestly to reduce the role of nuclear weapons and nuclear threats in shaping the world of the future. For in the long run the prevention of nuclear proliferation will depend not so much in treaties as on developing a new frame of mind in which nuclear threats are not an integral part of international politics. While this situation may be far in the future, signs of our willingness to move in this direction will be essential in convincing other countries that they too should seek alternative ways of insuring national security.

WATER STATESMANSHIP ON THE COLORADO

Mr. CANNON. Mr. President, at a time when water, its use, control, and

distribution, are of paramount concern to the Nation in general and the West in particular, it is gratifying to know that many Government officials are making every attempt to insure its proper use.

That is why I was pleased with the position taken by Floyd Dominy, Commissioner of the Bureau of Reclamation, in his very sensible remarks recently before the Colorado River Water Users Association.

There is a great need to place the proposed development programs for the Pacific Southwest into proper perspective and I believe that Mr. Dominy has very well stated the position of the Bureau of Reclamation in this regard.

Mr. President, I ask unanimous consent that his speech, to which I have alluded, be printed in the RECORD.

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

WATER STATESMANSHIP ON THE COLORADO
(Remarks by Commissioner of Reclamation, Floyd E. Dominy, Department of the Interior, before the Colorado River Water Users' Association in Las Vegas, Nev., Dec. 3, 1965)

I am indeed happy to join with you in your 22d annual meeting.

Since we met here last year two significant events have occurred on the Colorado River and these give us double cause for encouragement and celebration.

First, the skies were kind to our watershed and deposited a bumper crop of precipitation to ease the basin's water crisis. The resulting much-above-average runoff returned Lake Mead to above the rated operating head for Hoover Dam turbines of 1,123 feet above mean sea level with $14\frac{1}{2}$ million acre-feet of storage and lifted Lake Powell closer to the rated operating level of 3,570 feet elevation for the Glen Canyon turbines. After a record 2 years of back-to-back low runoff, the good water year boosted the combined storage of the two reservoirs to over 23.2 million acre-feet or 5.3 million acre-feet more than at this time last year.

Second, the Congress authorized the much-needed \$81 million southern Nevada water supply project. When constructed, we will be able to pump additional water out of Lake Mead into southern Nevada and thus make it possible for the State to use its entitlement from the Colorado River.

It always delights me to return to the Colorado River Basin where reclamation got its big start in multiple-purpose water resources development on the Salt River project of Arizona early this century. And I have particularly looked forward to this visit to acknowledge the fine water statesmanship displayed by your basin representatives during the past year.

I am frank to say that I like to attend your annual meetings which are traditionally held here in Las Vegas because your association—since it was born 22 years ago—has become a sounding board for water resources development in the Colorado River Basin. But more than that, your association has been a vital force and influence in matters affecting the basin's future. With the passing of each year, you have demonstrated an ever-increasing representation of the basin.

As we look back over some 63 years of reclamation activity in the Colorado River Basin, the record is good. But the basin program has progressed in spurts with many red and green lights. Today, it is again at the crossroads waiting for the light to change.

I am convinced that you and we are about to get the green light again. I believe the Colorado River Basin is on the threshold of a bold new program that will match—

or even surpass—anything that has been accomplished heretofore. At this very moment representatives of the basin States are working out details of a compromise that will set the stage for further development. In upper and lower basins alike the resulting legislation promises to point the way toward solution of the water problems of the Colorado River Basin. This legislation will produce multipurpose water benefits that will help the basin States meet their responsibilities to the thousands of thirsty and hungry new residents daily showing up at the dinner tables.

Last year's meeting was one of several such gatherings throughout the basin at which the seeds of unity were sown. Your meeting reflected a turning point in the basin's efforts to break the logjam blocking further regional development. You came here with a spirit of unity and you heard pleas for a compromise among the basin States to put an end to the futile spinning of our waterwheels in the dry river bed of controversy.

I left last year's meeting—and I believe you did also—with a conviction that the basin States would collaborate on legislation which we could all live with.

Congressman ASPINALL has repeatedly told us that his House Interior Committee would approve a project for the basin if the States could get together and agree. The Congress has always been willing and even eager to authorize feasible developments which have unified support. I emphasize those last words—have unified support.

Well, the basin States during the past year did not reach the 100-percent goal in unification but they came a long way. Will you go the rest of the way during the coming year?

We have witnessed history-making water statesmanship since last year's meeting, particularly among the lower basin States, California and Arizona, deadlocked for many years on how they should share Colorado River water, worked out their differences to apparent mutual satisfaction. Their compromise in my book was a good example of old-fashioned horse trading. It takes such realistic appraisal and compromise to get the job done.

California agreed to support the central Arizona project which would divert Colorado River water to central and southeastern Arizona in return for a priority for her 4.4 million acre-feet per year Colorado River entitlement. This water insurance policy would be effective until the completion of works to import at least 2.5 million acre-feet a year into the mainstream of the Colorado River below Lee Ferry.

The California-Arizona compromise was spelled out in the Lower Colorado River Basin project legislation on which Chairman ASPINALL's House Interior Committee held hearings last August. But, as the hearings progressed, it became obvious that the legislation lacked an important ingredient—accommodation of the support by the upper basin.

Upper basin representatives argued that the Colorado River is a "bankrupt" river and simply would not supply enough water for the central Arizona diversion and for the guarantee to California. They contended that diversions by Arizona would be water to which the upper basin is entitled but which is now flowing past Lee Ferry to the lower basin. Moreover, they expressed fear that Arizona would not be willing to relinquish this water later when it is needed in the upper basin, as development progresses there.

And so, it was back to the drawing boards and the rewrite tables. After the hearings, representatives of the upper and lower basin States worked long, exhaustive hours to develop a compromise draft of legislation. Last September 20 they came up with a draft of H.R. 4671 which promises additional water for the upper as well as the lower basin States. Also, the proposal would add 14 participating projects—3 of which would be

immediately authorized, the rest requiring further study—in the upper basin. This draft of legislation is called the Colorado River Basin project because it takes a basin-wide approach to the potential Colorado River development. I don't think anyone considers the draft the final answer but it is definitely a step in the right direction.

During these discussions and many others held in the past year, much attention has been devoted to a study of the Colorado River hydrology. I see no reason why, in predicting future water supply in the Colorado River, the longest period of reliable record, extending from 1906 to 1965, should not be used simply because there have been some shortages in recent years. This period, of nearly 60 years, modified by each successive year of new record, will be used in our evaluations of all main stem projects.

Experts disagree on the estimated rate of depletion by future new water uses in the upper basin, but here again all agree that some time in the future, perhaps about 1990, the entire Colorado Basin faces a potential water shortage. This need for wet water rather than paper water provides the incentive for bringing about the basinwide unity required to process this grand-scale comprehensive water development project through the Congress.

Small thinking will not get the job done in water resources development. Most of the projects that required only small thinking have been built. Now we must go after the big ones and these call for big thinking. And I would certainly classify the Colorado River Basin project as big thinking.

But thinking and planning ahead whether in big bites or small ones, has kept the West one step ahead of water starvation. While eastern cities are rationing water, most of the western communities have sufficient at the moment. Here in the perpetually water-short West, we early learned to harness the rivers and store their waters in time of plenty and of high runoff, for use during periods of low runoff and drought, even of cyclical drought. This is demonstrated right here on the Colorado River where giant storage reservoirs like Lakes Mead and Powell make the fat water years take care of the lean ones. The reservoir behind Hoover Dam alone is capable of storing sufficient water to take care of 3 years or more of downstream requirements. Had Glen Canyon Dam been completed and Lakes Powell and Mead both been full when our recent drought years started, there would have been no alarm or fear of water shortage.

The central Arizona unit is the hub of the Colorado River Basin project legislation just as it was in the Pacific Southwest water plan. The basin States all are sincerely concerned about Arizona's water crisis. All are agreed that Arizona's need for more water is most urgent. The law of the river supports her claim to Colorado River water. It is just a matter of finding a way to meet Arizona's need and at the same time protect the entitlements of the other basin States.

Arizona water users are mining groundwater in an attempt to stay in business. Their pumps are sucking out water from ever-increasing depths—taking out over 2 million acre-feet annually of water more than is being returned to the underground storage.

The Colorado River water that Arizona proposes to pump out of Lake Havasu behind Parker Dam and transport by aqueduct to the Phoenix and Tucson areas for supplemental agricultural, municipal, and industrial use, would not be enough. But, this amount of water—not a drop of which would irrigate new lands—would give the State a new lease on life—and new hope to sustain it until additional water can be developed.

Without the importation of surface water, Arizona's growth definitely will reach a point of stagnation. The water table under several areas of the State has dropped so low that pumping is no longer economical. Consequently, thousands of acres of land are now out of production and have returned to the desert. Additional acreage is being idled each year due to lack of water.

The keystones of the Colorado River Basin project as included in the September 20 draft legislation—or as we like to call them, the "cash registers"—are present and proposed dams and hydroelectric plants on the lower Colorado. These developments would furnish electrical energy to pump water on the project and to be sold to the load centers to help pay project costs, more than 90 percent of which would be reimbursable. The hydropower from these installations would be used primarily to peak the predominantly steam systems in the basin. Marble Canyon Dam has already been endorsed for immediate authorization and construction while Bridge Canyon Dam is undergoing further study.

Power revenues from proposed dams would be the most important immediate contributors to the Lower Colorado River Basin development fund—an integral part of the Colorado River Basin project. This account also would receive revenues from hydroelectric power sold at Hoover, Davis, and Parker Dams after these existing projects have repaid their costs.

In addition to being "workhorses" for the project's financial structure, Bridge and Marble Canyon Dams and their reservoirs would open up new stretches of clear, sparkling reservoirs. These would add greatly to the recreational, fish and wildlife values of the river. Millions of people would visit these water playgrounds every year and enjoy spectacular scenery, most of which now can be reached only by a relatively few river runners.

The Colorado River Basin project proposals would authorize a study to determine sources and means of furnishing the Southwest with sufficient water to care for its future demands. We all agree that the Colorado will truly be a "bankrupt" river unless we deposit additional water to its account. We can do this by importing surface water—by desalting sea and brackish water—reuse and salvage of waste water—conservation of water in our rivers, on our farms, and in our cities—evaporation control—and weather modification.

While pending legislation does not name the potential areas from which water might be exported to the Colorado River, the basin States make no secret of the fact that they are looking toward the Pacific Northwest as one of the areas of potential surplus. Basin spokesmen have openly advocated the tapping of the Columbia River—which pours an average of 168 million acre-feet of water into the Pacific Ocean each year, or about 11 times the average virgin flow of the Colorado River at Lee Ferry.

The Bureau of Reclamation has not been authorized to make such water transfer studies but it is essential to ascertain the facts of all potential sources of water including desalinization, weather modification and interbasin transfer from any and all areas of surplus. In the latter case the facts must determine how much is truly surplus and how much must be reserved for future use in the area of origin. Consideration of importing water is reminiscent of our united western investigation completed about 15 years ago. This was a reconnaissance of a plan to take water from the Pacific Northwest to the Pacific Southwest and the Columbia River was one of the sources then considered.

The mention of importing water to the Southwest from the Columbia River raises fears among people of the Northwest. And

I certainly do not blame them for being concerned about covetous eyes focusing on their water supplies. But, I think that the two regions can negotiate and compromise. If studies in which the Pacific Northwest States participate actively show that a surplus does exist in the Northwest, and with proper protection to the areas of origin, a plan of sharing most certainly could be developed. You successfully worked out the power interties with the Northwest—now I challenge you to negotiate what Secretary Udall describes as a "water intertie."

Any agreement for importation of water must be a two-way street of benefits, with guarantees to the areas of origin for full protection of their economic well-being, water rights, and needs. There is no reason why an import aqueduct could not serve both regions with multipurpose water benefits. An aqueduct from the Northwest could drop off much needed water to municipalities and farms along the way to create tremendous new areas of population and industrial growth throughout the Western States.

The engineering details of constructing an import system originating at far off places do not worry us. Although we will not know just how to go about it until detailed investigations are completed, we are confident that it will not offer any insurmountable problems. Man throughout the world has been transporting water over great distances for centuries.

The city of Los Angeles more than a half century ago built its Los Angeles aqueduct to import water from the Owens River and just the other day awarded a contract for construction of a second barrel from the same area. And some 25 years ago the Metropolitan Water District of Southern California built its Colorado River aqueduct and enlarged it in recent years. Later, the San Diego aqueduct extended this waterway to San Diego County. Today, the State is building the State water project which will move water from the northern to the southern part of the State a distance of 500 miles.

The Bureau of Reclamation has been in the water transportation business for more than a half century. We have built many notable projects such as the Central Valley project and the All-American Canal System in California, the Colorado-Big Thompson project in Colorado, just to name a few. We also are building the 14-city Canadian River project in Texas, and another major diversion through the Continental Divide, the Frypan-Arkansas project in Colorado.

A television documentary on the Colorado River 2 years ago was entitled, "The Trouble With Water Is People." Perhaps that title holds much truth. Our problems are not so much in building an important system but in achieving an understanding and public acceptance of the plan. We are seldom criticized once a project has been completed and is in operation.

Our entire western water program has been built on statesmanship. We have seen it practiced particularly in the Colorado River Basin the past year, and I am confident this statesmanship will cross basin boundaries so that the haves can share with the have-nots, with both reaping extensive multipurpose water dividends. This is the challenge, and the bright promise of the future.

HARMONIZING INTERNATIONAL ANTIDUMPING LAWS

Mr. JAVITS. Mr. President, last July 28, I introduced a resolution (S. Res. 133) calling on the President to take the necessary action to convene an international conference for the purpose of concluding an international agreement harmonizing the antidumping laws and procedures of other major trading nations. The reso-

lution was introduced in the House by Representative THOMAS CURTIS and was cosponsored by Senators JORDAN and MILLER.

I am pleased to note that the United States has now submitted a document to GATT in Geneva looking into the possibility of drawing up an international antidumping code. I am also pleased to note that Michael Blumenthal, the ranking U.S. trade negotiator at the Kennedy round, recently emphasized the need to harmonize national antidumping procedures urgently because of increasing pressures to use antidumping measures as an indirect trade barrier. Private organizations both in the United States and internationally can and should play an effective role in rallying public support behind this effort. I very much hope that studies currently underway in BIAC and the International Chamber of Commerce will, in the near future, lead toward an endorsement of an international code on antidumping.

The administration's action indicates that it has now decided to deal with nontariff barriers in general and antidumping specifically as a vital aspect of the Kennedy round. I have been much concerned heretofore that this problem will be glossed over during these negotiations for fear of adverse congressional reaction. The danger is great that international trade may be increasingly restricted by a multitude of nontariff barriers as progress is being made in reducing tariffs. The present situation clearly calls for an international approach to the question of nontariff barriers and specifically to the problem of antidumping. It is useless to work for the reduction of tariff barriers to trade if nontariff protection is going to increase through such programs as national antidumping regulations. I am convinced that if our negotiators succeed in concluding an agreement which is fair to the United States as well as to our trading partners, Congress will endorse it.

I ask unanimous consent that the article entitled "United States Submits Paper on Dumping Code" from the January 27 issue of the *Journal of Commerce*, and a copy of Senate Resolution 133 be included in the RECORD.

There being no objection, the article and a copy of the resolution (S. Res. 133), were ordered to be printed in the RECORD, as follows:

ON WORLDWIDE BASIS: UNITED STATES SUBMITS PAPER ON DUMPING CODE

(By Richard Lawrence)

WASHINGTON, January 26.—The United States has submitted a general discussion paper to a Kennedy round panel in Geneva looking into the possibility of drawing up an international antidumping code. The paper is in followup to Britain making a detailed proposal last fall for an international code. The code would serve as a basis for harmonizing the antidumping rules and procedures of the major trading nations.

FIRST FULL DISCUSSION

The panel is meeting this week in its first full discussion of the still secret British proposals.

The American document, unveiled at the meeting, is described by officials here as setting forth the considerations involved in a government's antidumping activities. The

paper does not pass on Britain's proposals or make specific recommendations.

Britain's proposed code is said, among other things, to pin down such traditionally elusive definitions as what constitutes "injury" and "industry" in the dumping sense.

Dumping is generally interpreted as exporting at prices below those charged home buyers to the material injury of the importing country's industry.

FLEXIBILITY LESSEND

There are indications that the British definitions may be a little too exact for some countries, because of removing an element of flexibility. For example, should industry be defined as the national output or may it be broken down regionally?

The United States, for one, welcomes the British initiative as a starting point for comprehensive antidumping discussions.

Michael Blumenthal, the ranking U.S. trade negotiator in Geneva, recently emphasized the need to harmonize national antidumping procedures. He said that increasing pressures to use antidumping measures as an indirect trade barrier is making the need more urgent.

Backed by Treasury Assistant Secretary True Davis, Mr. Blumenthal is heading the U.S. delegation to this week's Geneva meeting, another sign perhaps of the administration attaching more importance to antidumping as an international trade issue.

OTHERS PARTICIPATING

Besides the United States and Britain, the antidumping panel comprises the European Common Market, Japan, Norway, Sweden, and Switzerland.

Antidumping is developing into the one nontariff trade barrier area in which the Kennedy round may make solid progress. There has been more activity concerning it—apparently thanks to Britain—than other nontariff problems such as customs administration and government procurement policies.

Private groups are taking interest in the harmonizing of antidumping rules and procedures, too. The Business and Industry Advisory Committee (BIAC), which coordinates with the Organization of Economic Cooperation and Development (OECD) in Paris, is examining national antidumping practices, and the International Chamber of Commerce is starting to study more closely the possibilities of more antidumping cooperation.

DEFLECT INDUSTRY DEMANDS

One evident reason for the U.S. Administration's greater interest is that the international discussions help deflect domestic industry demands for a tougher U.S. antidumping law. The industry demands are viewed as a threat to efforts for freer world trade.

So long as international talks continue, it can be argued that altering U.S. law would be particularly unwise.

The chances that the Kennedy round will wind up with an international antidumping code appear rather slim. But it is likely the discussions will produce more policy coordination among major Western nations. Eventually, a code may be adopted.

S. RES. 133

Resolved, That it is the sense of the Senate that the President should immediately initiate a study of the antidumping laws of the United States and other major trading nations and take such action as may be necessary to convene a conference of such nations, as well as other interested states, for the purpose of establishing an international code to provide for uniform treatment under the antidumping laws of participating nations of the imports of other signatories. Such a code should harmonize the antidumping laws, and administrative procedures thereunder, of participating nations.

MAGNIFICENT TRIBUTE TO DONALD J. COWLING

Mr. MUNDT. Mr. President, in the history and development of any great institution—business, educational, political, or religious—there is always some standout individual whose great contributions at a significant stage of the development created the conditions leading to success.

In the instance of Carleton College, in Northfield, Minn., that great "developer"; that great educator and community leader; that standout individual was President Donald J. Cowling, during his long administration of that great college. His was the genius and his was the strong personality that gave national stature and significance to Carleton.

On November 30, 1965, a memorial service was held in the Plymouth Congregational Church of Minneapolis, Minn.—Carleton is only 40 short miles from Minneapolis—and Rev. Howard Conn, D.D., delivered a most inspiring and informative memorial address.

Donald J. Cowling was born in 1880 and passed away in 1965. From 1909 to 1945, Dr. Cowling served as the president of Carleton College. Under his inspired, able, and energetic leadership that college developed from a small, "freshwater" college into a great and nationally recognized educational institution stressing excellence in education and dedicated to the unique contributions which are available from Christian education.

No other president in the history of the college has approximated the sterling leadership of Dr. Cowling or the national impact which he and Carleton College made upon the American scene during his long years of inspired and dedicated leadership. In fact, it can be said that he made Carleton College what it is today. So long as it remains true to his image and to his sense of mission it will continue to be recognized as one of America's great and unique colleges. I ask unanimous consent that the memorial address earlier alluded to be printed at this point in my remarks.

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

COWLING MEMORIAL ADDRESS OF DR. CONN

No ordinary occasion brings us together, because it is no ordinary person whose memory we honor. Donald J. Cowling was a man of extraordinary talents who used his gifts with steadiness of purpose and selflessness of dedication. Throughout the 85 years of his life he brought inspiration and enrichment to others. We in Minnesota have been blessed by the nearly 60 years of service he gave to education and philanthropy within this State. We have loved him as a person, as a teacher, as a friend, and as a member of the family. We gather to express our thanksgiving in grateful remembrance.

Death has come to Dr. Cowling as it must to all men. The Psalmist truly said that the limits of our earthly pilgrimage are three-score years and ten, perchance fourscore years, though a few press on toward fivescore. Whatever our years all of us are like the grass which in the morning flourishes and in the evening withers. Yet we measure human life not in numbers of days but in the diligence with which we seek wisdom and do works worthy to outlast our little hours. Dr.

Cowling added to the stature of human dignity. As a man of faith he would acknowledge the confession of Job:

"The Lord gives,
And the Lord takes away.
Blessed be the name of the Lord."

These three terse phrases do not comprise words of despair, but rather summarize the trust, the adoration, and the gratitude with which the sensitive person lives the days of his years. They were the framework into which Donald Cowling put so much meaning. I ask you to keep in mind this framework, because I am not going to read the familiar words of Scripture which you are accustomed to hearing at funerals. Inasmuch as our loved one was an extraordinary person whose Christian faith embraced the whole realm of truth, I have chosen to read as a meditative background three selections which suggest the wide range of his concerns. For him such readings never replaced traditional Christian insight but only illumined it.

Because Dr. Cowling lived all his life as a philosopher I read first from Plato's "Republic" a few sentences which must have quickened his pulse as a young man and which through his years he came to embody:

"The true lover of knowledge is always striving after being—that is his nature; he will not rest in appearances only but will go on. The keen edge will not be blunted, nor the force of his desire abate until he have attained the knowledge of the true nature of every essence by a sympathetic and kindred power in the soul. He whose mind is fixed upon true being has surely not time to be filled with malice and envy, contending against men; his eye is ever directed toward things fixed and immutable, which he sees neither injuring nor injured by one another, but all in order moving according to reason; these he imitates, and to these he will, as far as he can, conform himself. * * * And must not that be a blameless study which he only can pursue who has the gift of a good memory, and is quick to learn—noble, gracious, the friend of truth, justice, courage, temperance, who are his kindred? Those who belong to this small class have tasted how sweet and blessed a possession philosophy is. They are content if only they can live their own lives and be pure from evil or unrighteousness, and depart in peace and good will, with bright hopes."

Dr. Cowling belonged to this fortunate class who possess the philosophic mind. Though like the philosopher-king of Plato's "Republic," he became very much involved in the affairs of state, he never resorted to coercion by law, police force, or military might; but believed that amongst men of good will reason is a sufficient tool to achieve desirable ends.

Because Dr. Cowling was an educator who believed that through education man's reason can be directed toward achieving satisfactions for himself and for society, my second selection is from his own writings about colleges:

"The paramount consideration in curriculum building, selection of faculty, and classroom instruction is the development of freemen. Freemen are those who are able to develop fully all the potentialities with which they have been endowed by Providence. Freedom has little meaning except in connection with the lives of men and women as individuals, and for them actually to be free is to maintain such relations with all the forces, material and spiritual, that operate within them and upon them as will result in the full functioning of each individual's powers and in the full realization of all his possibilities. The free life thus becomes the fulfilled life, and freedom the opened way to fulfillment."

"The freedom of education is the precondition of all other freedoms. First among

the rights of a free people is the right to think; thinking based on integrity and good will is our hope for the future—liberal education based on religion and made effective through democratic society. The freedoms we have cherished—intellectual and spiritual, political and economic—are an essential unity, and the understanding of this unity and of its implications for ourselves and for the world is the concern of our American college—for freedom."

Because Dr. Cowling as a philosopher and as an educator was completely committed to the ethical insights of Jesus as a manifestation of the abiding principles by which this universe is ordained, my third selection is from the Sermon on the Mount:

"Seeing the crowds, he went up on the mountain, and when he sat down his disciples came to him. And he opened his mouth and taught them, saying:

"Blessed are the poor in spirit, for theirs is the kingdom of heaven.

"Blessed are those who mourn, for they shall be comforted.

"Blessed are the meek, for they shall inherit the earth.

"Blessed are those who hunger and thirst for righteousness, for they shall be satisfied.

"Blessed are the merciful, for they shall obtain mercy.

"Blessed are the pure in heart, for they shall see God.

"Blessed are the peacemakers, for they shall be called sons of God.

"Blessed are those who are persecuted for righteousness' sake, for theirs is the kingdom of heaven.

"Blessed are you when men revile you and persecute you and utter all kinds of evil against you falsely on my account.

"Rejoice and be glad, for your reward is great in heaven, for so men persecuted the prophets who were before you.

"You are the salt of the earth; but if salt has lost its taste, how can its saltiness be restored? It is no longer good for anything except to be thrown out and trodden under foot by men.

"You are the light of the world. A city set on a hill cannot be hid. Nor do men light a lamp and put it under a bushel, but on a stand, and it gives light to all in the house.

"Let your light so shine before men, that they may see your good works and give glory to your Father who is in heaven."

Organ: "Air from 'Water Music,' Handel.

MEDIATION

All that Donald Cowling did for Minnesota, for Carleton College and the university, for higher education and medical research, for Congregationalism and Plymouth Church, for the cause of freedom and American constitutional democracy can never adequately be described. He was indeed a giant amongst us. His 36 years as president of Carleton brought that institution to the front rank of small American colleges. To the students of those years he was the ideal man whose human warmth and wise understanding drew them together into the Carleton family. The flowers on our chancel reredos are from the college as a symbolic expression of its affection. Moving out from the Carleton scene Dr. Cowling has left an indelible imprint upon the Mayo Memorial Medical Center, the Masonic Cancer Relief Hospital, the University of Minnesota, and a host of causes too numerous to mention.

I need not catalog them for you. We are here because we have admired, benefited from, and loved this unusual man. It is not my purpose to praise him as much as to learn from him. Your presence at this memorial service is an expression of the esteem you already feel, and my words could add no stature to him.

Dr. Cowling retired from the presidency of Carleton a year after I came to Minnea-

polis, so that for the past 20 years it has been my privilege to be exceedingly close to him in the fellowship of Plymouth Church. He served as the first moderator of this congregation from 1948-50 when we changed our bylaws to true Congregational principles to make a layman rather than the minister the chief officer. During these 20 years he has taught me so much and given me such encouragement that I have often remarked that from Dr. Cowling I received a college education all over again. Rather than eulogize him I would leave with you four thoughts that were basic to him, and which I believe he would want us to live by.

First was his regard for the U.S. Constitution. He often remarked that because he was born in England and came to this country as a boy with his parents, he learned from them to be an American by choice. In this land he saw freedom of opportunity, made possible by the wisest form of government ever devised by man. The Founding Fathers drafted a superb document in the Constitution, which provides for a central government with limited powers, powers held in check by the delicate balance of three independent branches. He saw something precious being lost in the increasing centralization of power.

The second thought is the importance of a viewpoint by which to gauge one's activities. Dr. Cowling was a man of learning. He earned four degrees at Yale and received more than a dozen honorary degrees. After completing his undergraduate course at Lebanon Valley College and then taking further study at Yale, he realized that he had a lot of information but what he most needed was a viewpoint. He therefore took the divinity course at Yale, that his knowledge might be oriented to a philosophy of life. As I have already mentioned, this orientation was the ethical insights of Jesus Christ in which he had utter confidence as representing not another opinion but the will of God. He often quoted to me this from Emerson:

"Most men act from motives of external compulsion; few are strongly and steadily inspired from within."

He said that the last six words were the most appropriate motto for his life—strongly and steadily inspired from within. All that he did was an expression of the viewpoint to which he had committed himself.

A third basic idea is the distinction between self-sacrifice and unselfishness. The first position offered to him was the presidency of a mission college in China which he was inclined to accept. When he met with the trustees in New York they congratulated him upon the sacrifice he was about to make. The realization came to him that their hopes for the college centered on sacrifice. The trouble was that the sacrifice they envisaged was his, not theirs. He declined to be sacrificed on the altar of their inadequate idealism, and concluded that most talk about "sacrifice" is hollow. What is needed is unselfishness in which everyone can participate. No few should be asked to renounce the material blessings of this world, but everyone should be expected to use his resources generously. Dr. Cowling became a great fundraiser for worthy causes because he appealed to the unselfishness which characterizes life at its best. Not what a man receives in salary or income is as important as what share of it he gives willingly and gladly. Those who were close to Dr. Cowling know that in all his fundraising and service he did not take for himself, but gave freely out of his basic philosophy.

The final thought is the centrality of man's religious life. Throughout all his years Dr. Cowling attended Sunday worship with regularity never missing a Sunday except on rare occasions of necessity. Yet for him worship was no magic ritual. Formality and liturgy had little appeal to him. Worship

was important because it keeps a man sensitive and open to the creative spontaneity of the God behind creation, and provides opportunity to express gratitude for the magnificence and mystery of life. Worship is part of man's search for truth and of his expression of ultimate concern. This view of churchmanship is illustrated by the two periods in his life when Dr. Cowling deviated from his practice of regular attendance. The one was in the last 2 years when his hearing in large groups failed, and he saw no merit in sitting through a service in the intellectual stimulation of which he could not share. The other period was during the final illness of President Lars Boe, of St. Olaf College. While his colleague and friend was bedridden Dr. Cowling spent each Sunday morning visiting with him and reading to him. Affectionate concern for a beloved brother in Christian fellowship was in itself to him an act of worship to the common Father who had made them neighbors and friendly rivals in Northfield.

As we gather to pay tribute to our beloved friend and benefactor we must indeed be grateful for the rich legacy that he leaves us—the legacy of a life richly lived and fully dedicated to all that gives hope and courage to mankind. We can commit his soul to our Heavenly Father in the quiet assurance of Christian faith, which he so beautifully manifested throughout his pilgrimage. We can pledge ourselves to the remembrance and the doing of the truths he so steadfastly served.

A WELL-DESERVED TRIBUTE TO WALTER L. REYNOLDS, OUT- STANDING PUBLIC SERVANT

Mr. GRUENING. Mr. President, on Thursday it was my privilege to be present when Walter L. Reynolds was honored by his many friends for his 37 years of dedicated public service. As chief clerk and staff director of the Senate Government Operations Committee, Walter has given willingly and unstintingly of his knowledge and ability. As a member of the Government Operations Committee, I know how ably Walter served. We shall miss his wise counsel but, hopefully, he will be back to see his friends on Capitol Hill often.

The work of staff members make it possible for Members of the Senate to serve better their constituents and the Nation. Walter Reynolds did much of the staff work on S. 2, a bill to create a Joint Committee on the Budget, which was introduced on January 6, 1965, by the distinguished and able chairman of the Committee on Government Operations [Mr. McCLELLAN] and cosponsored by 76 Senators. The bill was reported on January 26, 1965, and passed by the Senate on January 27, 1965. It has gone to the House of Representatives where it has been referred to the House Committee on Rules.

Walter has also participated in the development of legislation to increase the Federal Government's control of science and technology in the field of space and technology information.

Other special legislative work by Walter included helping implement the first and second Hoover Commission recommendations and the Legislative Retirement Act.

Many of Walter's friends have expressed their respect and admiration. At

this time I ask unanimous consent that the full text of the telegram Walter received from the Vice President be printed in the RECORD at the conclusion of my remarks. Vice President HUMPHREY was a member of the Committee on Government Operations when he served in this body.

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

JANUARY 27, 1966.

DEAR WALTER: My warmest greetings. Your 37 years of faithful public service are truly an inspiration. The Senate has good reason to be so very proud of you. Sorry I cannot be with you, but am committed in New York shortly. I know your wise counsel and vast knowledge will still be available to us. All best wishes to Clare and yourself.

HUBERT H. HUMPHREY.

Mr. JAVITS. Mr. President, unfortunately I was unable to be here yesterday when so many of my colleagues paid tribute to Walter L. Reynolds, who has just retired as chief clerk and staff director of the Senate Committee on Government Operations. I want now to add my voice to those who have already spoken by stating that the Senate is losing the services of one of its most talented professionals.

Few men have shown greater ability in handling the enormous task of running a committee staff.

Walter was not only available at any time to assist but, even more significantly, I could always count on the accuracy of the information he gave me. His counsel will most assuredly be missed. I want to take this opportunity to wish him continued success in the years to come.

FREE WORLD SHIPPING TO NORTH VIETNAM

Mr. FULBRIGHT. Mr. President, the Foreign Assistance Act of 1965 contained a provision requiring the President to consider denying aid to any nation whose ships were involved in trade with North Vietnam.

I have received a report from the Department of State on the progress made in carrying out the intent of Congress toward obtaining the cooperation of aid recipients in reducing this trade. This report will be of interest to the Congress and the general public, and I ask unanimous consent to have it printed in the RECORD.

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

ASSISTANT SECRETARY OF STATE,

Washington, January 21, 1966.

HON. J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations,
U.S. Senate.

DEAR MR. CHAIRMAN: The Department of State shares the deep concern you have expressed over continued voyages of free world ships to North Vietnam and is making continuing efforts to reduce that shipping. High-level approaches have been made to all countries involved.

These efforts have met with considerable success and the number of free world vessels in the trade has been diminishing steadily, with none of the vessels carrying strategic cargoes. During 1965 the number of

voyages by free world vessels declined considerably as compared with 1964. The decrease has been particularly significant during the past 5 months, when the monthly average was only 13 calls. By comparison the monthly average of free world calls in 1964 was 34. The majority of these vessels were not carrying goods to North Vietnam, but were arriving in ballast to pick up outgoing cargoes.

The free world shipments in question are not being made by the governments concerned, but by private traders in ships sailing under various national registries. Each country has special legal problems in controlling such shipping which take some time to resolve, but we have been making every effort to obtain early and effective action.

In making diplomatic representations, the executive branch is mindful of the provisions of the recent amendments to foreign assistance legislation which call for the denial of economic and military aid to countries that do not take appropriate steps to remove their ships from the North Vietnam trade. We have notified all affected governments of these legislative provisions, and have continued to press them to obtain maximum cooperation from those very few countries still having ships in the trade.

The only aid-recipient countries whose ships have called at North Vietnamese ports within the past 6 months, and some of these were under long-term charter to Communist countries and therefore not under control of their owners, were Cyprus, Greece, Liberia, and Norway. Some of these countries state that they have no legal authority to control in peacetime the movement of privately owned vessels but the Lebanese and Liberian Governments have issued regulations making it unlawful for their ships to carry cargo to or from North Vietnam. In other cases, the shipowners in the countries concerned have obviously found it in their own interest to get out of the trade, as witnessed by the drastic reduction, and in some cases complete elimination, of their involvement in shipping to North Vietnam.

Questions have been raised as to the position of Great Britain on the problem. The great majority of British vessels in the North Vietnam trade are small coastal vessels owned and registered in Hong Kong and under time charter to Communist operators, yet carrying the British flag. The value of total British trade with North Vietnam (imports and exports) amounted to about \$265,000 in 1964 and all of it was nonstrategic. Nonetheless, we are engaged in energetic representation to the United Kingdom and other friendly countries who have been involved in the North Vietnam trade in order to accomplish withdrawal of all free world shipping from that trade.

Sincerely,

DOUGLAS MACARTHUR II,

Assistant Secretary for
Congressional Relations.

TOWARD BETTER CITIES

Mr. RIBICOFF. Mr. President, on December 9, 1965, Vice President HUMPHREY made a notable speech to the National Symposium on City Life. It sets forth the critical needs of our modern urban society and points the way toward the solution of the most pressing problems. The Vice President called for a broad program to overcome the evils of slums, ignorance, and congestion which plague our cities.

Now, the President has pledged his administration to reconstruct the cities in the mold of the Great Society and provide an opportunity for every citizen to achieve his full potential.

The Vice President's speech gives us a clear picture of the urban life the administration seeks for every city dweller. Funds for public housing and urban renewal are to be increased. The rent supplement program will begin.

Of special significance is the proposal for demonstration grants to cities for comprehensive planning and rebuilding of the existing urban complex. Since the time when he was mayor of Minneapolis the Vice President has championed the cause of a better life in urban America. It must give him great satisfaction to participate in the realization of his goals.

In his speech the Vice President recognizes the key role of education in the fulfillment of the Great Society. The budget provides \$2.8 billion, an increase of 23 percent over fiscal 1966, for this purpose. Included in this total is \$1.5 billion for aid to elementary and secondary education, a boost of more than 50 percent over last year. The major portion of these funds will go to improve the education of children from areas of poverty. The new Teacher Corps to augment school staffs in low income areas will further help to uplift deprived children.

These are but two parts of a many faceted effort to evaluate the quality of life in our cities. The Vice President has made an eloquent and stirring statement of the situation we face and the road we are taking toward a better future. I commend the speech to all my colleagues and ask unanimous consent that the text of the Vice President's speech be inserted at this point in the RECORD.

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

REMARKS, VICE PRESIDENT HUBERT HUMPHREY, NATIONAL SYMPOSIUM ON CITY LIFE, WASHINGTON, D.C., DECEMBER 9, 1965

It is indeed a privilege for me to participate in this symposium on "The Troubled Environment" sponsored by the ACTION Council for Better Cities.

I have long admired the numerous ACTION programs you have sponsored—programs dealing with the complex tasks of living, working, and traveling within our urban areas.

The council has been instrumental in stimulating creative thinking and action in such areas as community mobilization, urban research and education, and technical services.

So it is not surprising that ACTION should sponsor this symposium on the most confounding, and crucial, problem of them all: the relationship of the socially and economically deprived residents of urban America to the vital task of urban development.

It is especially significant that this symposium is not just trying to understand the nature of these complex and challenging issues.

You are also asking the critical questions: What can we do about them?

How can we make our contribution in the struggle to rescue our cities?

As President Johnson noted last year in his historic message to the Congress on housing and urban development: "Whatever the scale of its programs, the Federal Government will only be able to do a small part of what is required. The vast bulk of resources and energy, of talent and toll, will have to

come from State and local governments, private interests and individual citizens."

As the President also noted in this important message, and as I am sure this symposium will demonstrate, "We do not have all the answers, we need more thought and wisdom and knowledge as we painfully struggle to identify the ills, the dangers and the cures for the American city."

Consider our present state of affairs, within the past 2 years:

Congress has established a Department of Housing and Urban Development.

Congress has agreed that a system of rent supplements for low-income families should be developed to supplement the traditional approach of public housing.

Congress has enacted new and expanded programs to fight air and water pollution.

Congress has established a program of urban mass transportation and approved the construction of a mass transit system in the District of Columbia.

Congress has passed historic education laws and an expanded poverty program to provide new weapons for an attack on the educational and social problems of the slums.

Congress has passed a variety of new housing and urban redevelopment programs, designed especially to avoid mistakes of the past and to meet needs of the future.

Yet it is clear we are only at the beginning.

The design by which we shall overcome the shame of enduring slums, in the richest Nation in the world, is still unclear. It is unclear to Government. It is unclear to the experts.

And our recent efforts, while making progress in many areas, have also demonstrated the complexity and tenacity of the problems which confront us.

We have learned there are no simple solutions, and no single answers.

We are open to the widest and most creative thinking in this field, from builders and land developers, planners and architects, mayors and bankers, political scientists and businessmen. In this spirit, we look forward eagerly to the conclusions and recommendations of this symposium.

Although we have not yet produced the design that contains all the answers, we are coming to understand more fully the most pressing problem facing us in our cities. It is this: to eradicate the explosive combination of poor housing, poor schools and inadequate public services, high rates of unemployment and crime, and the prejudice and discrimination which comprise the slums of urban America.

All other urban problems pale by comparison. And until we are capable of improving the lives of people—largely Negro—who live in these areas passed over by our national prosperity and affluence, we will be stymied in all other attempts to restore and redevelop our cities.

We are sophisticated enough to know that physical slums alone do not produce the economic and social problems concentrated there.

If it were possible to replace overnight the tenements in our great cities with new housing, we would not at the same time overcome unemployment, juvenile delinquency, drug addiction, poor education, ill health, and family breakdown.

For this reason President Johnson has stressed the importance of mounting comprehensive areawide attacks on the interrelated problems of housing, employment, education, crime, and health.

Only as we attack simultaneously the problems generated by both the physical environment and socioeconomic conditions can we hope to make significant progress in this difficult struggle.

One of the most significant tasks of the new Department of Housing and Urban Development will be to assist our cities in

organizing this type of comprehensive attack. In this regard, the following matters merit priority attention:

First, we must grasp the relationship between increased income of slum residents and their ability to secure more adequate housing and other services from the private and public sectors.

As the poor achieve the level in our economic structure where honest choices are open to them in securing housing, I am confident the forces of our free enterprise system will respond to this market.

The housing industry has provided millions of middle-income Americans with good housing, in quality and physical facilities.

The problem has been that large numbers of our people—especially those caught in our urban ghettos—cannot bid for this housing in the private market.

For this reason, the success of the war on poverty and related programs is critically important in our struggle to build better cities.

It is also necessary to continue our programs of public housing as authorized in the Omnibus Housing Act of 1965 and, in particular, to secure appropriations as promptly as possible for the rent supplements program authorized in the same legislation.

The rent supplement approach is a new attempt to provide low-income housing in partnership with the private sector of our economy—low-income housing that is attractive and does not carry the stigma associated with mammoth institutionalized public housing projects. This approach must be given a full and fair trial.

It is also essential that housing be made available to all Americans on a nondiscriminatory basis. Persons who can afford housing cannot have that opportunity denied to them because of prejudice and discrimination.

As in the field of employment, there exists in the area of housing ample opportunity for voluntary private action by builders, real estate agents, and bankers.

But there also exists a responsibility for government at all levels to take appropriate steps if that voluntary action is not effective in meeting this serious problem.

Second, we must understand the urgent necessity to provide quality education in our slum areas.

Our schools can rescue millions of youngsters caught in the downward spiral of second-rate education, functional illiteracy, delinquency, dependency, and despair.

Here is the chance to disprove the myth that children from slum areas are unable to learn, that schools can only provide some form of custodial care until they drop out and become unemployed or delinquent.

Each child is an adventure into a new tomorrow, an opportunity to break the old pattern and make it new. Today we have the chance to make that pattern one of self-esteem, self-respect, ambition, and responsibility. Project Head Start, for example, is showing us what can be done to give children an early start on these things.

Third, we must use fully, and wisely, existing programs for urban redevelopment and rehabilitation.

As the Omnibus Housing Act of 1965 demonstrated, we have provided new and more flexible tools in this complicated and difficult business of rebuilding or restoring blighted areas in a selective manner that recognizes the legitimate interest of the existing residents. And which preserves the unique character of neighborhoods.

It is, however, incumbent upon our States and local governments to develop imaginative programs which put these new tools into effective operation.

Finally, in our efforts to develop areawide responses to the fundamental problems of housing, transportation, education, and em-

ployment, we must not ignore the smaller dimension wherein the individual can experience the rewards of a rich and varied life.

In particular, Government policy must be directed toward encouraging the restoration and, where necessary, the creation of vibrant and living neighborhood communities.

In the final analysis, a city cannot simply be a place to live, to work, to exist.

A city must be a community in the deepest meaning of the word—a combination of material and spiritual resources which provides every individual an opportunity to lead a secure and meaningful existence.

This involves a concern for humane and intimate details, as well as a determination to conquer the major social and economic ills. This means a concern for the small park, the corner store, the neighborhood center and recreational area.

These are some of the matters which deserve priority attention as our States and local governments, in partnership with the Federal Government, mount comprehensive attacks on the urban slums and ghettos of America.

But the problem of the slums is largely a problem bequeathed to us by the past.

The problems of the future raise very different considerations.

We know that the next few decades will see a great increase in American population, and an even greater increase in urban population.

Americans hope that the next wave of urban expansion will provide a better environment than the last wave created.

The suburban expansion of the late forties and fifties provided good housing, but in most cases it did not provide the essential elements of good communities.

I am not one of the critics of American suburbia. It is a remarkable accomplishment, one which has provided more good housing for more people than perhaps any development in history.

But the planning 20 years ago that guided the construction of schools, transportation facilities, waste and water systems, and civic facilities often was not enough.

Today, our people are better educated, more prosperous, and legitimately demand that their living environment should work as well as their well-engineered kitchens and family rooms.

This is primarily a task for private and corporate imagination.

Government, acting alone, is not sufficiently flexible or sufficiently free from a variety of pressures to build good and imaginative towns.

But I believe Government can help provide the basic facilities, the framework in which local initiative, private enterprise, and nonprofit groups can build good towns.

Government at all levels can create stronger and more enlightened planning instruments to help make key public decisions as to where and how the urban expansion should take place.

It can explore measures which might reduce land costs in urban development.

It can provide Government loans for good quality and farsighted planning and building of water supply and waste disposal facilities.

It can provide the funds for good transportation planning, and for the building of a mass transit system to supplement the free-way system.

It can provide loans and grants for better schools and better cultural and recreational facilities.

I feel all these are appropriate tasks.

But beyond all these we need a good deal of creativity and imagination, from architects and planners, political leaders and social and political experts, builders and land de-

velopers, the great corporations and great financial institutions that are increasingly drawn into the field of urban development.

The programs of the Federal Government are often attacked for the failures of American urban development—inadequate planning, urban sprawl, barracklike public housing, poor public transportation, poor recreational and social facilities.

Certainly we must shoulder a good deal of the blame.

But as we develop new legislation, new approaches, I believe more and more of the responsibility for urban development, its failures and its successes, will be properly in the hands of local communities and the private forces of the development.

In this process, as has happened in a number of cities, the business community can play a vital and major role.

It can provide some of the money for local planning, some of the talent necessary to analyze problems and devise solutions, some of the public support we will need.

The intellectual and financial resources of our universities and foundations are also needed. The educational community must not be fearful of grappling with these intractable problems. The university must not just be a tower of ivory, but a tower of strength in the daily life of the people.

And I believe these additional resources can help provide the imagination and creative thinking that will produce American cities to match and surpass anything we have achieved so far.

There is one factor which must not be overlooked: For the first time in history we possess the resources to create cities that reflect man's highest aspirations.

While we do not presently have all the answers, I, for one, do not doubt for a minute our ability to discover them. Nor do I doubt our capacity to implement these solutions once they have been discovered. And what an exciting challenge this is.

Is there a higher calling than liberating millions of our fellow Americans from the vicious trap of deprivation and defeat? Is there any task more vital than improving the quality of life for every American?

And as we progress along this difficult road, as we build cities worthy of the human spirit, we will be preserving for countless generations the values of our Nation and civilization.

This is the challenge awaiting our response. We ask your help.

COLLISION AHEAD

Mr. McGOVERN. Mr. President, early in this Congress I presented a considerable number of documents showing the widespread support for an expanded world food program. The evidence continues to accumulate.

I ask unanimous consent, Mr. President, to place in the RECORD the condensation of an address by Dr. Earl L. Butz, dean of agriculture at Purdue University, who is well known to most Members of Congress. Dr. Butz will be remembered as an Assistant Secretary of Agriculture during the Eisenhower administration. The condensation of Dr. Butz' excellent address appears in the St. Louis Post-Dispatch.

Dr. Butz' excellent presentation of the food and population collision ahead is well worth reading. It is also illustrative of the agreement among many schools of thought on the need for greatly expanded agricultural production here and around the world to meet human needs.

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

BREADBASKET FOR THE WORLD—DECLINING FOOD-PEOPLE RATIO ABROAD CHALLENGES U.S. AGRICULTURE TO MASSIVE EFFORT

(From an address by Dr. Earl L. Butz)

(NOTE.—Dr. Earl L. Butz, dean of agriculture, Purdue University, spoke before the International Industrial Conference in San Francisco.)

The world is on a collision course. When the massive force of an exploding world population meets the much more stable trend line of world food production, something must give.

The man-food ratio around the world, never high enough to be very exciting to two-thirds of the world's population, has actually been in a decline the last half dozen years. Total food output has increased during those years, to be sure, but at a slower rate than population increase. In many of the world's underdeveloped areas, the man-food ratio is in serious decline.

Those of us in North America, who wrestle with perennial surpluses of both food and feed grains, too frequently view our problem in the short run. We are export conscious, particularly in relation to the current situation. While this may be important in a particular year, it is high time that we begin to fashion our domestic programs and policies with a view toward the political and economic realities of the developing world food crisis.

At the beginning of the Christian era, world population was estimated to have numbered around 250 million. In the next 15 centuries it doubled, reaching 500 million by 1600. Three centuries later, by 1900, world population had tripled, and stood at about 1.5 billion. In the less than two thirds of a century since 1900, world population has approximately doubled again. Reliable estimates indicate that in the little over one-third of a century remaining until the year 2000, it will double again, and will stand at about 6.3 billion people.

If the 6-billion-plus people predicted by the year 2000 are to be sustained, with no improvement in diet whatever, man will need to develop the capacity to feed another 3 billion people—and this must be done in the short term of one-third of a century. This means that we must duplicate in the next generation the production record that man has achieved since the dawn of history.

There are only two possible answers to the problem posed above: (1) increased agricultural production worldwide, with sufficient trade flexibility to permit effective geographical distribution, and (2) a widespread and rapid increase in birth control practices.

In the long run, say by the close of this century, birth control is the only solution. But this is developing extremely slowly in the population pressure areas of the world, and probably will continue to develop slowly because of the low levels of education and living standards. Hence the immediate need before us is to increase agricultural production and to work out more effective means for distribution of our foodstuffs—just the converse of some of the agricultural and trade policies currently popular in the United States.

It is meaningful to use the trend in per capita grain production as an indicator of both agricultural progress and the quality of diet. A majority of all calories consumed comes from grains, either directly or indirectly, after conversion into meat, milk or eggs. Thus a rising per capita output of grains in any population makes possible either a rise in calorie intake or the production of additional animal protein if this is needed or desired.

The underdeveloped areas of the world, once able to feed themselves, now clearly are

dependent for their very existence on sustained food shipments from the developed nations, largely from North America. The output of grain per capita of farm population has shown a striking increase in North America, more than trebling in the 25 years from 1934 to 1959. During the same interval, grain output per capita of farm population actually declined in Latin America and increased only modestly in Africa and Asia.

The transportation of the advanced mid-20th century agricultural technology of North America into the underdeveloped areas of the world will be, at the best, a very slow and arduous process. Yet, we must not despair in our efforts to build up the agriculture economies of the underdeveloped nations. To the extent that this can be done it will both promote economic and political stability within those nations, and will in part alleviate the burden that must inevitably fall on North American agriculture in the latter part of this century to prevent mass starvation in large areas of the underdeveloped world.

We face the prospect a decade hence that the great breadbaskets of North America will be called upon to supply food for large areas of the world until the population-food ratio can again be brought into approximate equilibrium. The latter cannot be accomplished quickly or painlessly. We therefore confront the challenge, in North America, to keep our food production machine in a healthy state, fueled for a massive effort in the years ahead.

The public conscience of the United States has moved toward a commitment, neither written nor enacted into legislation, that we will not permit mass starvation any place in the world. The two decades since the close of World War II have been the longest famine-free period in the history of the world. This has been possible largely because of the strategic deployment of American surplus foodstuffs under the food-for-peace program.

Both President Johnson and Vice President HUMPHREY have indicated that we should give consideration in our agricultural policy to producing specifically to meet the food needs of the underdeveloped nations. Increasing numbers of Congressmen also speak along this vein. When the time comes that food needs abroad are more apparent than now, it is my prediction that the U.S. Congress will find some way to meet them, perhaps under some kind of arrangement that resembles a sale, just like many people in this country think that our massive sales for foreign currency of surplus commodities over the last decade represent a genuine sale, when many of these transfers really were in the nature of a gift.

We must, therefore, view the tremendously efficient agricultural plant of North America as one of the most powerful tools in our kit of international diplomacy. And then, having viewed it this way, we must pursue more sensible internal price support and production programs than have persisted in recent decades. Likewise, we must follow trade policies which are fitted more nearly to the economic realities of our time.

If we can catch the vision in North America of the central role our enormous food machine can and must play in the total world scene in the decade ahead, then we can only be optimistic concerning the position of our agriculture in the international scene.

INFLATIONARY TRENDS

Mr. ROBERTSON. Mr. President, ever since last October, when I addressed the bankers of Kentucky on economic trends, I have been stressing the possibility of harmful inflation, urging appropriate steps to prevent it, believing in the

old maxim of an ounce of prevention being worth a pound of cure, and so forth. I renewed my warning to the Senate on January 18, and those interested can find it in the CONGRESSIONAL RECORD of that day under the heading of "Inflation," commencing at page 491.

On yesterday, in referring to items that I considered to be more vital than to repeal section 14(b) of the Taft-Hartley Act, I again referred to the rapid build-up of inflationary trends. That reference will be found at page 1334 of the CONGRESSIONAL RECORD of Thursday, January 27.

Naturally, I was gratified that on yesterday in submitting the report of his Council of Economic Advisers, the President admits that there is a threat of harmful inflation and said:

To insure against the risk of inflationary pressures, I have asked Americans to pay their taxes on a more nearly current basis, and to postpone a scheduled tax cut. If it should turn out that additional insurance is needed, then I am convinced that we should levy higher taxes rather than accept inflation—which is the most unjust and capricious form of taxation.

At the same time, the President called upon both labor and management to avoid inflationary pressures by holding down wages and by holding down prices.

Mr. President, the Congress must recognize that when you have virtually full employment with an ever-increasing transfer of production from civilian to war purposes, it is futile to appeal to labor and management to hold down prices, if the Congress votes to inject into the economy billions of new dollars of borrowed money. The President has issued his guidelines—which labor has ignored—and he has referred to the possible necessity of increasing taxes. But as yet, he has not publicly acknowledged the degree of priority that should be given the war in Vietnam in budgeting available revenue for the next fiscal year. The war in South Vietnam, undoubtedly is going to be more expensive than many in the Nation now realize.

While it is both the privilege and the province of the President to furnish leadership in a program of sound fiscal policy, the Congress cannot deny that it controls the purse strings and cannot escape accountability for deliberately engaging in inflationary deficit financing.

VIETNAM PLEA TO PRESIDENT JOHNSON BY ILLINOIS FACULTY MEMBERS, SCIENTISTS, AND SCHOLARS

Mr. GRUENING. Mr. President, in the Chicago Daily News for Thursday, January 20, 1966, there appeared a large advertisement in the form of an open letter to President Johnson signed by a great number of faculty members, scientists, and scholars of the greater Illinois area with respect to U.S. involvement in the undeclared war in Vietnam. These eminent men of learning state in their plea to President Johnson:

1. We urge that our Government explicitly indicate its willingness to participate in a peace conference to implement the Geneva agreements of 1954, and that the question

of interpreting the Geneva agreements be left to the conference.

2. We urge that our Government acknowledge that the National Liberation Front—as one of the principal parties to the conflict—should be a principal participant in all negotiations. Political realism requires that we enter into direct negotiations with all concerned parties in the spirit of "Pacem in Terris" and the recent policy statement of the National Council of Churches.

3. We urge that our Government make it clear that our efforts toward negotiations are in no way an ultimatum, and that we do not threaten any massive escalation of the war if they are not immediately successful. We recognize that successful negotiations require the cooperation of our adversaries, but we believe that threats of further escalation will not contribute to securing such cooperation.

I concur most heartily with the points made and add my voice to their urgings in pleading with the President to follow their sage advice.

I ask unanimous consent that the advertisement, together with names and addresses of the signers, appear in full in the RECORD at the conclusion of my remarks.

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

AN OPEN LETTER TO PRESIDENT JOHNSON FROM UNIVERSITY AND COLLEGE FACULTY MEMBERS, SCIENTISTS, AND SCHOLARS OF THE GREATER ILLINOIS AREA

DEAR MR. PRESIDENT: Peace-loving people all over the world are deeply grateful for the efforts of the administration toward achieving peace in Vietnam, especially the cessation of the bombing of North Vietnam. But in the judgment of the undersigned there is more to be done to maximize the effectiveness of peace efforts.

1. We urge that our Government explicitly indicate its willingness to participate in a peace conference to implement the Geneva agreements of 1954, and that the question of interpreting the Geneva agreements be left to the conference.

2. We urge that our Government acknowledge that the National Liberation Front—as one of the principal parties to the conflict—should be a principal participant in all negotiations. Political realism requires that we enter into direct negotiations with all concerned parties in the spirit of "Pacem in Terris" and the recent policy statement of the National Council of Churches.

3. We urge that our Government make it clear that our efforts toward negotiations are in no way an ultimatum, and that we do not threaten any massive escalation of the war if they are not immediately successful. We recognize that successful negotiations require the cooperation of our adversaries, but we believe that threats of further escalation will not contribute to securing such cooperation.

It is still our hope that the U.S. Government seeks no wider war. We agree with you, Mr. President: "Weapons do not make peace; men make peace, and peace comes not through strength alone but through wisdom and patience and restraint."

(This statement has been sponsored by the Greater Illinois Faculty Committee on Vietnam. Its coordinating committee consists of: Dr. David Bakan (University of Chicago); Dr. Earl Davis (University of Illinois at Urbana); Dr. R. W. Faulhaber (De Paul University); Rev. G. G. Grant, S.J. (Loyola University); Dr. Paul B. Johnson (Roosevelt University); Dr. John Pappademos (University of Illinois, Chicago Circle); Dr. Maxwell Primack (at large); Dr. Bernard G. Rosenthal (Illinois Institute of Technology); Dr. Ernest

Samuels (Northwestern University). Institutional affiliations throughout are listed for purpose of identification only. The views expressed in the above letter represent only those of the undersigned faculty members and not of the colleges or universities with which they are associated.)

AMUNDSEN JUNIOR COLLEGE

Martin W. Horan, business; Richard H. Lerner, English; Randall J. Longcore, mathematics; Elaine G. Rosen, biology science; David Simonson, social science; Bette O. Slutsky, biology; Nancy M. Tilly, humanities; Leo J. Yedor, social science.

AURORA COLLEGE

Paul A. Bower, economics and business; Eleanor H. McFarlane, biology; Charles Harvey Miley, psychology; Leo Seren, physics; Leigh M. Tracy, political science.

BALL STATE UNIVERSITY

Benjamin F. Bast, history; Lawrence J. Clipper, English; R. J. Gwyn, mass communications; Dwight W. Hoover, history; P. J. Ostergren, political science; Gerry Ruth Sack, political science; Robert L. Tyler, history; Patrick T. White, English.

BELOIT COLLEGE

Albert R. Gilgen, psychology; Norman R. Leer, English; Richard Olson, art; Charles P. Seguin, mathematics; Brock Spencer, chemistry; Stephanie B. Stolz, psychology; Chad Walsh, English.

BETHANY THEOLOGICAL SEMINARY

Alvin F. Brighthill, homiletics; Dale W. Brown, Christian theology; Donald F. Durnbaugh, church history; Earle Fike, Jr., homiletics; Paul M. Robinson, Bible studies; Graydon F. Snyder, Bible studies; D. J. Wieand, Bible literature.

BOGAN JUNIOR COLLEGE

Philip Abrahamson, social science; Vincent Arcilesi, art; J. R. Brownfield, English; Janet B. Dephore, English; Irving A. Haber, social science; Michael Kaufman, social science; Eleanor McGreevey; James F. Moldenhaver, English; Janice Preston, social science; Susan Shaw Rich, humanities; Robert C. Scott, science; Thomas B. Steiner, social science; Carol Kyros Walker, English; Norman E. Walker humanities.

BRADLEY UNIVERSITY

William L. Bowers, history; Bernard Bray, political science; Lester H. Brune, history; Edgar L. Chapman, English; John H. Harvey, foreign language; John S. Haverhals, mathematics; Brendan E. A. Liddell, philosophy; Jon L. Martinelli, history; Kenneth Morris, Jr., library; Hilde Nelson, library staff; Anne B. Plummer, library; Marjorie A. Smith, English; Reed M. Smith, political science; Gary R. Tippet, mathematics; Donald E. Wright, English.

CHICAGO MEDICAL SCHOOL

R. S. Geiger, neurology and psychiatry; Paul Gordon, pharmacology; Sue Hanlon, biochemistry; R. F. Jeans, psychiatry; Joe Levin, psychiatry; Irving Lyon, biochemistry; C. E. McCormack, physiology; Leo Saidel, biochemistry; William C. Shoemaker; Jean Sice, pharmacology; James E. P. Toman, pharmacology.

CHICAGO THEOLOGICAL SEMINARY

Philip Anderson, pastoral psychiatry; Victor Obenhaus, ethics; Cyrus V. Giddings, devotion and lay (ed.); Winslow Kelley, public relations; Robert G. Collier, librarian; Joseph King, parish ministry; Perry Le Fevre, theology; S. Mourl, business manager; Thomas W. Ogletree, constructive theology; Howard Schomer, church history.

DE PAUL UNIVERSITY

Louis E. Allemand, philosophy; Rosemary S. Bannan, sociology; Carol J. Connor, dean of women; Robert L. Crist, English; Zahava

K. Dorinson, English; Siebron J. Eppinga, architecture; Robert W. Faulhaber, economics; Joseph S. Giganti, economics; Lawrence Gluck, mathematics; Richard C. Groll, law library; William A. Hayes, economics; Robt. Q. Kelley, law library; Don J. Kerwin, law library; Gerald F. Kreyche, philosophy; Martin J. Lowery, history; Adolph E. Mark, economics; Sue Marquis, sociology; Ramdas Parikh, law library; Lawrence A. Ragan, English; Virginia Rutherford, English; Arthur N. Scheiler, Jr., law; Robert J. Starrs, law library; Arthur F. Svoboda, business mathematics; Frederick I. Tietze, English; William R. Waters, economics.

EARLHAM COLLEGE

Richard A. Baer, Jr., religion; Jackson H. Bailey, history; Gerald R. Bakker, chemistry; O. Theodor Benfey, chemistry; Trim Bissell, English; Robert R. Brewster, modern languages; Hans W. Buchinger, languages; Mary Lane Charles, languages; James B. Cope, biology; William H. Darr, art; Martin O. Dietrich, languages; William Fuson, sociology; Leigh T. Gibby, English; Robert G. Godsey, business administration; Helen G. Hole, English; Leonard C. Holvik, music; Lewis M. Hoskins, history; Wendy H. Kiskin, languages; Paul A. Lacey, English; Arthur Little, drama; James V. McDowell, psychology; Calvin Redekop, sociology; Roberta G. Selleck, political science; Wilmer J. Stratton, chemistry; David Telfair, physics; Stuart E. Whitcomb, physics; Joseph Whitney, geography.

EASTERN ILLINOIS UNIVERSITY

Charles P. Beall, political science; Richard J. Bloss, political science; John F. Burke, Jr., economics; Parviz Chahbazi, psychology; Howard R. Delavan, social psychology; Leland E. Hall, political science; John H. Moore, sociology; Margaret Soderberg, political science.

ELMHURST COLLEGE

George W. Barger, sociology; William R. Barclay, English; Gordon W. Couchman, English; Robert F. DeRoos, psychology; Robert C. Eaton, economics; Marguerite M. Ekren, English; George Gazmararian, business administration; Robert L. Glogorsky, chemistry; Ronald G. Goetz, religion; A. H. Limper, religion and Christian education; James J. Williams, classics.

THE EVANGELICAL THEOLOGICAL SEMINARY

Francis W. Boelter, Old Testament; Kenneth I. Clawson, business management; Wayne K. Clymer, pastoral theology; Philip O. Deever, Biblical literature; Paul H. Eller, church history; W. C. Harr, mission and ecumenics; K. James Stein, church history; Richard Tholin, church and sociology; Eugene B. Wenger, Christian education; James E. Will, theology.

GARRETT THEOLOGICAL SEMINARY

Merrill R. Abbey, preaching; John D. Batsel, librarian; Edward P. Blair, New Testament; George A. Buttrick, seminary; C. H. Ellzey, church administrator; R. W. Fisher, Old Testament; Paul Hesscot, theology; J. Jones, religion in higher education; Charles F. Kraft, Old Testament; Murray H. Leiffer, sociology; Sam Laeuchl, history; Alvin Lindgren, church administrator; R. W. Scott, world Christianity; G. S. Shockley, Christian education; Rockwell C. Smith, sociology; A. C. Sundberger, Jr., New Testament; Morris Taggart, pastoral psychology; Tyler Thompson, philosophy of religion; Philip S. Watson, theology; Giora M. Wysner, Christian mission.

GEORGE WILLIAMS COLLEGE

John W. Dubocq, education; Clinton W. Oleson, English; Dwane Robinson, sociology; Marjorie Schultz, history; Edward W. Stowe, sociology.

THE ILLINOIS INSTITUTE OF TECHNOLOGY

Rubin Battino, chemistry; Daniel Brenner, architecture; Forrest F. Cleveland, physics;

Paul E. Fanta, chemistry; Robert Filler, chemistry; Gunther Goes, mathematics; David Gutman, chemistry; R. Ogden Hannaford, architecture; Isidore Hauser, physics; Caroline Herzenberg, physics; Robert C. Hinkel, English; Louis Johnson, architecture; Octave Levenspiel, chemical engineering; Peter G. Lykos, chemistry; Robert J. Malhot, physics; Ralph E. Peck, chemical engineering; S. Matthews Prastein, physics; Maxwell Primack, philosophy; Bernard Rosenthal, psychology; Frederick Ritter, German; E. Schmocker, architecture; Robert L. Warnock, architecture; David Zesmer, English.

ILLINOIS STATE UNIVERSITY AT NORMAL

Carrol B. Cox, Jr., English; Perry Hackett, music; R. H. Holtzman, education and psychology; Philip James, art; George P. Warren, Jr., physical science; John Wesle, art.

ILLINOIS TEACHERS COLLEGE, CHICAGO NORTH

Harold E. Berlinger, music; Rose C. Brandzel, sociology; Norman Britan, anthropology; Thomas S. Farr, political science; Valentine R. Glockner, education; Robert S. Krueger, sociology science; Ely M. Liebow, literature; Hugh S. Moorhead, philosophy; Robert N. Paine, literature; Dorothy L. White, library science; Marilyn J. Ziffrin, music.

ILLINOIS TEACHERS COLLEGE, CHICAGO SOUTH

Fred O. Anderson, audio-visual; Martin K. Baker, education; John J. Bowen, physical science; Forrest E. Hazard, English; David Kopel, psychology; Robert C. Meredith, English; Lucille Mozzil, English; Henry A. Patin, education; Oscar Walchik.

INDIANA UNIVERSITY

James Allison, psychology; James Appleman, English; Robb Baker, English; Brad Bayliss, YMCA; Richard Bebee, accounting; Ernest Bernhardt-Kabisch, English; Elizabeth Cagan, psychology; Stephen Cagan, English; N. John Castellan, psychology; C. L. Christenson, economics; Norman S. Cohen, history; Dorrit Claire Cohn, German; James A. Dinsmoor, psychology; Paul L. Doughty, anthropology; James P. Egan, psychology; P. A. Fillmore, mathematics; David G. Frey, zoology; Sheldon Gellar, government.

R. K. Gibbs, coordinator for school science; Isidore Gormezano, psychology; R. G. Gunderson, editor, Quarterly Journal of Speech; George D. Guthrie, chemistry; I. F. Harik, government; George A. Heise, psychology; A. Holschuh, German languages; R. C. Jeffrey, speech; Louis Kibler, French and Italian; Roy E. Leake, Jr., French and Italian; Leon H. Levy, psychology; Don B. Lichtenberg, physics; Arthur S. Lloyd, Episcopal chaplain; Charles Leonard Lundin, historian; William A. Madden, English; H. R. Mahler, chemistry; Bernard S. Morris, government; Herbert J. Muller, English and government; G. K. Neumann, anthropology; Donald M. Nicol, history; Lloyd R. Peterson, psychology.

Otto Pikaza, Spanish and history; William Primrose, music; Gerald Rabkin, English; H. V. Rickenberg, bacteriology; Mark Rillins, psychology; Donald E. Robinson, psychology; J. Rocha-Pons, Spanish and Portuguese; Mercedes Roldan, linguistics; Samuel N. Rosenberg, French and Italian; P. Russian, Germanic languages; Dorothy Saltzman, universal school; Irving S. Saltzman, psychology; Norbert Samuelson, Hillel Foundation; W. D. Satterfield, English; John Scandreff, physics; Michael Scriven, history and philosophy of science.

Gilbert Sirotti, Wesley Foundation; Kenneth E. Spilman, Presbyterian chaplain; Bernard Spolsky, linguistics; Frederick A. Staupe, psychology; O. L. Taylor, speech and theater; Richard Thomas, English; Robert Tully, recreation; H. Haines Turner, labor education; M. E. Ward, Germanic languages; W. R. Webster, Roger Williams Foundation; Philip R. Wikelund, English; Richard David Young, psychology.

KENDALL COLLEGE

Leon M. Aufderberg, theater; John Binder, history; Sarah F. Campbell, psychology; Josephine W. Hayford, humanities; Peggie Hutchinson, humanities; W. H. Hutchinson, humanities; Carol Lewis, music; Marcia Mintel, humanities; Philip Rummel, economics; Marti Zeitlin, chemistry.

KNOX COLLEGE

William E. Brady, English; Michael G. Crowell, English; J. W. Daley, philosophy; John S. Davenport, English; Rodney O. Davis, history; George E. Dimitroff, mathematics; Richard M. Fulton, political science; Mikiso Hane, history; Frederic Jacobs, English; Alan P. Johnson, English; George L. Melville, economics; R. Puligandla, philosophy; William V. Spanos, English; John L. Stipp, history; Douglas L. Wilson, English; Howard A. Wilson, English.

LAKE FOREST COLLEGE

Lindley J. Burton, mathematics; Kenneth R. Calkins, history; George H. Crowell, religion; Richard W. Hantke, history; Forest Hansen, philosophy; Nathan I. Huggins, history; John W. Kalas, philosophy and religion; Maija Kibens, philosophy; Arthur Lessing, philosophy; Nancy Metzler, philosophy; Thomas Moodie, history; S. Prescott, sociology and anthropology; Robert Sharvy, philosophy; John G. Sproat, history; W. P. Zenner, sociology and anthropology.

LOYOLA UNIVERSITY

John Bannan, philosophy; Robert Barry, philosophy; Daniel DeBarbieri, history; Thomas Gordon, English; Rev. G. G. Grant, S.J., philosophy; Edwin Menez, classics; William R. Trimble, history; Corey Venning, political science.

M'KENDREE COLLEGE

Ronald W. Brandenburg, physics; Robert H. Brown, sociology; Otha L. Clark, history; John R. Curtis, Jr., religion; Fred A. Fleming, biology; Glenn H. Freiner, music; W. N. Grandy, philosophy; William C. Hodge, art; Stephanie Owen, music; David M. Packard, English; Roland P. Rice, social science; Orville H. Schanz, music; R. W. Scharnau, history; Lester F. Wicks, chemistry.

MILLIKIN UNIVERSITY

Frank J. Carey, music; Robert H. Hamilton, history; Paul S. Koda, English; Myron W. Taylor, English; W. H. Tilley, English; Kenneth Tompkins, English.

MUNDELEIN COLLEGE

Sister Mary Assisium, dean of students; Sister Terese Avila, BVM, Spanish and Portuguese; Russell Barta, sociology; Linda Bauer, administration; Irene Bohan, chemistry; Katherine Byrne, counselor; Michael E. Carbine, staff; Sally A. Chappell, art; Constance Choganian, history; Yohma Gray, English; Norbert J. Hrubby, administration; Sister Georgia Keown, Russian; Paul O'Dea, English; Sister M. J. T. Scanlan, education; Sarah D. Solotaroff, English; Sister M. C. Thornton, history.

NATIONAL COLLEGE OF EDUCATION

Donald A. Boyer, science; Mary Boyer, religion and philosophy; Fred Bunt, education; Calvin K. Claus, psychology; Bertha K. Stavrianos, psychology.

NORTHWESTERN UNIVERSITY

Michael Anania, English; Lee F. Anderson; Bernard Beck, sociology; Jack W. Burnham; Carl W. Condit, art; George Dalton, economics; Karl de Schweinitz, economics; Robert Eisner, economics; Richard Ellmann, English; Lawrence Evans, English; Arnold Feldman, sociology; Arthur Geffen, English; Peter P. Jacobi, journalism; John I. Kitsuse, sociology; Paul F. Kress, political science; Curtis D. MacDougall, journalism; William Monter, history.

Marshall Matson, English; Daniel Murtagh, English; Mohammed I. Nadin, economics;

Peter Reill, history; Carl Resek, history; Lee Ramsey, English; John Allen Rowe, history; Ernest Samuels, English; Samuel Shoenbaum, English; James J. Sheehan, history; James E. Sheridan, history; Martin Shinbrot, mathematics; L. S. Stavrianos, history; Robert H. Wiebe, history; R. F. Williams, mathematics.

NORTH CENTRAL COLLEGE

Ella S. Duke, English; Richard M. Eastman, English; Marc Karson, political science; William H. Naumann, religion; Erling W. Peterson, English; Mary Plech, psychology; J. Sackmann, religion; George St. Angelo, political science; Marian H. Schap, music; R. G. Thurston, sociology and anthropology; Renate W. Wolf, English.

NORTHERN ILLINOIS UNIVERSITY

Harold E. Aikins, history; John M. Antes, education; Orville Baker, English; Howard R. Ballwanz, earth science; David L. Danielson, chaplain; M. L. Dillon, history; Melvyn Dubofsky, history; Charles E. Freedeman, history; Charles H. George, history; Anne Greene, English; M. Hasan, physics; Edward T. Herbert, English; Duane R. Johnson, industry and technology; Martin Kallich, English; Benjamin Keen, history; Cornelius J. Loeser, earth science; Donald E. O'Hair, chaplain; Andrew MacLeish, English; David Markham, speech; Nancy G. Markham, English.

Edward L. McGlone, speech; James V. McKittrick, chaplain; Donald M. Murray, English; G. G. Petersen, industry and technology; John F. Plummer, Jr., industry and technology; Ernst L. Presseisen, history; Albert Resis, history; Jesse P. Ritter, Jr., English; Marvin S. Rosen, history; Ronald L. Russell, chaplain; Robert W. Schneider, history; G. Schoenbohm, foreign languages; Mary Louise Seguel, education; Aubrey J. Serewicz, chemistry; James R. Shirley, history; Charles L. Thomas, industry and technology; Charles O. Tucker, speech; John R. Van Kirk, chaplain; Allen D. Weaver, physics; Dale H. Weeks, economics.

NORTH PARK COLLEGE AND THEOLOGICAL SEMINARY

Glenn P. Anderson, church history; Robert D. Byrd, political science; E. C. Dahlstrom, pastoral studies; Jean M. Driscoll, political science; Zenos Hawkinson, history; Hans Mollenhauer, German; F. Burton Nelson, theology; Leslie R. Ostberg, chaplain; Vernon Wetterstein, history; Charles Wiberg, history.

PURDUE UNIVERSITY

Kenneth L. Andrew, physics; Kathryn N. Black, child development; William C. Black, psychology; Ralph Bray, physics; Ray B. Browne, English; R. V. Cassill, English; Sewell P. Champe, biological sciences; L. A. Coburn, mathematics; Terry Denny, education; Roland A. Duerksen, English; Chester E. Eisinger, English; Mary P. Endres, education; Jack W. Fleming, child development; Allen Hayman, English; Robert S. Hunting, English; Albert Kahn, biological sciences; J. Kuc, biochemistry and botany; Ruch Kuc, horticulture; Robert A. Miller, English.

Irving Morrisett, economics; Neil Myers, English; J. Bennett Olson, biological sciences; Norman Pearlman, physics; Marc Pillsuk, psychology; H. B. Ranken, psychology; Nani Ranken, philosophy; Eleanor L. Robinson, child development; Michael G. Rossman, biological sciences; Henry F. Salerno, English; Donald Schleuter, physics; Richard A. Schwarzlose, English; Raney Stanford, English; Irwin Tessman, biological sciences; Robert Tompkins, philosophy; H. E. Umbarger, biological sciences; I. Walerstein, physics; G. N. Wollan, mathematics.

ROOSEVELT UNIVERSITY

Dean Brodkey, English; Jacques A. Chevalier, psychology; Jean Eliot, education; Robert Greenberg, philosophy; Joseph Hackman, economics; Paul B. Johnson, graduate dean; Sue S. Lofton, education; Quin McLoughlin, psychology; Crag Orear, education;

Max Plager, mathematics; Dale Pontius, political science; A. LaVonne Prasher, English; Robert E. Rutherford, English; Robert W. Sankey, English and Spanish; Priscilla Purinton Siek, English; Bernard A. Sherman, education; Jane W. Stedman, English; Jerome Valberg, philosophy; George H. Watson.

ROSARY COLLEGE

Gilbert R. Hancock, art; Marjorie Hirano, art; Robert E. Hostetter, biology; Geraldine McCullough, art; David J. O'Brien, sociology; Linda W. Steed, Spanish; Patricia M. Straessle, physical education.

SOUTHERN ILLINOIS UNIVERSITY

Frances D. Adams, English; Nathan Azrin, Anna State Hospital; Hilda S. Delgado, anthropology; Sanford E. Elwitt, history; C. Harvey Gardiner, history; Robert L. Gold, history; Lewis E. Hahn, philosophy; Jerome S. Handler, anthropology; Rodger Hegler, anthropology; Don Ihde, philosophy; Wayne Leys, philosophy; George McClure, philosophy; Cal X. Meyers, chemistry; Willis Moore, philosophy; Frank C. Nall II, sociology; Paul A. Schilpp, philosophy; Lon R. Shelby, history; Dan R. Silverman, history.

SOUTHERN ILLINOIS UNIVERSITY, EDWARDSVILLE BRANCH

Robert F. Erickson, history; Douglas M. Moore, behavioral science; Gunter W. Remmling, behavioral science; Patrick W. Riddleberger, history; Ernest L. Schusky, behavioral science; Stuart L. Weiss, history.

UNIVERSITY OF CHICAGO

David Baken, psychology; Jeanne Bamberger, college; Alice Benson, college; Peter M. Blau, sociology; Zena S. Blau, Institute for Juvenile Rescue; Wayne C. Booth, English; Merlin Bowen, English and humanities; Howard Brofsky, music; David Bruck, mathematics, biology; Yan Tsi Cahlu, physics; Robert C. Coburn, philosophy; John M. Dolan, philosophy; Stanley Fenster, physics; Stanley Fischer, humanities; Richard E. Flatman, political science; William Fowler, human development; Herbert Friedmann, biochemistry; Carol Gilligan, social science; James F. Gilligan, medicine; Leonard Gordon, Indian civilization; Eric P. Hamp, linguistics; Robert J. Havighurst, education; Marshall G. S. Hodgson, history.

Frederick C. Jaher, history; Herbert Kessler, art; Jessie Lemisch, history; Hans Lennberg, music; Frederick F. Lighthall, education; Edward E. Lowinsky, music; Roy P. Mackal, biochemistry; Suzanne McCormick, philosophy; Leonard B. Meyer, music; Marvin Mirsky, humanities; Hans J. Morgenthau, history and political science; Paul Moses, art and humanities; Peter D. Noerdlinger, physics; William O'Meara, humanities; Laura N. Rice, psychology; Larry Rosenberg, sociology; Milton J. Rosenberg, psychology.

Melvin Rothenberg, mathematics; J. C. Rylarsdam, divinity scholar; Jack Sawyer, psychology and sociology; Joseph Schechter, physics; Ralph Shapey, music; John M. Shlien, human development; Herman Sinalo, humanities; Richard G. Stern, English; Michael Stocker, philosophy; Lars Svenonius, philosophy; Leo Treitler, music and humanities; Robert Ware, philosophy; Naomi Weisstein, psychiatry; Ira G. Wool, biochemistry; Benjamin D. Wright, education.

UNIVERSITY OF ILLINOIS AT CHICAGO CIRCLE

Ronald J. Baumgarten, chemistry; Irving D. Blum, English; Shirlee Blumenthal, English; James Bond, biology; Preston M. Browning, English; Melvin H. Buxbaum, English; Sabine Casten, chemistry; Louis Chandler, physics; Audley Connor, health service; Eloise J. Cornelius, social work; Herbert J. Curtis, mathematics; Robert De Mar, geology; Donald Dimmitt, art; Annette Elvolve, English; Frieda Engel, social work; Lloyd Engelbrecht, library; F. Carroll English, Spanish; M. Ferguson, student counseling; Beverly Fields, English; David Foulser, mathematics; Mar-

garet George, history; Emily Goodman, history; Nicholas Goodman, mathematics; Louis Gordon, mathematics; William Grampp, economics; B. Greenwald, student counseling; Norman Gritz, French; Mary Hannaford, English; Jared Haslett, physics.

Marcia Heinemann, English; Elaine Z. Herzog, chemistry; Roscoe E. Hill, philosophy; Willis Jackman, English; Ted Jackson, speech and theater; Alexander Karnikas, English; Doroles Keranen, English; Bernard Kogan, English; Eliezer, Krumbein, education; Frederick Kuellmer, geology; John Kysar, health service; Joseph Landin, mathematics; Darrell Lemke, history; John Mackin, English; Ruth Marcus, philosophy; Ernest F. Masur, materials English; Milton C. Mayes, library; Alan McConnell, mathematics; John D. McNee, art; A. R. Merrifield, social work; Marian W. Merrill, library; Robert L. Miller, chemistry; Karen J. Minge, English; Seymour Mirelowitz, social work; Judith Neri, English; Robert Panchem, systems, English; John Pappademos, physics; M. H. Pitts, student counseling; Mary V. Reed, English.

Henry B. Russell, French; Constantine Santas, English; Richard Sherwood, library; H. P. Schuchman, health service; John B. Shipley, English; Mary C. Sidney, English; Diane Smith, English; James G. Smith, English; Pinkney C. Smith, history; Adam J. Sorkin, English; Michael J. Spencer, library; Paula D. Stone, English; James B. Stronks, English; William W. Tait, philosophy; Robert E. Terrill, English; Irving Thalberg, philosophy; John Vickers, philosophy; Richard S. Vission, English; John E. Walley, art; Samuel A. Weiss, English; Thomas Weissman, English; Herman B. Weissman, physics; Maurita Willett, English; Lester Winsberg, physics.

UNIVERSITY OF ILLINOIS AT URBANA

Charles A. Anderson, music; Floyd D. Anderson, speech; Guy T. Ashton, anthropology; David E. Aspes, electrical engineering; James S. Ayars, Michael Barr, mathematics; I. David Berg, mathematics; Dorothy M. Black, library; Rudy Berg, English publications; Robert S. Blum, music; Dennis Boland, economics; Agnes E. Brandabur, English; Anne M. Brown, economics and education; John Callahan, English; Gerry Callis, art; Berenice A. Carroll, history; Robert Carroll, mathematics; Jacquelin Chase, sociology; Richard Cleveland, mathematics.

Sandra Cleveland, mathematics; R. C. Conant, electrical engineering; Earl E. Davis, psychology; Frances Day, mathematics; Mahlon M. Day, mathematics; John J. DeBoer, education; M. Derber, labor and industrial relations; William J. Dodge, mathematics; Irene K. Dwyer, speech; J. W. Eisen, labor and industrial relations; A. M. Ervin, anthropology; Marianne A. Ferber, economics; A. Belden Fields, political science; Morris W. Firebaugh, physics; Jacqueline W. Flenner, computer science; George N. Foster, art; Merlin J. Foster, computer science; Dale Franzwa, communications; Helen Franzwa, speech; L. B. Geislers, radio station; Viktors Geislers, agriculture.

Gene Gilmore, journalism; Michael J. Glaubman, physics; Diane L. Gotthell; political science; Mark P. Hale, Jr., mathematics; Mary-Elizabeth Hamstrom, mathematics; Richard Harvey, geologist; Edward W. Haurek, sociology; Ernest O. Herreid, food science; H. R. Johnson, compulsory science; Scott Keyes, urban planning; R. A. Kingery, engineering; Neil Kleinman, English; Daniel C. Kramer, political science; Robert Kubala, electrical engineering; Robert B. Lees, linguistics; D. A. Levin, labor and industrial relations; Harry Levy, mathematics; Lucretia Levy, mathematics; Jerry M. Lewis, Michael Lewis, sociology; Richard J. Loftus, English; Royal B. MacDonald, music.

Harold Mark, social work; Donald W. Markos, English; M. Marmo, labor and industrial relations; Thomas G. McLaughlin, mathematics; James R. Millar, economics;

Kenneth Moore, anthropology; Howard Osborn, mathematics; Charles F. Osgood, mathematics; Hiram Paley, mathematics; P. J. Paley, labor and industrial relations; Sherman Paul, English; J. D. Phillips, economics; T. Thacher Robinson, mathematics; David Sachs, mathematics; Sandra J. Savignon, French; H. I. Schiller, economics and business research; Robert L. Schneider, English; W. H. Shoemaker, Spanish, Italian, and Portuguese; Douglas D. Smith, mathematics; Arthur E. Sowers, physics.

David K. Stigberg, music; Gardiner Stillwell, English; Donald R. Taft, sociology (emeritus); C. Gomer Thomas, mathematics; Robert A. Tinkham, industrial education; Richard F. Tomassa, sociology; Kay S. Toness, anthropology; Odlin Toness, anthropology; John M. Treadear, social studies; Steward L. Tuckey, food science; Preston H. Tuttle, English; Rudolph J. Vecoli, history; Richard Wasson, English; E. Weinberg, mathematics; Robert F. Welsh, English; J. S. Werry, child rescue center; Paula Westerlund, physical education; R. Westerlund, bureau of institutional research; Robin Whitney, mathematics; K. Witz, mathematics; Lynne Woods, English; Robert W. Woody, chemistry; Wilson M. Zaring, mathematics.

UNIVERSITY OF ILLINOIS MEDICAL CENTER

David H. Elwyn; Charles F. Lange, biochemistry; Harold Levine, medicine; John Levitsky, preventive medicine; A. S. Markowitz, microbiology; Kenrad Nelson, M.D.

UNIVERSITY OF NOTRE DAME

Edgar Crane, marketing; William V. D'Antonio, sociology; J. Massingberd Ford, theology; Earl J. Johnson, theology; Donald P. Kommers, government; Joseph P. Locigno, theology; Daniel McDonald, English; Luke Miranda, theology; Peter J. Riga, theology; Ralph Sturm, English.

WILSON JUNIOR COLLEGE

J. S. Anderson, art; Rufus Baehr, social science; Robert Burleigh, English; Charles R. Connell, modern language; Colleen Cummings, English; Earle G. Eley, English; William R. Gnat, social science; June Grienlief, English; William I. Harber, physical science; Mavis Hoberg, social science; Conrad Levin, mathematics; Florence Levinsohn, child care; Elizabeth Loomis, child development; Robert L. Neville, social science; Leon Novar, social science; Yoa Sachs, humanities; Walter Schneeman, English; Joan W. Swift, child development.

WISCONSIN STATE UNIVERSITY AT WHITEWATER

Francis R. Coelho, art; William L. Lafferty, English; Thomas M. Parker, art; Everett Refior, economics; William O. Reichert, political science; David B. Saunders, English; Ruth A. Schauer, English; F. L. Sederholm, Spanish and theater; Gertrude S. Storm, biology.

WRIGHT JUNIOR COLLEGE

David F. Benegas, business; Jerome Blumenthal, humanities; June Brindell, English; Stuart Bonem, social science; Herbert R. Burgess, social science; Robert A. Johnston, speech; Helen Karanikas, humanities; Ernest A. Liden, Jr., social science; Per O. Loseth, humanities; Sue Portney, social science; Edward C. Reinfrank, sociology; William C. Resnick, psychology; Peter R. Senn, social science; Anne Shapiro, social science; Marvin Steinberg, social science; William L. Stevens, humanities; Carl F. Von Vogt, English; Meyer Weinberg, social science; B. A. Young, business.

OTHERS

R. C. Arnold, high energy physics, Argonne National Laboratory.
Edyth E. Barry, Southeast Junior College.
Robert Benne, Christian ethics, Lutheran School of Theology.
John F. Bennett, English.
Sandra Ben-Zeev, Southeast Junior College.

R. C. Brunet, high energy physics, Argonne National Laboratory.

Severyn T. Bruyn, sociology.
A. Gordon Ferguson.
J. V. G. Forbes.
Raymond A. Ford, speech.
David Griffith, high energy physics, Argonne National Laboratory.
Charles J. Harriman, Joliet Junior College.
Clifford Holmes, psychology.
Myron R. Holmgren, Joliet Junior College.
Rev. Charles E. Kenney, M. M., Maryknoll Seminary.

Ira A. Kipnis, Columbia College.
John B. Koch, economics.
John M. Lamb, Lewis College.
Harry Levine, Hektoen Institute.
David Lindberg, missions and world religion, Lutheran School of Theology at Chicago.

Barbara Lowrey, Lewis College.
Alvin W. Lynn, history.
Joseph M. McFadden, Lewis College.
David Palmer, library.
Richard E. Palmer, MacMurray College.
Alan Peters, Columbia College.
Herbert Pinzke, Columbia College.
Spaulding Rogers, psychology.
Arthur L. Rosen, Hektoen Institute.
Eugene E. Schwartz, computer sciences, Illinois Institute of Technology.
J. Welden Smith, MacMurray College.
George M. Stabler, sociology.
John Stobart, English, Joliet Junior College.

Father Benice Strack, chaplain, College of St. Francis.

Wieslaw Strzalkowski, Lewis College.
Rev. William H. Thompson.
N. Doyal Yaney, chemistry.

UKRAINIAN INDEPENDENCE

Mr. MURPHY. Mr. President, on January 22 Americans of Ukrainian descent pause and remember the Independence Day of Ukraine which was declared 48 years ago. Because their independence was so short lived, the Independence Day of the Ukrainian people is not a day of celebration. Unlike our Fourth of July, there will be no freedom speeches and no fireworks, for the people of Ukraine suffer under the tyranny of communism. Yet one thing is clear. The spirit of freedom and the longing for the day when they may once again enjoy self-determination remain intact within the safe sanctuary of the people's hearts and minds. The seed of freedom, once planted cannot be destroyed, and sooner or later, despite whatever difficulties or obstructions are placed in its path, the flower of freedom will emerge and the people will once again experience the joy and blessings of a free society. All Americans join with the many sons and daughters of Ukraine who have come to our shores hoping that the day will hasten when people everywhere will enjoy freedom and independence.

THE JOB CORPS CENTER AT TILLAMOOK, OREG.

Mr. MORSE. Mr. President, I ask unanimous consent to place in the RECORD a letter from Mrs. Ralph Bombard of Torrance, Calif., addressed to the people of Tillamook, Oreg., thanking them for what the Job Corps Center at Tillamook has done for her son. I also ask unanimous consent to place in the RECORD an article from the Headlight Herald describing the dinner honoring

Miss Esther Chapman of Tillamook, Ore. This dinner was given by the corpsmen in appreciation for the outstanding job Miss Chapman is doing in working with corpsmen in administering general educational development tests.

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

[From the Tillamook (Oreg.) Headlight Herald, Jan. 2, 1966]

IT'S NICE TO HEAR * * *

The following letter came this week addressed "To the Citizens of Tillamook, Ore." It was delivered to the Chamber of Commerce office which in turn brought it to us. We think the thoughts expressed are about as nice a note with which to end the year of 1965 as any we could find.

"To the Citizens of Tillamook, Ore., From a Mother Whose Son Is in the Job Corps:

"I wish to extend one of the biggest 'thank you's' I have ever had the privilege to say. I wish to thank you for your patience and understanding toward my son and others like him in the Corps.

"I know at times it must be awfully hard to accept these boys away from home, as I realize there must be many problems they bring to your town, but try to realize that you are saving my son (at least) from a life that I felt was going to be a pretty sad one without a future. He was a school dropout at 16. He wasn't a bad boy, had never been arrested for anything, but he just couldn't keep up with school.

"Finding out about the Job Corps saved him, I feel, from a dull life ahead, to at least a decent future. It gave him an interest in life plus the fact that he is getting a little of the so important education we all know these boys need in this day and age.

"I feel so indebted to the Corps for what they're teaching him, and also your town for enduring their presence there.

"Bless you all during this year ahead and again my warmest 'thank you.'

"Gratefully yours,

"Mrs. RALPH BOMBACK.

"TORRANCE, CALIF."

[From the Tillamook Headlight Herald, Jan. 2, 1966]

MISS CHAPMAN HONORED AT CORPS GENERAL EDUCATIONAL DEVELOPMENT CLASS DINNER

Miss Esther Chapman was a recent guest of honor at a Tillamook Job Corps Center dinner. The corpsmen who honored Miss Chapman are members of a recently formed General Educational Development class at the center, and included Roger Chinn, Huntington, W. Va.; Curtis Nichols, Beckley, W. Va.; Donald Neuman, Hanover, Ind.; Jerry Miller, Clinton, Mo.; Wilbur Miller, Richmond, Va.; Roosevelt Washington, Fort Pierce, Fla.; Linnell Cobbins, Kansas City, Mo.; Franklin Evans, Newton, Miss.; Bill Harvey, Saratoga, Calif., and Robert La Bar and Alvin Hanen, both from Austin, Tex.

At the dinner, Miss Chapman was presented with a corsage and a gift as a token of appreciation by the boys for her guidance and assistance in their taking the General Educational Development tests at the Tillamook High School.

The general educational development tests, which consist of five different categories, are given by Miss Chapman and are recognized nationwide as being equivalent to a high school diploma. If a person taking the test fails one or several categories he may take that part of the test again.

One of the corpsmen from the Tillamook Job Corps Center passed all of the tests and the results were forwarded to his local high school and State system of higher education; a group has several tests yet to complete and others will be taking the tests in the near

future. The tests, which can now be taken by any Job Corps enrollee, are in cooperation with the Oregon State Department of Higher Education and the Office of Economic Opportunity, Washington, D.C.; they will enable many boys who have not been able to complete their education an opportunity to do so. At this date the class at the Job Corps Center numbers 25 boys who are studying very hard.

Donald Neuman, the corpsman who passed the test in December, sums up his feelings and appreciation in the December issue of the Tillamook Job Corps Center Newsletter by saying, "I am very proud to have passed the tests and I'm grateful to Miss Chapman who gave the tests to me at the Tillamook High School and the Job Corps counselors who made it possible for me to take the tests. I don't know how to express my feelings, but I do plan to stay in the Job Corps until I am capable of obtaining a good job. It will give me great pleasure to see my mother's face when I tell her I have passed the tests. Well, I can't think of more to say, except, I hope there will be many more boys who pass the tests in the new year of 1966, and every year to come."

When interviewed, Donald stated that he attributes his passing the tests to a lot of home study and reading after dropping out of the eighth grade, and the fact that he began to realize how important an education was when he began applying for a job.

Mr. MORSE. Mr. President, there has been a lot of uninformed criticism of the programs of the Office of Economic Opportunity. There has been a lot of informed criticism also. I think the letter from Mrs. Bomback and the story about Miss Chapman proves that this Job Corps program is helping to solve one of America's most fundamental problems. Mrs. Bomback should be congratulated for a wonderful letter of appreciation to the people of Tillamook, Ore. The underprivileged youth of our country have a potential if given an opportunity—the Job Corps is providing that opportunity. We should expand it as rapidly as possible so that anyone knocking on the door can enroll in the Job Corps and be able to go to a Job Corps Center such as the one run by the Bureau of Land Management in Tillamook, Ore.

Mr. President, I think this country will remember Lyndon Johnson as a great leader for calling on the American people to wage war on poverty. I take great pride in the fact that I served on the committee that reported the economic opportunity bill. It gives me a great deal of satisfaction to feel that I have been a part of such a worthwhile effort. I would like to quote the words of Don Neuman, a corpsman who passed the general educational development tests in December:

I am very proud to have passed the tests and I'm grateful to Miss Chapman who gave the tests to me at the Tillamook high school and the Job Corps counselors who made it possible for me to take the tests. I don't know how to express my feelings, but I do plan to stay in the Job Corps until I am capable of obtaining a good job. It will give me great pleasure to see my mother's face when I tell her I have passed the tests. Well, I can't think of more to say, except, I hope there will be many more boys who pass the tests in the new year of 1966, and every year to come.

MEDICARE AND YOU

Mr. RIBICOFF. Mr. President, on January 25, 1966, I was privileged to

address the sustaining board of fellows of the Mount Sinai Hospital of Greater Miami. Because of the wide interest in medicare, I ask unanimous consent that the text of my remarks be printed at this point in the RECORD.

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

MEDICARE AND YOU

(By Senator ABRAHAM RIBICOFF)

Today I am here to speak to you about one of the chief ways we as a nation have met the challenges of delivery of health services to people. I am here to speak to you about medicare—that massive new program of lifelong and lifesaving proportions.

Medicare—a controversial issue for so long—is now the law of our land. It is here; it will soon be an accepted and a habitual part of all our lives. So all of us must learn about it and understand it.

Medicare is here—and the prognosis for it is good. The senior citizens who will benefit most from it are naturally delighted—as are their children who often bear responsibility for their health care. The American community as a whole is realizing the overall benefits the new program will bring. And after some initial misgivings, the medical community and the insurance industry are realizing the particular benefits it will bring them.

I've always said medicare was the conservative approach to paying for the health needs of the elderly. Woodrow Wilson once defined conservatism as the policy of "make no change and consult your grandmother when in doubt." Now that certainly didn't apply to medicare. Medicare was one big change that was given a boost by the grandmothers.

Sometimes in the heat of the debate that preceded the enactment of the new law, the fundamental idea behind it became clouded. That idea is simple. Let me repeat it: It is to help all of us pay for needed health care. Contributions are paid while we are working—benefits become available when we reach the age of 65. Behind this special financing arrangement for benefits in old age lies a simple fact: In the advanced years incomes tend to decrease sharply while costly illness increases.

What does medicare mean to you?

As individuals, you will be concerned with medicare as beneficiaries. As men and women vitally concerned with the programs of a great hospital, you are concerned about the impact of medicare on your institution.

Let me speak first about medicare and you as individuals. When you are 65 years of age or more, it means a measure of freedom and dignity and independence all of us did not have before. It means two health insurance programs:

First, there is the basic plan to cover hospitalization and home health costs. And second, there is a voluntary supplemental plan—in which you can participate if you wish to do so—for doctor bills and other medical expenses.

People often ask me who is eligible for these plans.

The answer is that if you are an American citizen or are admitted for permanent residence and have lived in this country for more than 5 years—the basic hospital plan will be yours to use, automatically, when you turn 65. This is true whether or not you get social security or railroad retirement benefits now. After January 1, 1968, however, you will have to be covered by social security benefits to get the basic hospital plan.

As for the voluntary supplemental plan, you can participate, when you are 65 or more, for the small sum of \$3 a month. (Federal employees can buy into this plan like everyone else.) Of course this applies to women as well as to men—any woman who is now

65 or more—or becomes 65 before 1968—whether she has ever worked or not—whether she is covered because her husband is covered or not—is covered by the basic plan, and can buy into the supplemental.

There are no special tests that you have to pass to get medicare. Whether or not you're sick or well doesn't matter. If you are now one of the 20 million people on the social security rolls, you'll get a health insurance card in the mail—the first batch will go out about February 1—and you'll carry it with you just as you now carry your other identification cards, or Blue Cross card. If you're not now receiving a social security or railroad retirement benefit check—and if you're 65 or older, you will have to contact your nearest social security office to get your card. The Social Security Administration will try to help make you aware of this—through the newspapers, radio, and television. But you will have to make sure you get what is due you.

Let's say you are 65. You are covered by the basic plan, and like most Americans, you have chosen to buy into the voluntary plan. The time is February 1967.

You are feeling poorly and you go to see your doctor. He is the same doctor you have now, practicing in the same office. He examines you and feels that you should have—like a certain other famous patient—an operation to remove your gallbladder. You must, of course, go to the hospital.

Your doctor then prescribes your treatment, including what hospital you go to—just as he does now. He is responsible for your treatment—just as he is now. The hospital must be accredited or meet certain standards. But the difference here is not in how medical care is given—but in how people meet their medical bills.

When you arrive in the hospital, then, you will be admitted in much the same way you are now. You will show your health insurance card then, and make arrangements to pay the first \$40 of your bill. Then you'll go ahead and have your operation. The difference is that the medicare plan will pay for up to 60 days of your hospital care.

And if the doctor feels it's necessary, you can stay 30 extra days; you pay \$10 a day for these extra days and the social security fund pays the rest.

In the hospital, you can—under the basic medicare plan—stay in a semiprivate room, unless your doctor prescribes isolation. You will be entitled to the services of the regular nursing staff (not private-duty nurses) and of the residents and interns under approved teaching programs. Drugs are paid for too if they're part of your treatment. If you want a private nurse or special nurse, you will have to pay for her yourself.

Now, let's say you're in the hospital 2 weeks and recovering nicely. The doctor feels you don't need a hospital, but you still need skilled convalescent or rehabilitative treatment. The doctor wants you to go to a nursing home. You follow his advice—of course. And you are pleased to find that the basic medicare plan will pay for up to 100 days in this qualified nursing home—which, like the hospital, has met certain minimum standards. You will have had to be in the hospital 3 days to be entitled to nursing home care. After the first 20 days, you would pay \$5 a day.

Remember, though, that purely custodial care isn't covered. An older person who has been in a nursing home for a number of years wouldn't be covered—unless, of course, he gets sick enough to require hospitalization, and then is sent back to the nursing home. If that is the case, he will be covered for restorative or rehabilitative nursing home care and for other expenses.

Now, back to our patient. You are ready to leave the nursing home and the doctor feels you still need professional medical care. If he plans for it within 14 days after you leave the nursing home (or hospital if you

never went to a nursing home) you would be entitled to up to 100 home health visits by a visiting nurse or therapist. You could get these during a 1-year period following your discharge from the nursing home or hospital.

You are now completely recovered from your operation—or what the law calls your "spell of illness." A "spell of illness" begins when you enter the hospital and ends after you are out of the hospital—or out of a posthospital nursing home—for 60 consecutive days. This applies no matter how many ailments you suffer at one time. If you had a second ailment—a heart attack for instance—while you are in the hospital for your operation, this is not the start of a new "spell of illness." But there is no limit to how many times you can be hospitalized if you meet the "spell of illness" requirements.

You were a gallbladder patient. Had you had a nervous breakdown, a stay in a psychiatric unit would have been covered too under the basic plan—but with a lifetime limit of 190 days.

Let's say your doctor hadn't been sure what was wrong with you when you first went to him. He prescribed a series of diagnostic tests. He didn't have the necessary equipment in his office and sent you to the hospital outpatient department.

You wouldn't have to stay overnight. You would pay the first \$20 of the bill, but only 20 percent of any amount over that for any series of tests done by that hospital within a 20-day period.

All this service, then, is yours. But what about your doctor bills?

These are not covered by the basic plan. But they are covered under the voluntary supplemental plan which you—our hypothetical patient—have been wise enough to buy into for the modest sum of \$3 a month. So your doctor bills for your visits to his office—or his visits to you at home, or in the hospital or nursing home, would be covered.

And your surgeon's services would be covered, too, as well as those of specialists like radiologists, anesthesiologists, pathologists, physiatrists.

You would pay the first \$50 of all these bills in any 1 year. After that, the plan would pay 80 percent. You would pay the rest.

And, if your doctor recommends, you would be covered, too, for various diagnostic tests like X-ray and laboratory tests and basal metabolism readings; X-ray and radioactive therapy; surgical dressings and supplies, rental of medical equipment from a wheelchair to an iron lung; devices like braces or artificial limbs; and up to 100 extra home health visits each year, as prescribed by your doctor—whether or not you had previously been a hospital patient.

A few people have asked me whether that extra \$3 a month for the voluntary plan might be too much for some to pay. I don't think it will. As the United Press International said, "Medicare is a tremendous bargain. After all, the medicare law boosts social security payments by 7 percent across the board with a minimum of \$4 a month for an individual, or at least \$6 a month for a man and his wife. This will offset a person's contribution of \$3 a month—which the Federal Government will match. I'm sure you'll agree that the voluntary plan is a real advantage and everyone would be wise to take it.

To sign up will be easy.

If you are now receiving social security benefits, you'll get an application in the mail. If you're not, you must go to your nearest social security office. Remember, you must be 65 or more. The first sign-up period for persons 65 or older in 1965 began September 1, 1965—and will end March 31, 1966. Others may sign up within 3 months before

they are 65 or in the 3 months after that month.

In view of all this, then, should you drop the health insurance plans you now have? I wouldn't advise it. Coverage of hospital and health costs won't begin until July 1, 1966—and coverage for "extended care facilities" like nursing homes won't begin until January 1, 1967. By the time the new program goes into effect, the insurance companies will probably have developed policies to dovetail with it. So wait to make this decision.

These, then, are the chief benefits of medicare—the chief benefits you as an older citizen can or will enjoy. It follows that your children, and later on your grandchildren, will benefit too. For more of the family purse can now go to cover the costs of education and other expenses of youth.

These are the obvious benefits of medicare. But there are other, less obvious, benefits which many people are just beginning to realize. Our physicians are beginning to see the healthy impact of medicare. And this is good. For the individual doctor is the cornerstone of the new law and always will be. His cooperation is essential.

Even some doctors who fought medicare in the past now feel that the law will mean more and better care for the aged. They recognize that they will be able to send patients to the hospital whom in the past they could have treated only at home—because of the financial burden to the patients' families.

Doctors even have some less selfless reasons for optimism. Physicians in private practice will for the first time be eligible for social security benefits. And they will be assured of payment from older patients who otherwise might not be able to afford regular fees. For too long, the doctors and hospitals have borne the charity load alone.

Now then, about our sorely pressed hospitals—with which you fine people in this audience are so concerned. What will be the impact of medicare on the hospital—on other health institutions—on all American medical care?

I feel it will be all to the good.

The main purpose of medicare, of course, is to help older people meet the cost of their medical care; the program does not itself provide care. So, it is our direct concern to help people meet their bills, not to make changes in how hospital and medical services are given. But, in framing the law, Members of the Congress recognized that the broad scope of the program could have important indirect effects on the quality of medical care. Our aim was to make these indirect effects support the efforts of the health professions and citizens like yourselves to improve the quality of medical care for the American people.

This medicare will do, if only because of its broad coverage. Don't forget that it will underwrite costs for about 15 percent of all admissions and probably more than 25 percent of the days of care in the Nation's hospitals.

It follows that many of our hospitals will have a major new source of cash. They will be able to acquire new equipment, adopt new health practices, and improve their services and techniques. Hospital administrators feel they will be able to take better care of all their patients—including those who are better off. For in the past, the strain of handling the needy aged and all the needy has hampered their efforts to take better care of everyone in the hospital.

And the basic health insurance part of the law directs that the Government pay for the full reasonable cost of covered care. It seems to me that you usually get what you pay for. In providing payments to meet the full reasonable costs of care, medicare will provide financial support for the best quality care that hospitals can deliver. For

the law as it is written does not intend some uniform, flat rate of reimbursement. What is sought is a payment tailored to the cost of care delivered by the individual institution—and this will take into account varying differences in cost.

But there is a double provision supporting quality of care—the Government will be willing to pay for a quality job and it will insist on at least minimum standards.

Any hospital accredited by the Joint Commission on Accreditation of Hospitals will generally be assumed to meet the standards. However, it must have arrangements for reviewing the utilization of services. It must also meet any State or local health and safety standards stricter than those of the Joint Commission, which are required as a condition for payment for care under public assistance programs. Hospitals which are not accredited can also participate, of course, but they must demonstrate specifically that they satisfy the law's standards.

These standards are intended to support what has been achieved by hospitals like your own—in our great metropolitan areas. But just think of what they might mean in small towns and rural areas where, unfortunately, standards and even safety—especially in nursing homes—may not be adequate.

In order for a hospital to participate in the medicare program, it must establish a utilization review program—a program which provides for a review of admissions, duration of stays, and professional services rendered to medicare beneficiaries. The review can be on a sample or other basis, but its purpose is a simple one—to assure that the services provided are medically necessary; and to make sure that the Nation's hospitals and health facilities are used in the most efficient and effective way.

The review must be made by a group which includes at least two doctors—either a staff committee of the hospital itself, or a community group. A small hospital, for example, might associate itself with a utilization review plan established by the local medical society.

If the review finds that a further stay in the hospital is not medically necessary for the patient, prompt notice must be given to the patient, the hospital and the attending doctor.

The operation of this review provision will point out a basic need for extended care facilities, nursing homes and housing for the elderly—a need which Mount Sinai Hospital is moving to meet.

You have shown your awareness of the need for better care for the elderly, through your magnificent outpatient clinic and through the Warner Continuing Care Pavilion. Next month, when the Warner Pavilion opens, you will have taken another step forward in the fight to bring the best of care to our people.

Mount Sinai is showing the way—and the rest of the Nation must follow. We have tremendous needs, which we have not begun to fill.

There are 6.4 million families in the United States headed by persons over 65 years old. Fully half of these elderly families—3.2 million—have income under \$3,000 a year. Poverty among the elderly is far too common.

And the need for care among the elderly is acute. We must have more extended care facilities, more nursing homes, and housing for the elderly as well.

Our nursing home programs have centered around Federal Housing Administration mortgage insurance on construction loans. We badly need new and imaginative programs to fill the gap between the hospital and the home.

We need to expand our efforts to help build extended care facilities. Last year

we committed less than \$45 million to meet this essential need. Only if all our hospitals act as constructively and progressively as Mount Sinai will we begin to do the job.

And the third leg of the triangle cannot be ignored. Our senior citizens deserve a decent place to live, at a price they can afford. So far our public housing programs have provided homes for less than 200,000 people, out of a potential of more than 3 million.

So the challenge is there. We must work together to meet it. Under medicare, your Government is working with all the private and public groups concerned to achieve from medicare more than efficiency of operation—accurate payment—and even high quality health services.

All of us are striving to support the gains that have been made—and will continue to be made—by the great voluntary hospital system of the United States to which all of you have given so much.

So we move forward into an exciting new period in the social history of our democracy. The new medicare law will be a boon, I submit, not just to our senior citizens, not just to our children, but to the entire community of Americans.

STARS AND STRIPES ENDORSES YARBOROUGH COLD WAR GI BILL

Mr. YARBOROUGH. Mr. President, on Thursday, January 20, 1966, the Stars and Stripes, one of the most widely circulated and respected veterans' newspapers in this Nation called for the passage of a cold war GI bill in the form passed by the Senate last year.

The Stars and Stripes is a well known veterans paper, edited by Mr. and Mrs. L. P. Chittenden who have led the fight for veterans legislation on many fronts and have always called for justice for the veterans of this Nation. It is an honor to have the endorsement of this fine publication for my cold war GI bill in their editorial entitled "No Time To Be Niggardly." My hat is off to Mr. L. P. Chittenden and Retha Chittenden for their support of veterans rights in many fields.

In their editorial, the Stars and Stripes states that none of today's veterans should be deprived of any benefits which have now become traditional.

I ask unanimous consent that this fine editorial of Thursday, January 20, 1966, be printed at this point in the RECORD.

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

NO TIME TO BE NIGGARDLY

In view of the serious fighting in Vietnam it is now believed that the administration has agreed to cease its opposition to the passage of a so-called cold war GI measure which has been sponsored by Senator RALPH W. YARBOROUGH, of Texas. This measure has passed the Senate on three different occasions.

Representative OLIN E. TEAGUE, chairman of the House Veterans' Affairs Committee, indicated upon his return from Vietnam last fall that the legislation would receive top priority before his committee during the second session of the present Congress.

Now, however, it is reported that the administration which had opposed the Yarbrough bill heretofore, wants to compromise on a substitute bill which would be less costly than the Senate-passed version.

According to news reports, college-aid benefits of \$130 per month would be payable to those men who have served in combat situations such as Vietnam, the Dominican Re-

public and others. At the same time, lesser benefits would be provided for those veterans who have not seen any hostile action.

Under the provisions of the Senate-approved bill, payments of \$110 monthly would be made for educational purposes and would cover all who have been in service for at least 180 days since January 1, 1955. Educational benefits would be for a maximum of 36 months and would cost about \$400 million yearly.

Now it is learned that the administration proposes a separate measure to cover those who have not seen combat service with grants covering about \$800 per school year. A minimum of 2 years of service would be required as a qualification.

GI aids were given to the veterans of World War II and the Korean conflict, and the returns indicate that this was one of the best investments that our Government has ever made. Not only did it produce men of talent in many fields of endeavor but actually the entire program over a period of years was operated at no expense to the Government when it is taken into account that the earning power of many, many thousands of GI's was increased tremendously over what it might have been had they not received education at the hands of the Government.

These men now in uniform and those to come may have to spend several years in the service of their country, thereby depriving them of opportunities to either secure an education or to make any substantial progress in occupations of their choice.

Under present conditions these boys are being called into service and they have no other recourse. We do not feel that any of them should be deprived of any benefits which have now become traditional simply to save a few million dollars yearly. This is particularly so when huge doles are being passed out to other segments of our population. We hope that the Yarbrough bill in its present form will be enacted into law.

REMARKS THANKING THE MAJORITY LEADER

Mr. MORSE. Mr. President, before I turn to the major address which I shall make this morning, I wish to say that when we finished the consideration of the District of Columbia minimum wage bill the other afternoon, I was called immediately from the floor to a press conference on the bill.

It was not called to my attention until yesterday that the majority leader, the distinguished senior Senator from Montana [Mr. MANSFIELD], very graciously made a few remarks in which he thanked me for what he considered to be a proper handling of the bill on the floor of the Senate. That is typical of the majority leader.

I am only sorry that I did not know of his remarks at the time, so that I could have thanked him then. I should like to have the RECORD show at this time my deep appreciation for his kind remarks. I also take the liberty of applying those remarks to my entire subcommittee on the District of Columbia.

The minimum wage bill was not my bill. It was the bill of the committee. What the distinguished majority leader had to say in regard to the passage of the bill should be said in behalf of the entire subcommittee, including the distinguished Senator from Vermont [Mr. PROUTY] and the distinguished Senator from Colorado [Mr. DOMINICK], the Republican members of the subcommit-

tee, and also the bipartisan members of the full committee.

The subcommittee ironed out most of our differences on the minimum wage bill in the committee, as is often done. We understood that the amendments which were offered on the floor of the Senate would be offered by the minority, as it was their right to do. We let the Senate work its will on the amendments.

I not only thank the majority leader for his comments, but I also thank every member of my subcommittee for their complete cooperation in the handling of the bill.

VIETNAM

Mr. HARTKE. Mr. President, there has come to my attention an article which appeared in the London Daily Telegraph in its issue of January 21. The author, writing from New York, is a noted commentator and American citizen, Arnold Beichman. But because of the necessity faced in writing for a British audience, his appraisal of the American dilemma in Vietnam takes on a somewhat different quality from that of much comment in our own press. Mr. Beichman has sought to clarify in a rational and objective manner the situation in which we find ourselves. He writes with sympathy for our dilemma, with an understanding of the history of our involvement, but with a high degree of penetration to the core of our dilemma.

Mr. President, I ask unanimous consent that the article, "Facing the Truth in Vietnam," appearing in the London Daily Telegraph, may be printed in the RECORD.

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

FACING THE TRUTH IN VIETNAM

(By Arnold Beichman)

(NOTE.—A distinguished American commentator on world affairs, who has visited South Vietnam three times, outlines America's real dilemma.)

NEW YORK.—Because we are children of Hollywood, it was easier to understand the war while cruising the South China Sea last summer in the U.S.S. *Midway* 100 miles off the Mekong Delta.

Here, in what seemed to me more monastery than battleship, lived 3,400 men with one aim. Still it was Hollywood, except bigger. With his permission, I sat upon the captain's throne on the bridge thinking of myself as John Wayne in some war epic of the sea, watching my planes catapult into the sparkling sunshine.

At Tan Hiep, an airstrip 22 miles southwest of Saigon, it was a fragmented Sunday when I arrived. Silent men in overalls sat around under the big, sandbagged tent, long past waiting. Men, wearing their dark glasses, slept on cots; men reading—"Middle of the Journey," "Guns of August," something by Taylor Caldwell; men tipping a coffee jug.

A sharp ring on the telephone. It's for Captain McHugh, who steps forward, listens and flies off. He's a FAC—a forward air controller—Air Force designation for a pilot who creeps about at 2,000 feet and lower in a slow-moving L-19 telling supersonic jets from the *Midway* what he wants bombed. A chopper chugs in, American machinegunners at the open doors, lands, and is boarded by nine small Vietnamese soldiers, their helmets oversized.

The question didn't occur in the *Midway*, but it's here you ask: what are we doing in Vietnam, in the monsoon, in the dripping, hot sun?

Had President Eisenhower foreseen that American protection of southeast Asia and South Vietnam would be forever, would he have undertaken the obligation? Had he realized what the commitment meant, would President Kennedy have undertaken it and yet done so little to meet it? Or President Johnson, running on his own in 1964, pretending all was rosy in Vietnam while denouncing Barry Goldwater as a warmonger? (I voted for Mr. Johnson.)

WHAT THIS WAR MEANS

This war is just beginning for Americans: 1,500 dead, 6,500 wounded, 120-odd missing since 1961. (Comparable figures for the Vietnamese: 35,000 killed in action, 80,000 wounded, 25,000 village civilian officials assassinated.)

As wars go, this one is as different for us as the American Revolution was for gentlemanly Johnny's English grenadiers. Any war is different when a boobytrap is a needle-sharp bamboo stake tipped in human excrement. We are now learning why this war is different and what the infusion of Marxism into the mysterious East has meant to that continent and its islands.

The war really began in 1960. Today, perhaps a handful of Americans understand the logic of the American presence, why that presence must be maintained and what it will take to make that presence endure; that, no matter what, South Vietnam will be a permanent American base with a minimum of 100,000 occupation troops and a billion dollars a year in economic aid, assuming that there is a stalemate.

I am not at all sure how many administration leaders really understand all this because they themselves may, by now, believe their own "cover" stories. For all these years everything about Vietnam was a fiction, a willing suspension of disbelief with miracles every day at no cost to anybody.

It is hard to tell an electorate, however sympathetic, that their country is involved in a faraway place for the unforeseeable future, that it could mean a land war, that precisely because you are a super power with super weapons you can't use the super weapons because—well, you just can't.

Miracles were going to do it—workhorse helicopters; flare-planes to make the sun stand still; amphibious vehicles for flooded paddies; the green-beret special forces; the American "advisers"; Maxwell D. Taylor, general, Ambassador and proconsul; defoliation chemicals; fortified enclaves jutting into the sea; and, until the year-end lull, the bombing of North Vietnam.

The big truth still to penetrate "the inner eye" of the administration is that a professional revolutionary with a gun can match a professional soldier even with the 7th Fleet or Air Force behind him. This does not denigrate American courage nor exaggerate Vietcong moral zeal; just a description of the state of things in Vietnam, better expressed, perhaps, by Maj. Gen. Edward T. Lansdale (retired), now in Saigon as an Embassy civilian trying out some theories:

"The harsh fact, and one which has given pause to every thoughtful American, is that, despite the use of overwhelming amounts of men, money, and materiel, despite the quantity of well-meant American advice and despite the impressive statistics of casualties inflicted on the Vietcong, the Communist subversive insurgents have grown steadily stronger, in numbers and size of units, and still retain the initiative to act at their will in the very areas where Vietnamese and American efforts have been most concentrated * * *. The Communists have let loose a revolutionary idea in Vietnam and it will not die by being ignored, bombed, or

smothered by us. Ideas do not die in such ways."

So wrote General Lansdale in October 1964; it hasn't changed much since.

Those who would argue against these propositions should first explain why the most super-super-powerful military force this world has ever seen, capable of arranging a triumphant vehicular rendezvous in space, cannot arrange a victorious military rendezvous on land; and why this superforce cannot beat back an insurrection of black-pajamaed peasants and hard-core soldiers, average height barely 5 feet 4 inches.

We are not yet serious about the war in Vietnam because of a decade of official dissimulation—but we soon will be. For all these years, three Presidents have protected us from a sense of involvement, so much so that most Americans have been shocked by the overpowering passions of that minority of protestants demonstrating against the war; why are these boys with beards and girls with low-heeled shoes so engaged when nobody else seems to be? Even those Americans, particularly our literary intellectuals, who don't think it is inherently evil to resist communism, have little faith in the war and are really moral neutrals.

FAILURE TO UNDERSTAND

Unlike Korea and Cuba where everything was visible and understandable, Vietnam represents the first time America has fought a so-called "war of liberation," a type of confrontation whose politics our culture simply does not comprehend. The smalltown Clausewitzes in Congress who insist that saturation bombing of the North can win will never understand the politics of "liberation wars."

I am unsure that, after years of being kidded, the American people will understand:

1. From October 1954 (when Mr. Eisenhower told President Ngo Dinh Diem that in return for American aid he would be expected to undertake "needed reforms") until 1960 it was, "Do nothing and the Vietminh will go away"—frightened at the mere presence of Americans.

2. From 1959 to the end of 1960, there was the odd assassination of a village chief, the odd ambush and the fortified hamlet concept, another miracle which didn't work. No sweat; if Hanoi acts up, we'll lean on them a little and they'll go away.

3. From 1961 on, the slogan is "We're winning." As late as June 1964, Gen. Paul D. Harkins was saying: "The military situation is coming along fine now." Mr. McNamara, the Defense Secretary, on October 3, 1964, said: "The major part of the U.S. military task in Vietnam can be completed by the end of 1965." In fact, this is the year—1966—we were to begin withdrawal of our troops at the rate of 1,000 a month.

4. Since we were winning, it was silly to suggest realistic military-political planning and budgeting. Underestimating Hanoi was a good thing because you could then honorably underestimate the cost of the war. Today the daily American expenditure, military, and economic, is at the rate of \$20 million a day—\$7 million. It isn't enough now, it won't be enough in 6 months and even the proposed \$60 billion defense budget won't be enough in 1967.

FANTASY AND FACT

5. The naughtiest fantasy of all was the belief that the overthrow of Diem would end the rot. By late 1962, Diem was a lost cause and whatever qualities of statesmanship could be imputed to him in the mid-fifties had crumbled into paranoia. Yet what did the anti-Diem coup accomplish?

6. Then came the trumpeted American manpower increase intended to cow the enemy. It didn't. Each time we sent in more men, hoping to take the offensive,

Hanoi infiltrated a couple of combat regiments south of the 17th parallel and the ratios remained the same.

7. Now we stand on the brink—either the President goes for broke or else the "liberation war" strategy is proven successful.

Asian communism as well as Soviet communism have made a huge investment in this "liberation" war for southeast Asia. If America is in deep water, so is Hanoi. That may be America's only hope.

It is clear by now that Hanoi's strategy for victory, since it has ruled out face-to-face combat, is the "nibble-them-to-death" strategy, which at this stage calls for intensive political and paramilitary activity in the provinces and terrorism in the cities; encouragement of the international "peace" campaign and, lastly, fashioning some formula by which the United States can withdraw without losing face.

Beyond the problem of miscalculation is the ultimate question: does the Johnson administration by now understand the politics of "liberation wars"? If they don't, and the Korean mentality takes over, then half a million men and a formal declaration of war against Hanoi will not be enough to avert the peril of an all-out land war.

This peril stems from the clash between the Communist policy of rollback, a cruder word for "liberation," and the American policy of containment. Can containment stop a rollback ideology? Thus far containment has failed in South Vietnam, despite the escalation.

So . . .

The PRESIDING OFFICER. Is there further morning business? If not, the morning business authorized under the unanimous-consent agreement is closed.

PROPOSED REPEAL OF SECTION 14 (b) OF THE TAFT-HARTLEY ACT

The PRESIDING OFFICER. The Chair lays before the Senate the pending question, which is the motion of the Senator from Montana [Mr. MANSFIELD] that the Senate proceed to the consideration of the 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.

REPEAL OF SECTION 14(b)

Mr. MORSE. Mr. President, I now turn to the subject matter that most people in the country think is pending before the Senate; namely, the bill that seeks to repeal section 14(b) of the Taft-Hartley Act. I shall discuss it under the general title, "The Repeal of Section 14(b), Fact or Fiction."

The repeal of section 14(b) is not pending before the Senate, although many people think it is. The people of our country are still not fully aware of the fact that what is pending before the Senate is the procedural question: "Shall the Senate proceed to consider the bill calling for the repeal of section 14(b)?"

Ordinarily when the majority leader makes a request that a bill on the calendar be made the pending business of the Senate, it takes about 30 seconds to make the measure the pending business of the Senate.

It is my belief that the majority leader is entitled to such procedural cooperation from the Senate at all times, and that

Senators who are opposed to a measure should base their objections to it in the form of discussion of the substantive legislation.

I am keenly disappointed that we are confronted in the Senate with a filibuster on the issue of taking up the measure. I am sure that the American people are not aware of the procedural reality which confronts the Senate at this time.

I am of the opinion that the American people would want us to proceed to the consideration of the bill on its substance and to vote the measure up or down.

I have no doubt that if we took the measure up on its substance, there would be Senators who might use whatever parliamentary rights the rules permit to prolong the debate and seek to prevent a vote on the bill by way of a filibuster. Under the existing rules of the Senate, that is their privilege.

As the Senate knows, since 1946 the senior Senator from Oregon has introduced from time to time the Morse anti-filibuster resolution, which would modify rule XXII so that a filibuster could not be conducted which seeks to prevent a vote from ever occurring on a measure.

There are those who, not knowing my record in the Senate, are always a little surprised when I offer the Morse anti-filibuster resolution, because they will know that I do not hesitate to filibuster in the Senate if I think the fact situation in the Senate justifies a filibuster for a period of time.

However, I have never participated and never will participate in a filibuster which seeks to prevent a vote from ever occurring on a measure.

It is that type of filibuster that I have sought since 1946, to declare "outlawed" in the Senate because the majority of the Senate is entitled to work its will, if certain fact situations are complied with, on any piece of legislation. Those major fact situations, so far as the senior Senator from Oregon is concerned, illustrate why from time to time I have engaged in a filibuster, and will engage in a filibuster again, when I think it is necessary to gain sufficient time for the people of this country to be afforded an opportunity to be apprised as to what is going on in the Senate in connection with a given measure.

I will filibuster under those circumstances to gain time so that the eyes of the public can be focused on the Senate, and so that the Senate may be prevented from taking precipitate action on a piece of legislation on which public opinion might be different if public opinion knew the facts.

My colleagues have heard me say before that a good example of this type of filibuster is the filibuster which I initiated in 1954 when the Eisenhower administration brought to the floor of the Senate in the middle of one afternoon the atomic energy bill which had passed the House earlier that day after less than 2½ hours of debate.

It was a bill that sought to give away to the private utilities of this country and to the vested interests the entire taxpayer investment in the atomic energy program developed during the war. It was a bill which amounted to more than

\$14 billion, and for which the taxpayers would receive not 1 cent in return.

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. MORSE. In just a moment, when I finish this thought.

So I objected to a unanimous-consent request that was made by the Republican majority leader of the Senate at that time to agree to vote on the atomic energy bill that day. When I objected to it, I said that I thought there should be considerable debate on the bill, and that I would insist upon it. I did not make the majority leader very happy. He made clear that I could either give him the agreement, or could start talking. I obliged him. Other Senators from the other side of the aisle soon joined me. It was not very long before Senators were passing by my desk, dropping slips which said, in effect, "put me down for 2 hours" or "4 hours" or "6 hours." One of the Senators at that time, now the Vice President of the United States, cooperated by agreeing to help me out for 10 hours, if necessary.

What happened? We debated the bill for 13 days and 6 long nights, and added to it one amendment after another, not one of which we would have had if I had agreed to that unanimous-consent request that day. We were able to have the amendments adopted because the people of this country were heard from during those 13 days. That is where the amendments came from.

That type of filibuster I will engage in. Before I yield to my friend from North Carolina, I will quickly say that one other type of filibuster I have engaged in is when I am satisfied there have not been adequate hearings on a bill, when there is an attempt, during the closing days of the session, to push a bill through without adequate hearings. I have engaged in a good many such filibusters. One example is the filibusters I have started the last day or the last week of the session in connection with such legislation as wiretapping legislation, with respect to which there has been an attempt, in the past, to get a bill through that would legalize wiretapping when, in those instances, there had been no hearings, or inadequate hearings.

But except for such type of situation, the Senator from Oregon will not engage in a filibuster, and has not. In the present situation, in my judgment, I speak respectfully, but it is my interpretation of the objective of the parliamentary tactics of those who are waging this filibuster on a procedural question that it is designed to prevent a vote from occurring on the substantive issue involving the repeal of 14(b). That is unfortunate. The American people should understand the procedural situation in which the Senate finds itself. I am satisfied that if they do, the great bulk of American public opinion will want us to come to a vote on the subject, up or down.

As a proponent of repeal of 14(b), I am perfectly willing to enter into a unanimous-consent agreement to fix a time certain to vote. That is fair enough.

I yield to the Senator from North Carolina.

Mr. ERVIN. Was the Senator from Oregon referring to the filibuster which was directed against the atomic energy bill during the Eisenhower administration or the filibuster of 2 or 3 years ago, which was directed to the satellite corporation bill, of which the floor manager was the late Senator Kerr, of Oklahoma?

Mr. MORSE. I was referring to the atomic energy filibuster. Of course, I deny the charge of the Senator from North Carolina that there was any filibuster against the satellite bill.

What we were confronted with in connection with the satellite bill was a determination on the part of the majority of the Senate to chop our parliamentary heads off with the guillotine that was dropped on us constantly to lay on the table sincere and good-faith amendments which the Senator from Louisiana [Mr. LONG], the Senator from Illinois [Mr. DOUGLAS], the late Senator from Tennessee, Mr. Kefauver, and the Senator from Oregon, and other Senators offered from time to time.

Mr. ERVIN. Does the Senator from Oregon recall that the debate against the satellite corporation bill was ended only by a cloture vote?

Mr. MORSE. The satellite bill was ended by cloture.

Mr. ERVIN. Does not the Senator from Oregon remember the very amusing speech which Senator Kerr made, in which he referred to our good friend the Senator from Illinois [Mr. DOUGLAS], and said that ever since he had come to the Senate, Senator DOUGLAS had been working to end filibusters?

Mr. MORSE. Is the Senator speaking of the atomic energy bill or the satellite bill?

Mr. ERVIN. No; I am speaking of the satellite bill.

Mr. MORSE. There is no question that the debate on the satellite bill was closed by cloture; unfortunately so, because that cloture came many days too early. We still had pending a large number of good-faith amendments which should have been voted upon. Twenty-four amendments of the Senator from Oregon were included in one motion to lay on the table. That is what happened through use of the parliamentary guillotine in that debate.

Mr. ERVIN. At any rate, the Senator from Oregon insisted on speaking against the passage of the satellite corporation bill until he and the other Senators who agreed with him were silenced by a cloture vote.

Mr. MORSE. The Senator is quite correct.

In regard to the present matter, if we could proceed to consideration of the substance of the issue, the Senator from Oregon would be found voting against cloture on the substance of the issue until he was satisfied that Senators in opposition to the repeal of 14(b) had had full and ample opportunity to make their case.

Our difference is that in the satellite debate, the majority who voted for cloture were not willing to give the minority

the necessary opportunity to turn itself into a majority.

Mr. ERVIN. I would say to the Senator from Oregon, with his permission and that of the Senate—

Mr. MORSE. Oh, yes; the Senator has it.

Mr. ERVIN. I am perfectly consistent with him on the right of educational debate. I insist upon the right of educational debate when I am opposed to a bill, and I insist upon the right of educational debate in behalf of those who oppose a bill which I favor.

For that reason, when the cloture vote was had upon the satellite corporation bill, I voted to allow the Senator from Oregon and other Senators who were opposed to that bill in its then form to continue their educational campaign in their effort to enlighten the American people and to convert to their views enough Senators to change their minority into a majority.

I expect always, when a substantial majority have such convictions that they seek to stand upon the floor of the U.S. Senate and convert what they conceive to be a righteous minority into a majority, to vote to give them that right. In that respect, the Senator from Oregon and I are perhaps on the same ground.

Mr. MORSE. There is no doubt about it.

Mr. ERVIN. I believe we are on the same ground on another proposition, that the Senator from Oregon filibusters only against bills which he dislikes, and likewise the Senator from North Carolina filibusters only against bills which he dislikes.

Mr. MORSE. That is not a correct statement of our differences. A correct statement of our differences would be to state that I will filibuster against a bill which I dislike for a reasonable period of time so that the minority can make its case. I will not filibuster against a bill which I dislike, to prevent a vote from ever occurring. I am always willing to enter into a unanimous-consent agreement to fix a time certain to vote. My antifilibuster resolution provides for that. But, I have never known the Senator from North Carolina—and if I am in error I bow to him, and go down on bended knee in apology—to hold that point of view, that when he is filibustering against a bill he will agree to fix a time certain to vote on its merits.

Mr. ERVIN. I believe that the Senator from Oregon and the Senator from North Carolina are in perfect agreement. Theoretically, at least, the Senator from North Carolina never asks that debate be continued except for a reasonable time. The Senator from North Carolina believes that he is correct in saying that he emulates the example of the Senator from Oregon. When the Senator from North Carolina is engaged in an educational debate, he prefers to reserve to himself the determination of what is a reasonable time; and that the Senator from Oregon, when he is engaged in an educational debate, also prefers to reserve to himself the power to determine what is a reasonable time.

Mr. MORSE. I believe that the Senator from North Carolina has put our

differences very well, over the Senator's definition of "reasonableness." The definition is clear when I say that I am perfectly willing to agree to a unanimous-consent agreement to come to a vote on the substantive issues involved in a bill for a period of time. Never has there been a time that I have not been willing to do that.

Mr. ERVIN. I recall vividly that during the debate on the satellite corporation bill, our late friend, the able and distinguished Senator from Oklahoma, Bob Kerr, made a unanimous-consent request to set a time for voting on the satellite corporation bill. If my recollection does not entirely betray me, my good friend the Senator from Oregon objected to that unanimous-consent request.

Mr. MORSE. Only because of the time that the Senator from Oklahoma had in mind.

Mr. ERVIN. Yes; the Senator from Oregon thought that he—

Mr. MORSE. If we could have reached an agreement—I believe there were more than 50 amendments pending at that time—the Senator will recall that I felt the pending amendments would require 10 days to 2 weeks of debate, and I would have been willing to enter into a unanimous-consent agreement to vote on the bill in 10 days or 2 weeks.

Mr. ERVIN. My recollection of one aspect of that point is not entirely clear. Perhaps my good friend the Senator from Oregon can illuminate the darkness of my recollection. Did the Senator from Oregon, at that time, propose a unanimous-consent agreement to set a time for voting on the satellite corporation bill which he deemed to be a reasonable time?

Mr. MORSE. During all the conferences I had with those who shared my opposition to the bill, my recollection is that I proposed, time and time again, that we fix a time certain to vote on the bill, in order—let me say frankly—to squelch the idea that we were seeking to prevent a vote from ever occurring. I made clear in each one of those conferences that I was not going to be put in the position of inconsistency with my anti-filibuster resolution, and that if they would fix a time certain it would give us a reasonable length of time to present the amendments and to be heard on them, and that I would go along with such an agreement.

I would be less than honest if I did not say to the Senator from North Carolina that there were some Senators in opposition to the bill who had a different conception as to what the strategy should be. There were those who wished to keep debate going indefinitely, in order to try to force a withdrawal of the bill. I have never taken that position, and I did not take that position on the satellite corporation bill.

Mr. ERVIN. I thank my good friend the Senator from Oregon for his gracious manner in yielding to me, and wish to say to him with the sweetest disposition of which I am capable—

Mr. MORSE. The Senator from North Carolina is always sweet.

Mr. ERVIN. This colloquy has convinced me that while the Senator from Oregon and I may disagree with respect to the wisdom of the repeal of section 14(b) of the Taft-Hartley Act, we both agree on the proposition that no Senator should ever filibuster unless he is opposed to a pending measure.

Mr. MORSE. The Senator from North Carolina is quite correct on that last conclusion. I have never filibustered for any bill which I favored.

Mr. President, one more word about procedure. I am sure that I probably hold a minority point of view at the present moment.

I see the distinguished Senator from Ohio [Mr. LAUSCHE] in the Chamber. I hope that he will not leave, because I always feel better with his presence in the Senate.

Mr. LAUSCHE. Let me get under the gun, then.

Mr. MORSE. Mr. President, I am probably in the minority, but—

Mr. LAUSCHE. The Senator from North Carolina had better stay in the Chamber, too.

Mr. MORSE. But that is no new experience for me. I am not so sure that I will be in the minority indefinitely. I do not believe that we are following proper floor policy in connection with the pending measure. I believe that to filibuster on a question whether to take up the issue and consider its substance has no place on the floor of the Senate. I believe that the filibuster should be broken. I disagree with the leadership of the Senate that it can be broken by the parliamentary strategy which is now being followed.

For the most part, I believe that the Senate is engaging in a parliamentary exercise at this time. I believe that we are probably fooling some but, in the last analysis, we are not going to fool very many by this procedure. I believe that the Senate should meet, and stay in session 24 hours of the day and night until this filibuster is broken. I know of no other way under rule XXII in which a filibuster can be broken. I believe that we should face the fact that there is a growing misunderstanding in the country in regard to the hesitancy of the Senate to come to a vote on the merits of section 14(b).

As I go about the country, I find that there are many citizens who believe that we should vote this subject up or down on its merits. Who can say that they are not a majority? I believe that they will prove to be a majority, if they have an opportunity to express their opinions. They are going to be very unhappy about the attempt to prevent the vote on its merits by a filibuster on the procedural issue as to whether the Senate should make this issue the pending business of the Senate.

Mr. President, I speak only one man's point of view but, in my judgment, let me say that we are also making a very great mistake in the procedure we are following vis-a-vis democratic processes.

The American people have faith in our democratic processes. I do not believe that we should disillusion them. The American people are under the im-

pression that Congress works its majority will on proposed legislation. They do not understand the intricacies of parliamentary strategy in the Senate. They do not understand the extent to which the rules of the Senate can be used for dilatory tactics to prevent a vote from occurring on the merits of any issue. I believe, however, that once the people come to understand, let me say by way of understatement, they are not going to be happy with the knowledge. They are going to recognize, as I have been heard to say so many times that, in the last analysis, in a free society, their ultimate recourse will be the free ballot box. I do not need to tell my colleagues in the Senate that there is a growing feeling on the part of many citizens in this country, not only members of labor but members of the employer and management group as well, that they are being let down in the implementation of their democratic rights by the Senate.

The people of this country have labored under the impression that this issue would be considered on its merits. They are entitled to have this subject considered on its merits. Therefore, I believe that the leadership of the Senate owes it to the country to use every parliamentary weapon at its command to help to break this filibuster. We cannot break it under the rules the Senate is presently trying. We can break it only by going into session 24 hours of the day and night for as many weeks as it takes to break the filibuster. It will not be broken by the Senate, but it will be broken by an aroused public opinion stirred up in this country, once the Senate starts sessions running 24 hours a day. What will happen will be what happened when Lyndon B. Johnson sat in the majority leader's chair and broke filibuster after filibuster by 24-hour-a-day, round-the-clock sessions.

Mr. JAVITS. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. No one has more love and affection for my majority leader than I, but I do not agree with the policy that he has announced. I do not believe that we will break this filibuster by following the policy he has announced.

We owe it to the American people, with all the crises that confront the Republic, to proceed without further delay to break the filibuster.

I have one more word to say, and then I shall ask unanimous consent to yield to the Senator from New York without my losing the floor.

Among all the arguments that are used against a 24-hour round-the-clock, day-in and day-out session, is the argument that it is too hard on the old men in the Senate.

I have only two things to say about that argument. My past experience has been that the old men have been among the best filibuster breakers.

Mr. JAVITS. We are probably more durable than some of the younger men.

Mr. MORSE. It is not fair to the so-called older men to say that. For one thing, Mr. President, they do not have many of the extracurricular distractions that some of the younger men have. I

say that good naturedly and half facetiously. Of course, no one wishes to work any ill health upon any Senator. There is no reason for doing it. Any Senator who, for health reasons, cannot be here day in and day out, does not have to be here day in and day out. We have plenty of accommodations within the precincts of the Senate to take care of their health and their rest. There can always be an adequate number on hand to carry on the business of the Senate until the others are needed for yea and nay votes.

I do not accept as having any merit that argument against our having round-the-clock sessions.

I yield if I may do so without losing my right to the floor.

I ask unanimous consent that under those conditions I may yield to the Senator from New York.

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

Mr. JAVITS. It is not necessary to obtain unanimous consent, as I intend to ask the Senator a question. I will ask the Senator later on to yield to me for a short while, but not at this time. I do not want to interrupt his speech now.

I ask if it is not a fact that the most indefatigable attendee at quorum calls during the 1957 debate, which was a 24-hour-a-day debate for 9 days, was Theodore Francis Green, who is in excess of 90 years of age?

Mr. MORRIS. That is correct.

Mr. JAVITS. A mighty inspiring example for us theoretically young men.

Mr. MORSE. May I add that, although there may have been a live quorum or rollcall that the senior Senator from Arizona, the great leader of our body, Mr. HAYDEN, did not attend, I do not recall one.

Mr. JAVITS. That is correct.

Mr. MORSE. Certainly I am within the framework of understatement when I say that whenever there have been filibusters going on in the Senate the Senator from Arizona has attended the overwhelming majority of the rollcalls.

Mr. JAVITS. Secondly, I ask the question if, in the struggle with rule XXII and the way in which it tolerates the filibuster tactic, we have not always been told that if a majority of the Senate wants to impose its will the majority of the Senate can always do so, and that therefore we can leave rule XXII as it is and still get what the majority wants done. Is it not a fact that the only way for the majority to have its way, notwithstanding rule XXII, is to proceed as the Senator from Oregon has suggested—with round-the-clock sessions—because that is the only way it can exert its strength to do what the majority wants to do under the rules of the Senate as they exist now?

Mr. MORSE. That is correct.

Mr. ERVIN. Mr. President, will the Senator yield for a serious question?

Mr. MORSE. Under the same protection of my rights, I yield to the Senator from North Carolina.

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

Mr. ERVIN. Does the Senator from Oregon think that either the adminis-

tration or the Senate should give precedence and priority to the question of the repeal of section 14(b) of the Taft-Hartley Act rather than to a consideration and determination of the issues raised by the war in Vietnam?

Mr. MORSE. The answer is "Yes."

Mr. ERVIN. Will the Senator from Oregon permit me to state that I believe it is most inopportune for the Senate to be considering the question of the repeal of section 14(b) of the Taft-Hartley Act in preference to giving its thought to the Vietnam situation?

Mr. MORSE. Let the Senator from Oregon tell the Senator from North Carolina why the answer is "Yes." First, this is the leftover, pending business of the U.S. Senate. It will take but a few days to consider it on its merits if the majority can get its way to consider it on its merits. I have no doubt that if we can get to a vote on the merits of the question of repeal of 14(b), the majority will vote for repeal.

To maintain stable, sound labor-management relations in this country, it is important to get this question behind us in relation to our foreign policy. I happened to serve on the National War Labor Board during World War II, or most of it, until I ran for the Senate, and I am sure that if we had had a no strike-no lockout law in World War II we would have had great labor unrest. What I am afraid we will be confronted with is that if we continue—without any justification whatsoever, but that is beside the question for the moment—shall be faced with a massive war in Asia that may lead to another world war. We had better look out for our own economy in this country as we head into this labor-management crisis.

I think it would be unfortunate for the President—and speaking for my party for the moment—not to keep faith with our pledge made in the Democratic platform in 1964 for the repeal of section 14(b).

Therefore, if we could get to a consideration of the substance of the bill in the few days it would take, we would then be able to proceed to any legislation which the administration wants to support what I consider to be an unconstitutional, illegal war in southeast Asia. But we ought to prepare for that legislation. If we lay this matter aside, the administration will not be prepared for the program of what needs to be done in southeast Asia, because the administration has not made up its mind as to what should be done in southeast Asia.

Mr. ERVIN. I should like to ask one more question, and then I shall desist. Will the Senator from Oregon accept my assurance that in my honest judgment approximately half of the Senate honestly believes that they are fighting for freedom at home in opposing repeal of section 14(b), which would recognize the legality of compulsory unionism in all the States, and that they feel it is their duty to stand on the floor of the Senate and fight for freedom at home while our boys are fighting for freedom of South Vietnam in southeast Asia?

Mr. MORSE. I would not give a categorical answer to the question, because of what I consider to be the totally fall-

acious premise on which the Senator's question is based. I have no doubt that there is a substantial number of Senators who are going to vote against repeal of 14(b). I am satisfied that a substantial majority would vote for its repeal. The Senator is not going to get me to implicitly agree with his assumption that repeal of section 14(b) will impose compulsory unionism in the United States. Quite to the contrary. Nothing compulsory would result from the repeal, as my speech will show later. But what the Senator from North Carolina and other Senators opposed to repeal of section 14(b) really want is to impose a compulsory open shop program. Repeal of section 14(b) does not seek to impose a compulsory union shop. I do not think there should be either a compulsory open shop or compulsory unionism. Repeal of section 14(b) would not impose compulsory unionism.

As I shall show in my speech, guarantees are set up so that workers can vote for an open shop or a union shop. They will have a right to vote out a union or they do not have to sign a union shop agreement. The workers have protection against misguided labor leaders who, in a few unhappy cases, have sought to impose a union shop which, in my judgment, constituted an unfair labor practice.

And they have protection against so-called misguided labor leaders, who in a few unhappy cases have sought to impose union shop on them by actions which, in my opinion, constituted unfair labor practices. I will get into a discussion of that subject in my main speech.

If I may restate the question of the Senator from North Carolina, to state what I really think about the attitude of those opposing repeal of section 14(b), I do not question their sincerity. I do not question that they believe what they profess to believe. My difference with them is that I do not believe their beliefs happen to be meritorious.

Mr. ERVIN. If the Senator will pardon me, that was the answer I was hoping to get by my question. I am an optimistic person by nature. Nevertheless, in propounding that question I was not optimistic enough to think that I could convert the Senator from Oregon to my sound view of the question of 14(b).

Mr. MORSE. The Senator from North Carolina is a great evangelist. It is surprising how many times he has converted me on some questions, when he presented sound logic.

On this one question I believe he stated the wrong inference in the connotation of the question.

Mr. JAVITS. I might also say this to the Senator. Two columnists the other day joined the Senator and myself in a partnership on civil rights. He is quite evangelistic.

The reason I identify myself with the views of the Senator on this problem is that the Senate should be entitled to vote and the majority should be permitted to bring about an expression of its will.

The Senator is addressing himself to the problem. Then, he will go into the

substantive question, the way he will vote and why, and I shall discuss the way I shall vote and why.

The Senator is making that point to show that that is the way a determined majority can have the opportunity to express its will. Unless it is given its way, it can be a frustrated minority defeating the constitutional process.

Mr. ERVIN. Mr. President, I ask unanimous consent that I may ask a question of the Senator from New York on the time of the Senator from Oregon [Mr. MORSE], with the understanding that the Senator from Oregon will not lose his right to the floor or have his subsequent remarks counted as a second speech.

Mr. MORSE. I am perfectly agreeable to that.

Mr. ERVIN. The Senator alluded to the fact that a columnist asserted that he and I were in complete harmony on a certain civil rights proposition.

My question of the Senator from New York is: Did that convince the Senator from New York that he and I are both wrong?

Mr. JAVITS. No. I think it is one of the complements of this body, and I hope the public will pay attention to this. We are not so contumacious on what we advance.

We have deep convictions. I am honored to be identified with the Senator from North Carolina in a common interest, notwithstanding the fact that we may disagree about many phases of that same matter and dispute on their merits.

That is the real strength of the Senate, without which we would be in complete anarchy.

Mr. ERVIN. I thank the Senator. He and I reached the same conclusion, but by a different route.

Mr. JAVITS. I thank the Senator.

Mr. MORSE. Mr. President, before I proceed with the speech on the substantive merits of the bill for the repeal of section 14(b), as I see them, I wish to say that I know very well that the substantive issue is not before the Senate, but rather the procedural issue of whether the bill should be taken up as the pending business of the Senate is before the Senate.

Yet for the past several days the opponents of the bill have been making their speeches setting forth their objections to the bill so far as the substance is concerned.

For the most part, the only thing that has been going out to the country has been attacks upon the bill by its opponents. For a time the position of the supporters of the repeal bill was that we should not be making any speeches in support of the repeal until it was made the pending business of the Senate. That was also based upon a preliminary assumption that the bill might get before the Senate at an early date. That, of course, has vanished in thin parliamentary air.

Yesterday I was called into conference with representatives of the proponents of the bill and representatives of the administration. It was decided at that conference that at least one speech ought to be made this week that would express

some of the major arguments of the proponents of the repealer bill.

I proceed now to make that speech, which presents in part some of the reasons of the administration supporting the repeal and some reasons why the majority—and I am sure we are a majority in the Senate—support the repeal.

Therefore, I wish to present today to the Senate the real story, as I see it—the demonstrable facts, as I see them, a story which in recent years has been distorted, misrepresented, and lied about in the public press, on the television and radio, and in almost every forum where citizens gather to discuss the repeal of section 14(b).

THE REPEAL OF SECTION 14(b)—FACT OR FICTION?

What is being said and written about the proposal to repeal section 14(b) of the Taft-Hartley Act—including some of the mail from my own constituents—calls to mind what Macbeth called a horrible shadow and an unreal mockery.

In these remarks, Mr. President, I hope to be more successful than Macbeth, for the horrible shadow, the unreal mockery, conjured up by the opponents of 14(b) repeal has far less relation to reality than Banquo's ghost; and more importantly, in this case the weight of conscience is reversed.

Let me begin with a simple, positive statement describing what the repeal of section 14(b) will actually do—what changes will take place in the law, in the process of collective bargaining, and in the obligation of workers to become union members.

The repeal of 14(b) will apply the Federal law governing union security agreements, which authorizes the union shop, to all 50 States, instead of to 31 of them. It will negate—though it will not repeal—so-called right-to-work laws that now exist, under authorization granted by section 14(b), in the other 19 States. As a result, in those 19 States, union-organized workers will have the legal right to ask for a union shop if they want to, to negotiate with their employer on the subject, and sign such a contract if the employer agrees to it.

In other words, workers, unions, and employers in those 19 States will then have the same rights and the same option that their counterparts now enjoy in the rest of the country. Their freedom will be greater, not less. The obligation of workers to become union members will be increased, in these 19 States, only to the extent that the workers themselves, by their collective decision, choose to increase it, subject to the agreement of their employer.

That is all there is to it; that is the substance from which these spectral shadows have been fabricated. Note that this simple enactment will have no effect upon labor-management relations or union membership in the State of Oregon, nor will it have such an effect in the State of the distinguished minority leader, the junior Senator from Illinois—even though he is leading the defense of 14(b) with his unequalled parliamentary skill, his matchless eloquence, and his unflagging determination.

In only 19 States, then, will the repeal of section 14(b) have any direct effect, and in those 19—with one minor exception—the effect will be nothing more than the restoration of the freedom of all concerned to make their own choices, to come to their own, voluntary agreements, the same freedom that is now enjoyed in Oregon, in Illinois, and in 29 other States of the Union.

I said there was a minor exception. It is indeed minor, and I mention it only to make sure that the case I am presenting will be totally secure from attack on factual grounds. The exception applies to certain contracts negotiated with nationwide companies by nationwide unions, which provide for a union shop in every State where the union shop is presently legal, and which further provides that organized units of the company in other States, where the union shop is now outlawed, shall come under the union shop clause as soon as it is legally possible. For example, the General Motors Corp. has such a master contract with the United Automobile Workers; and when section 14(b) is repealed, any General Motors workers in organized plants in the 19 right-to-work States who, until then, accepted union benefits as free riders, will be required to pay the same dues as their fellow workers. In these few instances there will be instant compulsion; but I shall deal with that whole concept later in these remarks.

However, with this exception, repeal itself will enforce union membership on no one.

Those are the facts, Mr. President, but they are shamelessly perverted by the enemies of labor into the horrible shadow and the unreal mockery of a society dominated by some sinister conspiracy of trade union autocrats. The concept is laughable by any reasonable judgment; but we cannot afford to laugh at it, for it is believed by too many good souls who are both credulous and uninformed.

MISCONCEPTIONS ABOUT REPEAL OF 14(b)

Let us look at just a few of these perversions, these horrible shadows which are mockeries of the truth.

The most innocent of them, perhaps, is the charge that the repeal of section 14(b) would "legalize the union shop and make compulsory unionism the law of the land." You can find this one in newspapers whose own employees have been covered by union shop agreements for two generations or more, and who would not have it any other way. Their own editors and publishers have voluntarily entered into union shop agreements because they have decided that such agreements would provide them with a better labor force.

The sober truth is that union membership has been a condition of employment in some trades for more years than any of us have been alive; and that the union shop, a very modest form of union security, was specifically authorized by the Taft-Hartley Act itself, at the instance of our late colleague, Senator Taft of Ohio.

The extirpation of section 14(b) cannot legalize what is already legal; it

will simply extend the legalization to all States, not merely 31 of them.

Now the nightmares become more fevered. Repeal of section 14(b), we are told, will "force millions of workers into unions they do not want." This apparition, like the amoeba, divides into a number of parts.

There is the implication that workers do not really want to be a part of a union, but are somehow tricked or bullied into the clutches of the union, from which they yearn to be liberated. Many Senators may remember, Mr. President, that this view was widely held by sincere Members of Congress at the time that the Taft-Hartley Act was under consideration. Indeed, it was so widely held that the Taft-Hartley Act, as originally enacted, included a requirement that a special election had to be conducted by the National Labor Relations Board, with all the ceremony and safeguards of other board elections, before a union could so much as ask for union shop in the bargaining that was impending.

From August 1947, to October 1951, the NLRB conducted 46,119 of these elections, in which the only question was whether or not the workers wanted a union shop. In 44,795 of these elections—97.1 percent—the union shop was authorized. Some 6 million votes were cast in the elections; more than 5½ million workers, or 91 percent, favored the union shop.

This was highly embarrassing to those who had talked about "captive members." It was even more embarrassing, at times, to employers who had resisted the union shop, who did not want to grant the union shop, but were faced with a vote—which spokesmen for the union naturally emphasized—showing that the workers themselves, in overwhelming numbers, wanted a union shop.

The combination of these twin embarrassments led to the quiet repeal of union shop authorization elections. The truth was too hard to take. In one sense, Mr. President, it might be argued that the elimination of this provision was unfortunate, even though I am not suggesting that it should be reinstated. I voted for its elimination. It was costly, and it was wasteful. It demonstrated, however, by its results that democratic processes prevailed in the labor movement, and that the workers themselves, by an overwhelming majority—91-plus percent—voted for the union shop. The elimination was unfortunate because the provision, while it lasted, exposed as a mammoth fraud the proposition that millions of union members were aching for an opportunity to escape.

That proposition is further refuted when we examine the fate of so-called right-to-work laws when they have been placed before the voters as a whole. Since 1958 there have been seven statewide referendums on this question. In six of the seven States—California, Colorado, Idaho, Ohio, Oklahoma, and Washington—right-to-work was defeated. In only one, Kansas, did it narrowly prevail.

Even more significant, it seems to me, is that so-called right-to-work has flour-

ished most where union members are fewest. If these all-powerful unions we hear about have dragooned so many workers into membership against their will, so that they feel hopeless and friendless and afraid, why do they not stage a revolt at the polls?

The answer is simple enough to anyone who is not so blinded by his own preconceptions that he is unable to recognize the truth.

Just last week, on January 19, the U.S. Department of Labor released a new report on union membership by States. It showed, among other things, that the percentage of union membership in right-to-work States was about half the rate in the other States. To put it another way, the so-called liberation movement for organized workers is most popular where there are the fewest organized workers to be liberated.

But the propagandists for section 14(b) go far beyond concern for the organized. They would have the public believe that repeal would mean the enforcement of a union shop on every worker in every enterprise everywhere in America.

Such a contention is completely baseless. It is false. Any suggestion that repeal of section 14(b) would clap a union shop on every enterprise is just that: it is false; it is pure fabrication.

First, as to technicalities. The repeal of section 14(b) will leave undisturbed any right-to-work law in its application to intrastate commerce, or its application to enterprises in those gray areas of interstate commerce where the NLRB does not take jurisdiction. I stress this point because I understand that many of my distinguished colleagues have been receiving letters from Main Street merchants, expressing concern at the prospect of repeal. No genuinely small business will in any way be affected, except for the possibility that their customers may have more money to spend. The shoeshine stand, the "mom and pop" store, are exempt from coverage under the National Labor Relations Act, whether section 14(b) is in it or not.

I stress that the application would be only to interstate commerce business. If business X fell within the interstate commerce clause of the Constitution, it would be covered, and it should be covered. As I shall point out later in this speech, as a matter of constitutional policy every worker and every employer from coast to coast should have the same application of the Constitution of the United States to his business and to his work as is applied elsewhere.

As the Senate knows, for 20 years I have stood in this body in opposition to a segmentizing of the Constitution. I do not believe in having Congress delegate Federal powers to the States, because such delegation results in a lack of uniformity in the application of the Constitution to all citizens who fall under the same sets of operative facts.

It will be recalled that in my opposition to the Landrum-Griffin bill of some

years ago—and the RECORD will bear out what I say—I said;

If the only defect in this law were the no man's land provision of the law, I would vote against it.

The Landrum-Griffin law, contrary to the Kennedy-Morse bill that left the Senate, went to conference by a vote of 90 to 1, and the conference bill which became law, removed from the application of the interstate commerce clause of the Constitution certain workers in the so-called no man's land area.

It resulted also in what I thought was an inexcusable segmentizing of the Constitution of the United States. It provided that if a shop, even though it were engaged in interstate commerce, employed 25 or less men, those workers would come under State law.

However, if the shop employed more than 25 men, it would come under Federal law. What kind of justice is that? How can Congress justify saying to a fellow American: "If you are a machinist or an automobile worker in a plant employing 25 men or fewer, the Federal law, vis-a-vis the interstate commerce clause, will not apply to you; but, if you are a machinist or an automobile worker in a Detroit plant employing 2,500 workers, then you will be guaranteed the benefits of Federal protection?"

It is well known by Senators who served with me at the time of that historic fight on Landrum-Griffin, that I refused to sign the conference report, refused to vote for the conference report on the floor of the Senate, and spoke at great length in opposition to the conference report.

A good many local unions asked me to make a film presenting my reasons for opposing Landrum-Griffin. I made the film. It was shown in local union hall after local union hall across this land. In that film I stressed the very constitutional law argument I am emphasizing in this speech today.

The predictions that the senior Senator from Oregon made as to the devastating effects of Landrum-Griffin on the organized labor movement have already come to pass, and labor leaders and many employers now recognize it.

The great mistake of Landrum-Griffin was to segmentize the Constitution of the United States in regard to the interstate commerce clause.

Those who are now objecting to the repeal of section 14(b) are also seeking to continue a segmentizing of the interstate commerce clause. The labor leaders of America recognize that we must have this repeal if we are to have a uniform application of the Constitution of this country to all workers and all employers from east to west and from north to south.

I cannot emphasize too strongly the argument I have just made, for it is basic to the approach of the senior Senator from Oregon to labor legislation. I believe in uniform application of the law, not special treatment. I do not believe in discriminatory practices, nor in throwing to State courts and State legislatures the rights of free men and women

in this country which are protected by the Federal interstate commerce clause.

I shall point out later in my speech the horrible price that many workers in the right-to-work States have had to pay because of the failure of Congress in years gone by to protect the workers' constitutional interest. Congress can delegate away Federal powers. But Congress should not.

My protest has been in regard to the delegation of basic rights. Under Landrum-Griffin, Congress never should have delegated the Federal rights, under the interstate commerce clause, of workers in interstate commerce shops in which there are 25 or fewer employees. Their rights are just as precious to them as the rights of automobile workers in Detroit, Mich., who work in shops employing 2,500 workers.

Unless one understands this deep devotion of the senior Senator from Oregon to a basic principle of government by law—a principle I taught for many years in law schools. That principle is this: If we are to maintain a system of government by law, there must be uniformity of application of that law to all people who fall within the same operative facts.

The controlling, operative fact in this situation involves the question: "Is this shop, this plant, this employment, in interstate commerce?" If it is, in my judgment the answer is clear. There must not be one rule for the workers in that plant and another rule for the workers in another interstate commerce plant.

Therefore I say that the argument for retaining 14(b), made by the proponents, that it would result in the imposition of a union shop on a "mom's" or "pop's" popcorn stand, or a shoeshine parlor, or on any other business engaged in intrastate commerce is not so. The opponents of repeal cannot make it so by repeating the misstatement over and over again. They may fool some people by repeating it, but the repetition of a misstatement, no matter how many times it is made, does not turn it into the truth.

Second, and vastly more important, the simple repeal of this one deviation in the otherwise uniform Federal labor-management statute will not force a union shop—or union organization—upon any enterprise. In order for there to be a union at all, the workers must first want one, and confirm their desire through a secret ballot election or such other device, equally even handed, as the labor board may prescribe. If the union prevails and is certified as bargaining agent for all the workers, the members must next decide whether they want a union shop. If they do, they must obtain agreement from the employer to that effect.

But even then, having achieved the ultimate that is possible under the law, what do they really have? They have a contract which says that every present employee, and all new employees, must become members of the union within a given period, usually 60 days. Yet this is not really so; for the union cannot cause the dismissal of any worker who refuses to join the union, as long as he

is willing to pay the initiation fee and dues—which by law must be uniform and reasonable—that are paid by members. In short, all a union can demand from any worker is that he pay his fair share of the costs of the union which, by law, is required to represent him and defend his interests.

THE CONSCIENCE AMENDMENT

Even here there is another exception. The pending bill includes my amendment providing a further exemption from bona fide religious objectors—those whose genuine religious convictions or scruples are a barrier, not only to membership in a secular organization, but to making contributions to its support. They may instead make equal contributions to a bona fide charity designated by the union.

The Senate knows that I worked out a Morse amendment in subcommittee and then in full committee, and that the Morse amendment comes to the floor of the Senate with a unanimous report from the Committee on Labor and Public Welfare, Republicans and Democrats alike.

These charities are charities that are covered by the internal revenue laws, and are recognized by our Federal tax laws to be charities that permit tax deductions to be properly taken. Also I was very careful to insist that religious charities be excluded. For the internal revenue law, as we all know, includes a good many religious charities. I took the position that I did not think any justification could be given for the selection of a religious charity; that I thought that the charity designated by the union would have to be a nonreligious charity.

My amendment provides further that in case some difference of opinion develops between the conscientious objector and the union, an opportunity should be afforded to negotiate an agreement whereby the equivalent of the dues and the initiation fee shall be paid to some other organization.

But it does mean, Mr. President, that the union shall have the final word in determining to what charity the dues and initiation fees shall be paid. Why not? Do not forget that it is the union that pays the cost of the collective bargaining agreement. Do not forget that it is the union, in the negotiations with the employer, which brings forth the agreement enjoyed by all the workers, insofar as benefits are concerned, in respect to wages, hours, and conditions of employment.

Mr. President, no one has to work in shop X, but if one is going to work in shop X, he certainly should not be exempt from paying his fair share of the cost of negotiating the collective agreement covering shop X. In other words, my amendment would eliminate the free rider; and I am surprised at the attitude of some who think that a worker is entitled to take a free ride at the expense of the union. Mr. President, he can work elsewhere if he does not wish to carry his fair share of the burden of paying for the cost of obtaining the collective-bargaining agreement.

Do not overlook the safeguards that workers have under the procedures of the Federal law, starting with the National

Labor Relations Board, if unfair labor practices are engaged in by the officials of the union. It is foolish to assume that the workers are at the mercy of the union, without any legal protections whatsoever. A list of cases as long as my arm shows that workers, when they have a case of unfair labor practices, can be protected against such practices.

As I have said, this is by no means the end of the line. Workers who are covered by a union shop contract can change their minds. There is an established labor board procedure under which a petition can be filed for an election to deauthorize the union shop; if a majority so votes, the union shop is voided, leaving other terms of the contract undisturbed. Thus it is entirely possible for workers who are now in a union shop, who want to retain the benefits of union conditions, but who want to abolish the membership requirement, to do exactly that, through the mechanics of the National Labor Relations Board. This is in addition to the parallel process, better known but also ignored by the mythmakers, under which workers can decertify the union itself, if they so desire. In practice, the first of these procedures is seldom invoked, and the second is a rarity; for as demonstrated by the evidence I have already presented, workers employed under union shop contracts like it that way.

These workers are unaware that they are in the clutches of power-hungry labor bosses, as my opponents are so prone to allege, who are supposed to order them around like so many puppets, denying them the right to control their own affairs. They are unaware of this because it is not so; it is another horrible shadow, another unreal mockery, summoned from the depths of distorted imagination. I do not maintain, Mr. President, that there are not occasional abuses of the democratic process within the labor movement, just as there are in business and in elections to public office; but they are few, and they are subject to many—and effective—remedies.

I speak as one who has written majority opinions calling to task labor leaders who have sought to follow routes of abuse. When I was on the National War Labor Board, there were a few such cases, and we never hesitated to correct the wrongs. I say to the everlasting credit of the National Labor Relations Board that it has a fine record of proceeding to the defense of workers who are, on any basis whatever, wronged by their union leaders. But those cases are few, Mr. President, when we consider the thousands of collective bargaining agreements in which dedicated union officials have sought to carry out necessary protection to the legitimate rights of their fellow union members, through the process of free collective bargaining.

Nearly all national unions have established detailed regulations to insure free, democratic elections, with an appeals procedure, sometimes terminating in review by an outside umpire. All AFL-CIO unions, and they make up the overwhelming majority, are governed by the federation's ethical practices codes, which include a comprehensive statement of the democratic processes which

each affiliated organization must follow. And for those cynics who question that the words of these trade union laws are followed in good faith, there is the Landrum-Griffin Act, which makes union democracy a matter of law, enforceable in the courts.

I want to emphasize, Mr. President, that all these dark and dire imputations about democracy in unions come with ill grace from those whose own democratic credentials are far from impressive. I have been a close observer of the American labor movement for several decades as a mediator, as a member of the War Labor Board, as a public official, and as an arbitrator, and as an interested citizen. And I say that there is no comparable segment of American economic life in which integrity, idealism, devotion to principle and concern for the tenets of democracy is so paramount—not only in the words of ethical practices codes, which are unmatched by any business organization either in what they say or the diligence with which they are enforced, but also in sincere dedication to the concepts those codes express. I am tired of the incessant harangues about union bosses, with all their implication of dictatorship, when in truth the supposed bosses are in nearly every case honorable men, freely elected to leadership by the workers they represent.

There are many more myths that need exposure, many more horrible shadows to exorcise, but I shall deal with only one more—one which has aroused public expressions of concern from some of my able colleagues who have consistently sought to place further restraints on unions, to render them powerless or eliminate them entirely. This is the myth about the gigantic political slush fund that will accrue to unions when section 14(b) is repealed. I have seen one editorial which arrived at a monthly figure for this fund by multiplying the number of unorganized workers by \$5.

As I have already pointed out at some length, the repeal of section 14(b) will not enforce union organization upon any establishment or any group of workers. But beyond that, the mythmakers totally ignore the legal limitations to the use of union funds for political purposes; and they ignore the further fact that the great bulk of union income—a sum which is itself vastly exaggerated—must by necessity be spent on conducting the affairs of the union. The gigantic political slush fund argument is simply without foundation.

QUESTION OF COMPULSION

Now let me return to the matter of compulsion; for it is unquestionably true that the union shop does compel some unwilling workers to pay reasonable initiation fees and dues, perhaps against their will, in order to hold their jobs. It is probably true that the number will increase when the union shop is extended to the 19 States that now prohibit it, even though this will remain a matter of voluntary agreement between unions and employers.

This, we are told by the opponents of repeal, is an un-American infringement upon individual rights; no one, we are told, should have to pay tribute to a

union in order to keep a job; and even the issue of civil rights is raised in this connection.

Mr. President, I yield to no one in this Chamber, or outside it, in my devotion to the rights of the individual, to the civil rights of all Americans, and to individualism itself. If the union shop threatened these basic rights, I would oppose it, but it does not.

It must be understood that contrary to the shadow world concocted by the myth-makers, the genesis of any union is the desire of the workers to join together for purposes of collective bargaining, to increase their ability to deal with their employer, to obtain better wages and working conditions, to win security against arbitrary discipline or dismissal, to enhance their opportunities for advancement. The desire must be there, and it must be confirmed by a secret-ballot vote, or in a few instances a comparable procedure, conducted under the auspices of the Federal Government.

If a majority of the workers vote for union organization, the union is certified by the Government as bargaining agent—not merely for its supporters, not merely for those who voluntarily enroll, but for every worker in the unit in which the vote was taken. Thus, the Federal Government places upon the union a responsibility, which cannot be evaded and which can be enforced, if necessary, by the National Labor Relations Board and by the courts.

Under these circumstances, it is not unreasonable to expect that the majority of the workers, who created the union, should want all who benefit from the union to pay their fair share of the costs, which is all that a union shop requires. Yes, this is compulsion; but it is the kind of compulsion each of us takes for granted in many aspects of our lives, the kind of compulsion that is essential to the conduct of a free society, for the alternative is anarchy. All of us must pay taxes to support programs we personally do not need, and some we do not want; not only Federal taxes, but State and local taxes as well. The pacifist must pay to support the war, the childless must pay to support the schools—the examples are endless. Perhaps the closest analogy, though it is not an original one, is the householder who opposes a paid fire department. He has to pay his share of the cost, and the fire department must protect him whether he likes it or not.

It is argued that no private organization—no union—should have the power to tax, or its equivalent. But this private organization, this union, is carrying out a function specifically assigned to it by government, and surely has a right to establish a reasonable way of raising the funds it requires to carry on that function, to fulfill that assignment.

Nor is this so-called right to tax extended only to unions of wage earners. In many States, many States that now forbid the union shop, no lawyer can practice unless he is a member in good standing in the bar association which is, of course, naught but a union shop.

In actual operation, a worker's involvement with the union is much broader than any of the examples I have

mentioned. The union contract governs every aspect of his working life, and affects much of his outside life as well. The contract determines his holidays and vacations; it provides how much insurance protection he and his family get; it establishes how much pension he can expect on his retirement; it provides union handling of his grievances, his on-the-job difficulties, and much more. In a sense, the worker is a citizen of the union as he is a citizen of the Nation, entitled to the equal enjoyment of its benefits and the equal protection of its laws. All a union shop provides is that each union citizen should be a taxpayer, too.

No, Mr. President, the compulsion argument does not hold up; it does not hold up in itself, and it wholly vanishes in the light of the many precautions which assure the rights of workers under union shop contracts—deauthorization, decertification and the guarantee of democratic procedures.

EVILS OF RIGHT-TO-WORK STATUTES

Mr. President, up to now, I have sought to demonstrate that the union shop is wholly consistent with American principles, and that the arguments of those who oppose its extension to the 19 States which now forbid it are completely specious appeals to ignorance and suspicion. I should now like to present the other side of the coin—the positive evils that result from so-called right-to-work laws in these 19 States.

The first of these has been stressed by President Johnson, and is a matter of record—that right-to-work laws, and attempts to enact them, cause continuing friction within the States, provoke quarrels between labor and management, and thus conflict with the purposes of the National Labor Relations Act, one of which is to promote labor stability. Further than this, right-to-work laws promote conflicts between States, conflicts of the most regressive kind, since they involve competition on the basis of which a State can offer an opportunistic manufacturer the lowest wages and the greatest guarantees that no union will be organized to raise them.

I can see no possible way in which the national interest is served when a factory in one State, operating under union contract and paying good wages, moves to another State in order to pay low wages. This is not only bad for the Nation as a whole, it is bad for the supposedly victorious State, for an increase in industrialization based upon factories paying substandard wages is not the road to prosperity; it is a charter for chronic poverty. Neither is it the road to labor stability. It is the road to labor unrest.

The figures are clear enough, and I would like to take note of a few of them. Much more than wage rates are involved here, for wage rates are inseparable from, and indeed are the major factor in, the whole economic and social structure of the State.

Consider now the contrast between my own State of Oregon and the 19 right-to-work States as a whole. Let us look at the figures furnished, in part, by the States themselves, and compiled by various agencies of the U.S. Government.

First, there is per capita personal income—an excellent gage of a State's annual wealth acquirement. In 1964, the 10 Southern States having right-to-work laws had an average per capita personal income of \$1,889. For this same period, Oregon had per capita personal income of \$2,606. Here is a per capita advantage of \$717.

Then there is wages. In manufacturing establishments in these same 10 States, the average wage was \$1.98 an hour in 1964, while in the State of Oregon the average hourly wage was \$2.85. At the end of the week, the difference in the average pay envelope is nearly \$35.

What does this mean to the families, to the children, to the elderly, and to the marginal workers in States with these low incomes and low wages? Let us look at all the 19 States having right-to-work laws. In these States, as a group, fully 32.2 percent of the families were in the poverty category in the 1960 census. Virtually one-third of the entire population of these 19 States was living in poverty. In Oregon, there was, of course, poverty, and too much of it, in my opinion, but in Oregon the number of families with poverty-level incomes was 17.1 percent, only about half as many as in the right-to-work States.

There are other significant facts; minimum wage laws, for example. Only 6 of the 19 right-to-work States have minimum wage laws, weak as most State laws are in this category. Only 7 of the 19 States have fair employment practices laws of any sort; only 4 have equal pay laws for women and only 5 meet basic standards for child labor laws. Oregon, I can report, has laws in every one of these categories, and better laws than most.

The wage, hour, and worker protective laws of a State not only affect the environment and living conditions of a worker, they are an important influence on the development of good citizens. And so, to an even greater extent, is education. The 19 right-to-work States spent an average of \$395 per pupil in 1964. In Oregon the expenditure was \$569.

Today we are reaping the harvest of our educational investments in our young, but the harvest is a disturbing one. As the youngsters come of age and are examined for selective service, the rejection rate in the mental examinations is exceedingly high. In the 19 right-to-work States, the rejection rate on mental tests is 38.4 percent. In Oregon, the rate is 8.7 percent. At this critical moment in our history I do not have to remind anyone how serious a loss this is to the security of our Nation.

I have used my own great State for purposes of making these comparisons, but virtually the same comparisons could be made between the 30 other States where the union shop is legal, and the 19 States where it is not.

I am not implying that these differences were created solely by the so-called right-to-work laws. As a group, the 19 States with these laws have long been at the bottom of the economic roster of American States, for varying reasons;

their misfortunes have long been recognized as a matter of national concern, and huge sums have been spent from the general revenues, and are being spent today, on efforts to raise their economies to the national average. But I do say that right-to-work laws, and the philosophy they represent, the philosophy of low wages and hostility to unions, to collective bargaining, and to organized labor, helps to keep these States at the bottom, helps to perpetuate these difficulties, and increases the drain they impose on the Federal Treasury. The ban on the union shop in these 19 States is not only bad for them, but very expensive for the rest of us.

Let me cite another example which, I submit, pinpoints the impact of so-called right-to-work statutes. These laws were once in force in every seaboard State from Virginia to Texas. But a number of years ago, one State—Louisiana—repealed its right-to-work law, except for a very minor application in agriculture. The union shop returned to Louisiana, and this year, Louisiana took the lead, among the Southern States in average wages paid in manufacturing. The average in Louisiana is now \$109.14 a week, or \$4.14 a week higher than that of the previous leader, Texas. There are many among the right-to-work advocates, I am sure, who view high wages with dismay, but I take the opposite view; I congratulate Louisiana.

I know that the expansion of our economy is always dependent upon high purchasing power upon the part of the consumers of America. Once again, as I have so many times stated from the floor in my 20 years in the Senate, I plead with the American people to remember that their free economy is dependent for its perpetuation upon the high purchasing power of all the consumers of America. Here is one Senator who is not going to support a regression in our economy. Here is one who is not going to vote to keep 14(b) on the statute books when the evidence is overwhelming that it is regressive in nature so far as its effect on our economy is concerned.

Just as low wages are the cause of the depressing lag in the right-to-work States as a whole, small and weak unions are a basic cause of low wages. On January 19 the Department of Labor issued a report on union membership by States, which showed a national average of about 30 percent; that is, of all employees in nonagricultural establishments in the United States, about 3 in 10 are union members. But the percentage in the 31 States without antiunion shop laws was 34 percent, as against a little under 15 percent in the 19 right-to-work States. This, of course, is just what the 19 States intended when they adopted these laws; this was their purpose; they planned it that way.

But they are paying a high price for their success, and so is the Nation as a whole, not just in dollars, but in the ignorance, ill health, and squalor bred by poverty. I do not offer a blanket endorsement to every action of every union, but as one with some experience both in economics and in labor-management affairs, I say that union organization is the

sound way to insure individual justice and industrial peace; and that union-negotiated wage increases, which reflect the needs of the workers and their increasing productivity, are essential to an expanding economy and the prosperity of all of us. A State that deliberately undertakes to cripple its labor movement is crippling itself as well.

CONSTITUTIONAL QUESTION

Now, Mr. President, I should like to turn to another point, a point of constitutional law, which in itself should be enough to bring about the repeal of section 14(b). The Constitution empowers the Congress to regulate commerce among the several States. The jurisdiction of the Federal Government over labor relations, problems, and disputes flows from the interstate commerce clause primarily. It was under this power that Congress undertook to legislate in the field of labor relations.

Mr. President, all the statutes in the field of labor relations on the books of the Federal Government stem from the interstate commerce clause.

Congress took jurisdiction, and it established rules governing enterprises engaged in interstate commerce.

My basic disagreement with those who are opposed to the repeal of 14(b) involves an irreconcilable difference of point of view over the application of the interstate commerce clause of the Constitution of the United States. I am opposed to delegating to the States any Federal power in respect to the uniform application of constitutional rights throughout the Nation. The so-called right-to-work laws constitute, in fact, a delegation to the States of a degree of jurisdiction of the Federal Government over interstate commerce matters that stem from the interstate commerce clause.

In my judgment, every worker and every employer in the United States, no matter what State he lives in, should have exactly the same rights under the interstate commerce clause that a worker or employer in any other State has. As I have said in many debates on this subject matter in the Senate, we cannot segmentize the Constitution of the United States by delegating Federal jurisdiction over any section of the Constitution to the States and end up with a uniform application of constitutional guarantees to all people in the United States, irrespective of the State in which they have been living at a given time.

I repeat, many Americans, probably most Americans, have never recognized the constitutional law issue that is involved in the 14(b) issue. The jurisdiction of the Federal Government in the matter of industrial relations involving labor-management relationship stems 100 percent from the interstate commerce clause of the Constitution. Without the interstate commerce clause of the Constitution, the Federal Government would have no jurisdiction in respect to labor relations.

Mr. President, this involves an abstraction. It is always difficult to persuade people to think in terms of an abstract principle which affects their relationship with their government.

However, I would have the American people remember that their very freedoms and liberties are dependent upon the application of such abstract principles of government to their daily lives. Our system of government by law, instead of by men, is founded upon abstract principles of government which we often call our constitutional system of government.

Congress delegated to the States, as it has the power to do, a limited authority over interstate commerce. That limited authority is set forth in the right-to-work law. It provides that a State shall have the right to pass a law to outlaw the union shop. There is nothing illegal about a union shop in the absence of a right-to-work law. The union shop exists in 31 States. It exists in my own State.

Mr. President, I have dealt at some length in my speech in support of my argument that the repeal of section 14(b) would not impose a compulsory union shop upon anyone. It would make it possible for the majority in a shop, under democratic processes, to vote on whether they wish to be governed, in their economic relations with their employer, by a collective-bargaining agreement which includes a union shop provision. It guarantees to the employer another constitutional right, about which I shall have something more to say later in my speech, and that is the right to participate in freedom of contract. This is a precious constitutional right.

Let us face it, Mr. President. What the proponents of the right-to-work laws do not like to hear is that a right-to-work is, in fact, a law which seeks to make compulsory an open shop in right-to-work States.

What they do not like to hear is that the right-to-work law is one of the devices that can be used for union "busting" in America.

They do not like to have it pointed out. The facts speak for themselves as to what the attitude is in most of these States in regard to collective bargaining through unions.

When we are asking for the repeal of section 14(b) we are asking not for a provision that will impose on a compulsory basis either open shop or union shop, but one which will give to the workers and their employers the right to engage in free collective bargaining as an expression of their constitutional guarantee of freedom of contract in this country.

When we outlaw the union shop, we take away from the employers, as well as the unions, a precious constitutional right, the right of freedom of contract under which an employer and a union can voluntarily, without any coercion—enter into an agreement in which the employer says, "For the considerations afforded by the contract, I wish to hire all the men in my plant from your union hall." That is a very precious freedom, the freedom of contract.

For many years in the maritime industry I was the Pacific coast arbitrator between the longshoremen and the steamship companies. The steamship companies in their contract agreed to

take their workers from a union hiring hall so long as the union could supply them with the workers who met the qualifications under the contract.

At first, the hiring hall was opposed by a substantial number of the steamship companies. We all know the great unrest that plagued the west coast for many years in the maritime industry.

But I am proud to stand before the Senate to say that the parties agreed to an arbitration clause in the maritime contract. Interestingly enough, the adoption of that arbitration clause led to the arbitration of almost every section of the contract.

It was my task and privilege to be the arbitrator when the record was made by the parties that led to a collective bargaining agreement based on the arbitration award I handed down.

I am proud to say that, even as I stand on the floor of the Senate today, that master contract still prevails on the west coast. It has been modified only by the results of collective bargaining at times for those revisions which the parties themselves have negotiated occasioned by changing conditions on the west coast. There have been changes in regard to wages negotiated between the parties, and with respect to working conditions.

Within the framework of that contract they arrived at true arbitration which still stands. That contract provided for the union hiring hall.

It was not very long after the contract was agreed to that the shipowners became the most ardent supporters of the hiring hall. One could no more get them to do away now with the union hiring hall than one could get them to decide to go out of business. It brought stability. It gave them a grievance procedure. It put upon the union the obligation of discipline. It gave management an appeal procedure if the union violated the commitments in the contract.

In decision after decision it was my duty to impose on the union opinion after opinion when I found it in violation of the contract.

It also became my duty to impose on shipowners opinion after opinion which required them to live up to their hiring commitment.

When there are employers who voluntarily enter into union shop agreements almost all of them find that it brings labor stability to their industry. They enter into the agreement because they want the agreement.

I will not be one who would vote to deny management the constitutional right of freedom of contract to enter into a good faith contract with the labor union whereby the employer says, "I want my workers from your union."

That is what is involved in the union shop. I do not propose to support a proposal that would take that freedom of contract away from employers.

That is why, in 1947, standing on the other side of the aisle, I led the fight against the Taft-Hartley bill. One of my major arguments, as the record will show, was the same constitutional argument I am making today. I do not believe in segmentizing the Constitution of

the United States. I shall be no part of it.

The same is true of shipowners, contractors, builders in the building trades, and part of every industry in the country, in which there are many who prefer nationwide union shop contracts, and who cannot exercise this precious right of freedom of contract as the law now stands.

One of the major issues involved in this debate, that American management is against the union shop, in my judgment is not so. Many thousands of employers in this country want section 14 (b) repealed. Industry after industry recognizes the unfair competition that low labor standards in the 19 right-to-work States impose upon them.

My State is a good example, for its lumber industry already is suffering great losses in competition with right-to-work States, States in which low wages and low labor standards are allowed to prevail, because the workers are subject to State laws, not to Federal law.

Employers should be allowed to exercise the right of freedom of contract. They should be allowed to enter into union shop agreements. That is why I say in this speech that when we outlaw the union shop, we take away from the employers as well as the unions a precious constitutional right of freedom of contract, under which an employer and a union can voluntarily, without any coercion, enter into an agreement in which the employer says, "For the considerations afforded by the contract, I wish to hire all the men in my plant from your union hall." The freedom of contract is a very precious freedom.

When Congress delegated congressional control over interstate commerce to this limited extent in regard to these right-to-work laws, it followed a course of action of discriminating, in my judgment, against those who want to exercise the previous right of freedom of contract.

I opposed such action in 1947 at the time of Taft-Hartley, and I oppose it now because it has led to many abuses. Because of the passage of the right-to-work laws, we turned these workers over to the jurisdiction and the control of State laws. That is what has happened under the right-to-work law.

I have had experiences with this problem. I was appointed by President Kennedy and later by President Johnson to try to help settle the very costly east coast and gulf longshore strike in 1962 and 1964. We were able to reach agreements in States in which the right-to-work laws did not exist. However, the interesting fact is that our trouble—and it cost the American people hundreds of millions of dollars before the strike was settled—was in the right-to-work States along the gulf, States which are accustomed to exploit Negro longshoremen as well as white longshoremen.

We were finally able, with the cooperation of farseeing industrial statesmen among the shipowners of America, to obtain application of the agreement that we had worked out around the coast and into the Gulf States.

There is no question that, on the basis of my experience in working in the settling of disputes, right-to-work laws give rise to many abuses. One of the abuses is the unfair competitive advantage which the law gives to low-paying employers and the employers who do not believe in high labor standards. Thus, employers in the non-right-to-work States, such as the employers in my own State, in large numbers are protesting the section 14(b) provision of the Taft-Hartley law.

Take the lumber industry of my State—to which I have referred—placed at a competitive disadvantage by the low standard lumber areas of the South in which the right-to-work laws prevail, making it possible that workers will be subjected to low wages, rule by State injunctions, firing without cause, and a loss of their precious freedom of collective bargaining. Let us face it, the right-to-work-law States have a sordid record of antiunionism. In those States labor exploiters still look upon workers as a commodity to be purchased for the lowest price possible.

Summarizing my objections on constitutional grounds to the retention of section 14(b), I wish to review my arguments as follows:

In 1947, I led the fight in this body against segmentizing the interstate commerce clause of the Constitution. That is exactly what Congress did when it passed the Taft-Hartley law including a delegating to the States of certain powers reserved to the Federal Government under the interstate commerce clause. What is involved in this issue is whether there shall be a uniform application of the interstate commerce clause among the 50 States, or whether 19 States shall be permitted to take advantage of an unfortunate delegation of power to the State by Congress under that clause. Such a delegation of interstate commerce authority to the States permits them to maintain the shocking low labor conditions that they maintain under the right-to-work laws to the competitive disadvantage of employers in high-labor-standard States.

But in section 14(b), Congress ceded a part of that power back to the States. It authorized the States to legislate for themselves on one matter, and one only—the matter of union security, provided only that the State laws were more restrictive than the Federal law.

This is a constitutional monstrosity. As the late and fondly remembered Senator Barkley said, when he joined me and the then Senator PEPPER, of Florida, in opposing this section, it is like amending a Federal law against counterfeiting to allow the States to permit counterfeiting if they choose. Or, to relate to a measure this body will soon be considering, it is like increasing the Federal minimum wage, with a proviso that a State can establish a lower figure if it so desires; and I might say, parenthetically, that a majority of the right-to-work States would take that course if they could. But they cannot do so under the minimum wage law, and they should not be allowed to breach, in a similar way, the National Labor Relations Act.

By every standard of law and equity, a Federal policy should be exactly that—Federal, applying equally among all the States, so that all operate under the same Federal code in the same way.

There is one final point I would like to treat, Mr. President, before I conclude. The opponents of repeal tell us that they are on the popular side, that they reflect the majority opinion of the Nation, in opposing the uniform legality of the union shop. They point to the editorials in newspapers and other media; they point to the public opinion polls; and they point to their own mail. Let me take them in order.

The attitude of the press toward the labor movement is historically one of unremitting hostility; and I suppose it will always be, unless automation progresses to such an extent that publishers no longer need any employees at all, and therefore have no unions with which they must bargain. There are newspapers that take a rather progressive position on other social and economic issues, even supporting Democrats on special occasions; yet these same newspapers will inveigh against the efforts of workers in a local factory to organize, and turn livid at every strike. Newspapers are against labor as consistently as they are against sin, since publishers tend to equate the two, so I think their views can be discounted.

Public opinion polls have been showing a majority vote against a question as to whether a worker should be forced to join a union to keep his job. But opinion polling is an elusive art, and I wonder what the response would be to a question as to whether a worker whose benefits derive from a union contract, who is by law under the protection of the union, should be allowed to escape paying dues.

The opponents of the repeal of section 14(b) are supporting in reality free riders. They are perfectly willing to have a collective-bargaining contract negotiated if the employer must have a contract with the union; but they want to scuttle that contract, in effect, by taking the position that all who enjoy the benefits of the wages, hours, and conditions of employment should not be expected or required to pay their fair share of the cost of the agreement. That is what labor means when it says that the opponents of repeal are supporting the free rider. The free rider position violates all the rules of equity and fairness.

Rather than rely upon the imponderables of the polls, I prefer to look at the election results, in which all the people expressed themselves—in the State referendums, in the contests for congressional seats, and yes, in the presidential contests in which section 14(b) has been a head-on issue. It seems to me that these are more persuasive; for indeed, there was a majority in the other House, and there is a majority in this Chamber, favoring the repeal of section 14(b); and there is a President in the White House who also favors it.

To my fellow Democrats in the Senate, I say that there is also the Democratic Party platform, adopted in 1964 and approved, by the voters, in a sense, in the election of a Democratic President and a

large majority of Democrats to Congress.

I have a little word of advice to the Democrats in Congress. We have a duty to support the party platform.

I have the further advice to the Democrats in Congress that we, as a party, have made a commitment for the repeal of section 14(b). Some Democrats are going to find themselves, and they should find themselves, in 1966 and 1968, subject to the charge in those elections: "If you do not repeal section 14(b), you will not be keeping your word."

Mr. President, if there were a justification on the merits for taking before American employers and American labor a case in opposition to repeal of section 14(b), I would join in taking it before them. However, it is not the merits that have thus far defeated the repeal of section 14(b) in the Senate, but politics.

It is not the senior Senator from Oregon who takes it to the political platform. The issue is there. My warning to the Democratic majority in the Senate and the House is that many of them will stay at home in 1966, and they should stay home if they are unwilling to keep the commitments of the party.

The repeal of section 14(b) is right on the merits; and so far as the senior Senator from Oregon is concerned, those who do not want to keep the party commitment on the issue should stay at home. I have no doubt that many of them will be left at home when the voters get through with them in 1966 and 1968.

It seems to me that these arguments are more persuasive; for indeed, there was a majority in the other House, and there is a majority in this Chamber, favoring the repeal of section 14(b); and there is a President in the White House who also favors it.

That places upon us, as the majority party, the obligation of breaking this filibuster. The proponents of repeal across this Nation should focus their eyes on the Democratic majority and hold the Democratic majority politically responsible if the filibuster is not broken.

The senior Senator from Oregon cannot be more clear. There will be no misunderstanding of that language on the part of the voters of this country.

I would have the leaders of my party take note; for all I can do is express my sincere forewarnings, and my sincere forewarning is, You cannot sweep it under the political rug. The issue of the repeal of section 14(b) cannot be swept under the political rug. The Democratic Party must be held to an accounting, and will be held to an accounting if it does not keep the commitment of the 1964 platform.

As for the argument as to what the mail shows, let me answer that for myself. I receive many letters on this issue, most of them from businessmen in the States having right-to-work laws. I understand their personal interest and I am glad to hear from them, but their self-interest can hardly be equated with the national interest.

Mr. President, I have spoken at moderate length on this question, yet I have

touched no more than the highlights. My conviction is clear and unwavering that section 14(b) should be repealed; but my remarks have been directed, not so much toward the persuasion of those who disagree with me, but rather toward exposing the fraudulence of the horrible shadows conjured up by the 14(b) propagandists. This is basically a simple issue, which should be considered on its merits, with the mature judgment and calm reason for which this body is so justly famed.

Those who attempt to becloud the issue are seeking only to disrupt its calm and factual consideration; and I say they are using these methods because they know their cause is otherwise lost, and deserves to be. Let us look to the truth, and let us act on it.

Mr. President, let us recognize what section 14(b) really is. It is a device to impose a compulsory open shop on the workers in the so-called right-to-work States.

The section should be repealed in the interest of common fair play and constitutional justice in respect to the constitutional right of workers and employers everywhere in the United States.

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

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

ORDER OF BUSINESS

Mr. JAVITS. Mr. President, for the guidance of Senators, it was agreed that I should have the floor about this time—that is an informal agreement—and it is understood that I shall expect to be through about 2:30, and at that time I shall ask for a quorum, which will be live. It is again my understanding that that is to be the only live quorum call of the day, other than the one already had. I say this, Mr. President, for the guidance of Senators, and so that if any Senator understands differently, I may be corrected in my understanding of the situation.

A REPORT ON VIETNAM

Mr. JAVITS. Mr. President, I propose today to analyze the monumental struggle in which we are engaged in Vietnam, and to state the results of a visit which I made there from January 6–15 as a member of the Government Operations Committee of the Senate, with the authority of the chairman, the Senator from Arkansas [Mr. McCLELLAN] accompanying me on this visit was Richard R. Aurelio, my administrative assistant and Lt. Col. Robert L. Sickler, U.S. Army escort officer. Also joining my party, on authority of the House Government Operations Committee, was Congressman OGDEN R. REID, of New York.

I do not wish anyone to assume that after spending a week in Vietnam, I pre-

tend to be an expert on that country. This was a relatively short trip. But it did give me some feel of the situation. I was able to travel throughout South Vietnam, from Danang to the Mekong Delta, and to talk with out commanders on the ground; with officials of the Vietnamese Government, including the Prime Minister and the Deputy Prime Minister, the Foreign Minister, and other officials; with American officials, both civilian and military; and with Vietnamese citizens themselves. I spent an evening on the U.S.S. *Hancock*, visited a number of military installations and visited a number of villages and met with several village chiefs. I also had the opportunity of inspecting a very important series of camps, in which leadership material for the Vietnamese villages and hamlets was being developed.

The conclusions which I have drawn, and my reasons for those conclusions, are not based alone upon this trip, for I have been engaged in long study and consideration of the matter.

It will be recalled that I have been a most ardent advocate of a full-scale congressional debate on Vietnam, to be preceded by hearings before the Senate Foreign Relations Committee and the House Foreign Affairs Committee. The Senator from West Virginia [Mr. RANDOLPH] and I introduced in June of 1965 a resolution, suggesting that it be the focal point for such debate.

We also know, however, that no such debate will have any real focal point unless the President comes to us seeking a resolution such as the one he obtained in August 1964. Then, and then only, will we be able to get the relevant committees to "zero in" on this issue.

I have asked the Foreign Relations Committee time and again for a hearing on the resolution introduced by Senator RANDOLPH and myself, and it has been denied. I can perhaps understand why, because on a matter as sensitive and delicate as war and peace, members of the Foreign Relations Committee may quite properly feel that they should not proceed to engender a hearing followed by a debate unless the President wishes it.

Mr. President, I feel very keenly that everything that has occurred so far represents a confirmation of the fact that such congressional debate is urgently required in the interests of the country. It would result in answering the concern of millions of Americans, and it would result, in my judgment, in solidifying and crystallizing the support of the country for our basic policy in Vietnam, with perhaps some improvements.

I am convinced that, although the country overwhelmingly supports the President, there is a deep disquiet in the hearts of many Americans who support the President as to where we are going, and why. I believe that if Congress is brought into partnership with the President on this issue, it is likely that the country will be very much more in favor of our policy.

So, as I start my observations and give my views and recommendations, I again urge the President to seek a congressional debate.

The reason I express my views today in a crystallized way, instead of waiting

for that debate, is that life marches on, and decisions must be made, whether or not the President seeks a congressional debate. Therefore, if any Senator wishes to have any effect on those decisions, we must take the only way open to us to express ourselves, and that is what I am doing today.

Mr. President, with that background, and without in any way derogating from my conviction concerning congressional debate, I come to the following conclusions:

First. Vietnam is not simply a local conflict but a war of aggression by North Vietnam backed by Communist China and the Soviet Union with the design of establishing a Communist dictatorship in South Vietnam. We are in this conflict because we are a world power with world responsibilities.

Second. The war in Vietnam is another phase in the struggle of freedom against totalitarianism and its outcome will have a profound effect on the fate of all Asia. This is the confrontation. We did not choose this confrontation; history and circumstances have forced it upon us, and we must make the best of it.

Third. The military effort in the south, centered as it is on the coastal enclaves, shows some hopeful signs. These signs have convinced me that the commitment of future resources in the magnitude proposed by the President will enhance our main purpose—giving the Vietnamese people a fair chance to determine their own future. Meaningful elections cannot be held until the country is pacified; people cannot vote freely from fear.

Fourth. The big deficiency in U.S. activities is not military, but economic and social. We have failed to sufficiently identify ourselves with those who favor economic reform and with the social revolution in South Vietnam. I, therefore, urge the President to appoint a Special Representative for Civil Affairs to Vietnam in order to enlarge, accelerate, and coordinate the U.S. civil affairs program in South Vietnam.

Fifth. United States and South Vietnamese forces can turn back North Vietnam militarily within a reasonable period of time, perhaps even within not more than 2 years. What will take time is the construction of South Vietnam sufficient to enable its people to freely choose their own way. I am speaking of construction in terms of land reform, health, education, housing, communication, and markets. These tasks are not impossible. They were accomplished in the Philippines at the turn of the century, with our aid. This was accomplished in Malaya by the United Kingdom with equal success.

The situation in North Vietnam, as I see it, is an aspect of the whole problem concerning Communist China. Indeed, it may prove to be only a small aspect in the corridor of history, but it is an aspect of a policy which is still developing. I refuse to agree with those who see the Vietnamese action as being the first step in some kind of atomic arms showdown with Communist China. I do not agree with that point of view at all. I am optimistic enough to believe that ultimately we shall find some way of living

with Communist China. Indeed, we must, in the interest of all mankind. We will have to come to that situation, either by negotiation, perhaps through some kind of concessions, and even by showing a little steel when the situation requires it. It would be a mistake, in my opinion, for the American people to look at this situation except upon that broad canvas.

It is said in Asia that relations among nations are composed of two factors: Force and patience. Let us never forget that, as the American people appraise our Vietnam situation.

Let me also suggest to all Americans who have any illusions about the detente which we are undergoing with the Soviet Union at the present time, that I believe the Soviet Union is ambivalent about it. On the one hand, they would like to have a detente with us, resulting in better relations, more trade, and cultural exchanges; and they have made some moves in that direction. But, their once overriding desire is that they be the leaders of the Communist world. Hence, I believe that they will incur serious risk, including the risk which they are incurring now in backing and supplying North Vietnam—which they are doing to the full, in my judgment—but they are incurring that risk because of their priority desire to be the leaders of the Communist world.

America had better understand that situation, and be under no illusions, at one and the same time that we seek to better our relations with the Soviet Union in various areas, whether it be a nonproliferation treaty, trade, cultural exchanges, and so forth.

Mr. President, at this particular moment, attention is focused on the President's decision regarding resumption of the bombing of military targets and supply lines in North Vietnam or, as an alternative, a continuance of the bombing pause, which began over a month ago.

The President's decision is said to be imminent.

Mr. President, I feel—as I have felt before on other issues—that the President and the people are entitled to know where the Senate stands on this issue.

In stating my views as to the bombing pause, I refer only to the same ground rules under which the bombing was conducted until the pause took effect. I am against escalation of the bombing to include large population centers such as Hanoi and Haiphong under present conditions. The President, I believe, should decide the question of the bombing pause based on two criteria: First, has the peace offensive failed to elicit a positive response from Hanoi; second, does the security of U.S. Forces in South Vietnam require a resumption of the limited bombing carried on until the pause?

Let me make one point clear at the outset. I have favored the U.S. peace offensive and the bombing pause in the North in order to underscore to the world our objectives and our desire for peace. But everything we can see indicates that the peace offensive seems to have failed. What remains is the continued impact of world opinion on

Hanoi, Peiping, and Moscow. It is true that the mission to Moscow of Prime Minister Harold Wilson is scheduled for February 21 to 24; and, based on information as to this mission, I am sure the President will consider it as a factor in determining whether to end or continue the bombing pause. But for practical purposes, the President will have every right to consider the peace offensive to have been rebuffed as of now.

Hanoi has had 35 days to consider coming to the peace table, and nations all over the world have made unsuccessful appeals in one form or another seeking a positive response. Instead, Hanoi has publicly vowed to intensify the war, has urged the destruction of U.S. "aggressors," and has called for the annihilation of the South Vietnamese "puppets."

Coupled with these belligerent statements has been the hard evidence that Hanoi has used the lull in bombing to repair bridges and roads and to accelerate its infiltration of men and supplies into South Vietnam. When I say hard evidence, I may say that I have seen it.

Under those circumstances we must face the military consequences. This is the key point, and the key point which faces the President, in deciding whether or not to continue the pause. Somewhere or somehow, we must face the military facts.

No one familiar with Vietnam denies that the past bombing along the supply routes in North Vietnam has had an adverse effect on Vietcong military operations in South Vietnam. There are only differences of degree on this matter. The fact that the bombing has had an effect, whether decisive or not, is supported by the judgment of our commanders in the field and by my own observation, as well as that of many others.

Let us also remember that only last year the Vietcong could live off the land in South Vietnam and off the people. Now, because of the American presence, the Vietcong must receive most of their supplies from the north.

In sum, it is the President who has the necessary information in his hands to answer the question of the security of our forces. Every American, however, must remember that in this debate on bombing we are talking about the lives of American troops and of exposing them to the hazards of even greater casualties than they need to be exposed to. This week alone, the figures show 21 killed and 193 wounded among American forces, and the ARVN—that is, the Army of the Republic of Vietnam forces—have suffered even greater casualties; 209 killed and 404 wounded.

There is much speculation as to whether, if the bombing is resumed on the North Vietnam supply routes with the same limitations as in the past, it will bring in Communist China. Let us remember that the Communist Chinese could have come in at any time in 1965; but they did not. Moreover, I do not see any new reasons for the Communist Chinese to change their minds now. We must always remember that they have the capability to intervene.

I am impressed by the fact that our commanders understand that fact well. It is one reason why we have always taken the position—and I agree with the President on this—that we should not repeat the Korean war strategy of sending our troops beyond the main theater of battle, in this case, South Vietnam. South Vietnam is hundreds of miles away from the Red Chinese bases, and our commanders tell us that the problem of logistics, of supplies and aircraft would present such tremendous obstacles that we would be able to handle their intervention.

Let me emphasize that we are not trying to bait Red China. We want them to stay away, and that is why our actions to date have been limited.

Under all these circumstances, based on the criteria I have given, I feel that the President is entitled to know now who will support him if he ends the bombing pause. And I believe that, using the criteria which I have set forth in making his decision, the President would and should have the support of the overwhelming majority of the American people if he decides to resume the limited bombing; and he would deserve my support, and I shall support him.

In many ways, it is regrettable that our discussions in the Vietnam situation have become so obsessed with the question of bombing North Vietnam's supply lines. This is really an ancillary issue. But it is symptomatic of a problem we in this country have had from the beginning in discussing the Vietnam crisis—the interest tends always to generate around the military aspects of the struggle, when in fact the political aspects will be far more decisive as to realizing the objectives for which we and the Army of the Republic of Vietnam—ARVN—are fighting.

The military effort is not the end, but the beginning of the process.

On my recent visit to South Vietnam, I became convinced that many of the fears and apprehensions which have been expressed in connection with our military operations are in fact unwarranted.

Our military commitment there—generally in the presently contemplated order of magnitude of 190,000 to 350,000 personnel—is justified by the nature of the struggle and the issues which are at stake. Some have expressed concern in this country that our military forces are seeking to secure every acre of real estate in South Vietnam from the Vietcong. But this concern does not square with the strategy in Vietnam. I found that General Westmoreland and other officers under his command are quite conscious of the danger of getting involved in a "bottomless Asian land war."

I do not believe there is any such danger so long as we continue to confine our major operations, as we are now doing, to within 30 to 50 miles of the major coastal Mekong Delta and Saigon areas of South Vietnam. These areas encompass most of the population, some 70 to 80 percent, and they are within convenient reach of our air and naval forces.

I found our military command in South Vietnam also recognizes that in a political war, the struggle is for people,

not real estate, and that this is the strategy to be pursued.

The defeat of main force Vietcong units and North Vietnamese forces is certainly a necessary objective, but our purpose in waging the struggle must be to establish the security of these major population areas and to begin the process of economic and social construction within these secured confines.

I do not find our military situation there so "open-end" as to engender the gloomy and pessimistic feeling one finds in the report of Senator MANSFIELD's special committee. Militarily, the situation is at least encouraging. Much is made of the fact that the enemy is no weaker today relatively speaking than before the U.S. military buildup in South Vietnam. Since 1965, when it looked like the South Vietnamese Government would fold, we have had an accelerated and a new military approach to the situation.

So what this argument overlooks is that the impact of our buildup is just beginning to be felt. We have not yet overcome all logistic, billeting, and supply problems—but we are in the process of doing so.

To say that the Vietcong today are as strong as they were a year ago is also questionable. There are indications, brought to my attention on my recent visit to Vietnam, that while a year ago the prevailing view among the South Vietnamese was that the Vietcong would win, the prevailing view now is just the opposite.

Moreover, there are signs—based on the interrogation of prisoners—that the Vietcong has been strained by the increasing mobility and firepower of the American and ARVN forces, that its discipline and morale have suffered, and that it is having increasing difficulties in recruitment and in providing supplies to its troops.

Mr. President, I did not wish to overestimate this point. I know, having myself served in the Armed Forces, that although the North Vietnamese and the Vietcong might be weakening in their capability and determination, they cannot be counted out. But it would also be a mistake to underestimate the impact of our military operations on the Vietcong. I found the Mansfield committee report overly gloomy on this point.

Also, I believe that we in the United States must not make the mistake the administration made a year ago. At that time, the administration presented to us many optimistic reports. I am sure they were made in good faith and based on information that Secretary McNamara and others thought was reliable. We did not "win the struggle" in a year. Our troops are still there and there will, unhappily, be more to go.

I have further observation on ground action. I am not an expert on this matter, but I believe the morale of our troops is very high. The caliber of those in command of our military establishment in Vietnam impressed me greatly. And I was greatly impressed also by the excellent relationship between officers and men.

I saw many New Yorkers out among the troops. I personally talked with 500 soldiers, sailors, and marines from New York. I found among them, with one exception—499 to 1—a clear understanding of our objective and mission, which was a source of great pride to me as an American and as a Senator.

I wish I could say the same with respect to parlor conversations I have had in the United States about the understanding of the reasons we are in Vietnam and what it is about.

Mr. President, in this connection I wish to say a word to my fellow liberals. I have been frequently called a liberal, and I have always been proud of it. But what I have just said in support of our military operations in Vietnam finds me obviously at variance with some part of the liberal community, a community to which I am proud to belong.

I have given long and studied consideration to their point of view. But I cannot agree with it. I believe the struggle in Vietnam is worthy of the United States. I believe it is worthy of the cause of freedom. I believe it needs to be waged and I believe it deserves the support of the liberals.

South Vietnam is the zone of contact in the struggle for the freedom of Asia. And those who see it as anything else are fooling themselves.

The issues are no less vital to our national interest than were the issues involved in our aid to Greece in 1947, when the Truman doctrine was proclaimed, when, as a freshman Representative from New York, I had the privilege of working for it and voting for it.

The liberal community's reservations were overcome at that time, because of the realization that it was an example of internal subversion, directed, supplied, and controlled by external Communist forces seeking to hasten a dictatorship. It was in our national interest to meet such Communist aggression in Southeastern and Eastern Europe, and to contain such Communist expansion; and we did it with bipartisan support.

We faced another example of Communist aggression in South Korea, when it was invaded by organized Communist units from Communist China, and we again met the threat.

We met this threat at great cost. It was the same basic threat as we now face. We had reasonable enough success. No one can concede that Korea is perfect, but it is better off than it would have been. I believe we have a good prospect for doing the same thing in South Vietnam, to justify the cost.

I should like to say, again parenthetically, in connection with my remarks, one other thing: I think the sense of nonassurance among many of the people in the country with respect to the situation in South Vietnam has tended, in a most unfortunate way, to depreciate the sacrifices of our troops there. If there is nothing else that is remembered from what I say on the floor of the Senate this afternoon, I hope that the country will be roused in its conscience to recognize that every one of the men and women who fall or are wounded in South Vietnam is as heroic

as any soldier of the United States who fought in any war of the United States—the War of the Revolution, the Civil War, the Spanish-American War, World War I, or World War II. These men and women are entitled to the deep gratitude of every American, because they are falling in a cause. We may be right or we may be wrong, but it is a cause which is dedicated to the well-being of a nation, to some rule of law, to some rule of order in the world, and to the fact that people cannot get away with naked aggression. We do much talking after the fact about the Munichs and the Ruhrs and the Manchurias. We are fighting to prevent repetitions of these.

Today, whatever may have been the errors of commission and omission in our policy in southeast Asia in the past, the incontrovertible fact is that the confrontation between freedom and totalitarianism in Asia is now in Vietnam. We did not choose this battleground; history chose it for us. It is clear to me—and I think it is clear on the evidence—that the Vietcong is directed, supplied, and controlled by a Communist state—North Vietnam—that seeks to expand Communist-controlled areas, to destroy the chance for freedom, and to humiliate the United States, freedom's most effective defender in Asia. Even if the action began as a local insurgency, which is questionable, it certainly is not one now.

While I am convinced that it is within our capability militarily to secure within a period of a few years the major population and rice-growing centers of South Vietnam, I am not so optimistic that our Government and our people are prepared for the tremendous task facing us over a much longer period to make certain that the purpose of the war is not lost.

I reject the word "victory," which I think is not appropriate to what we are doing in Vietnam. Much needs to be done to identify our country more dynamically with the social revolution which the people of South Vietnam so fervently desire, and on which they have spent so many lives.

So much needs to be done to win the people over to democratic ideals, to self-determination, to bring about truly representative government through free elections, to shake up the vested interests which for so long have exploited the peasants, and to get underway meaningful programs of land reform, medical care, education, housing, markets, and roads.

Our efforts in the political, social, and economic areas seem to me to be far from adequate. We seem to be doing many little things, but none of them very well. We have there a number of highly capable individuals who have an impressive understanding of Vietnamese problems, and all of them are working hard in diversified areas, but none of this work is being done on a highly urgent basis, nor on a large enough scale; and beyond all else, whatever else may be said about it, the work is uncoordinated.

The real question, then, is, That if we prevail—and, indeed, I believe we shall—in the military struggle, can we do some-

thing with our achievement? Can we do something with the fruit of pacification of major parts of the country? Can we do something about the development of the Republic of Vietnam worthy of the effort we have put into the struggle something which will be geared to the purpose for which we have fought in Asia?

I point out that there are special conditions in South Vietnam which might conceivably enable it to be a beacon, like West Berlin, in Communist land. For one, Vietnam is a country which is essentially concentrated on the coast. That is a very important point, because the country is within reach of sea and air power. For another, Vietnam has a relatively small population, about 14 million. There is plenty of land, and thus plenty of room in which to move around.

Third, it is a country which is not only self-sufficient in food, which is a very important point in trying to make something of a viable and model state out of it; it has a surplus of food for export to other Asian nations. Vietnam has been traditionally a granary for other nations.

Fourth, as the President pointed out many months ago in his speech at Johns Hopkins, the Mekong River Delta is capable of very important power, reclamation, navigation, and industrial development, and the United States is prepared to put large aid at the disposal of Vietnam—the whole area, including North Vietnam—in order to bring about economic improvement in that area.

So there are real possibilities in South Vietnam, and we should emphasize the positive as well as the negative.

That brings us to a question in which I was much interested when I visited Vietnam, and upon which I should like to say something now: that is, the will of the people of South Vietnam. Let us never forget that we are there not because this is America's show, but because we are trying to help the people of South Vietnam retain their freedom if they wish it. I should like to emphasize that—if they wish it. Therefore, to ascertain what is their will becomes a critically important factor in the American presence, for I feel that the United States should not be there unless the United States is really wanted. But I feel also that having given the people of Vietnam an opportunity, without fear, without terror, to choose their own course, we shall have to abide by their decision. If there are a few members of the Vietnamese Government whom we do not like, that is just too bad. That is endemic in the kind of society we want. All we seek is the opportunity; we cannot dictate the terms. I think it is appropriate that the world understand clearly that that is the American attitude.

What is the will of the people of South Vietnam? It is quite clear to me that it is absolutely impossible to determine the will of the people at this time, either by election or otherwise.

While we must seek to get a free and genuine expression of that will at the earliest opportunity—and in that respect, some kind of a plebiscite or other

vote under the auspices of the United Nations might prove very useful—we must realize that we cannot get an honest expression from the people of South Vietnam until we reduce certain impediments to an honest expression—namely, the fear of the Vietcong terror tactics, the fear of their leaders, and even the fear of the American troops.

We must understand that this is a people who have suffered the scourge of war for something like 18 years, since the end of World War II, and even before by Japanese occupation. We must remember, too, that, in addition the Vietcong terrorists have killed as many as 11,000 village officials and hamlet officials in South Vietnam in 1 year, 1965. Translated into U.S. population figures, this would be 350,000 municipal officials.

This is the impact which those people have suffered.

If the South Vietnamese were to vote today, they would vote in whatever manner they believe would be the least likely to get them injured or killed.

Nor can we achieve an honest test for freedom until the proper economic and social reforms are established. One study, which has been called to my attention, indicates that most of the South Vietnamese who are attracted to the Vietcong do so for mostly economic and social reasons, while they pointedly agree that the Vietcong has little or no relation to freedom. In other words, conditions are such that many people in Vietnam prefer security to freedom and even bread. That is our challenge. We must see to it that South Vietnam, with our assistance, brings about a substantial change in conditions that will give freedom an honest chance.

Our strategy for doing this has been a pacification program. Hence, when the military has made a hamlet physically secure from Vietcong attack, the Government should be able to move in, and bring about necessary economic and social reforms. We are told that of the 15,000 hamlets in South Vietnam, about 3,800 are now pacified. Many regard this figure as an exaggeration, but even if true, the dimensions of the problems are great indeed.

The matter of pacification is so urgent that our Armed Forces in the areas in which they operate, the perimeters in which they are established, are now making it a practice to move out into the villages in those perimeters in an effort to bring about pacification, reform, and better conditions.

That is one of the reasons why I said this part of the effort in Vietnam is most uncoordinated, but it is the most important, in my judgment. That is what we are there for, and it is an effort in which there is little efficiency. The individuals are not working 20 hours a day, but that is because we have not seen fit, in a governmental sense, to recognize the need for giving that effort a high priority and making it our No. 1 effort.

Our pacification program has operated somewhat in a haphazard way, in the hands of a number of agencies. For example, it is being carried on by the military formations themselves. The effort is being carried on by the U.S. Oper-

ations Mission—USOM—which is the aid agency for South Vietnam. It is being carried on by an organization called JUSPAO—Joint U.S. Public Affairs Office—which includes the USIA, and it is being carried on by other agencies in South Vietnam. However, none of these has the priority or the financial ability to get the job done.

To tie these efforts together, and to give them purpose, urgency, and direction, the President should appoint a Special Representative, analogous to the title given to Averell Harriman in connection with the Marshall plan in 1948 and 1949. This Special Representative would have the final authority in coordinating all of the activities in aid and information of the United States which is being pursued by the various agencies, including the military.

This Special Representative would also have the mission of bringing about the establishment of an in-country advisory committee on aid for coordinating mechanisms broadly representative of the Government and the people of South Vietnam.

It is extremely important to have self-help and participation of an indigenous character. There should be complete authority in coordinating American civil affairs efforts. There should be authority to bring together a representative committee of the Government and people of South Vietnam to help in respect of the matter. The American voluntary organizations and the general private U.S. sector, ought to be brought into the effort, thus giving the American people a more direct interest in the success of economic and social reconstruction of the Republic of Vietnam.

In short, I recommend that we expand pacification efforts dramatically, that we place them under one overall director, and that a major effort be made to enlist U.S. citizens and business participation in the program.

Mr. President, to indicate what can be done, I report to the Senate on one of the most encouraging efforts in this pacification field which I inspected on my visit to Vietnam. This concerns the establishment, with the U.S. assistance, of a political-action training school at a place called Vung Tau, southeast of Saigon.

I personally inspected three camps which are concerned in this effort. Almost 3,000 students are being trained now to become pacification cadres in the various hamlets.

There are said to be 23,000 men already—and some women—being trained in nursing and medical care, operating as cadres at this time.

A cadre consists of 40 persons and they are really a kind of armed paramilitary peace corps. They move into a hamlet for a period of months, 3 or 4 months, to protect and to buck up the local people, and also to serve them in any way possible.

They will help the people gather crops, run a health clinic, put through a road, a drainage ditch, and do whatever else may be required in an attempt to awaken in the people a consciousness of nationhood which, in the main, they do not have now.

The goal for this year is to achieve a force of 43,000, with the hope of pacifying another 1,000 or more hamlets in 1966.

Given a figure of roughly 15,000, with a claimed 3,800 amenable to some governmental control, and a thousand expected to be added in 1966, it is very clear that this is not an American-sized type of effort. It certainly does not have the priority which the situation requires.

I point out, also, that there are some 600,000 refugees in that part of Vietnam under the control of the South Vietnamese Government, rather than under the Vietcong control.

It is highly significant that when people have fled from their homes because of Vietcong terror, they have not moved in with the Vietcong. No one ever looks to the Communists to give them a helping hand. Even the most illiterate peasant knows that if he wants bread, shelter, or security, he must go to the American side or to the side of those with whom we are working. They never go to the Communist side.

It is a fantastic thing, and yet somehow or other we are unable to make this count as the great political fact that it is. But there are some 600,000 Vietnamese refugees who have moved over to our side, and they, in terms of the pacification program, represent a great opportunity. Those 600,000 have the potential for becoming a vast cadre. They are within our perimeters, where we can give them the same kind of concern, training and interest that we are giving the cadres which I have already described. I hope very much we will attack that job in the massive way which it deserves.

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

Mr. JAVITS. I yield.

Mr. SYMINGTON. I read carefully the Senator's talk, which I had the good fortune to see yesterday, and thank him for his wise and thoughtful discussion of the Vietnamese problems.

I was especially interested in what he says about the Political Action Teams. I, too, went down to see them at Vung Tau. It is difficult to believe that those relatively unschooled youngsters, men out of the various villages, could have the interest in national and international affairs that they have.

In one class, while they were all squatting on the concrete floor, a student was criticizing the instructor for not giving them the truth about General de Gaulle. The student felt he was playing for time, and opposing us because eventually he wanted to come back and run Vietnam. The instructor disagreed.

In another class, where two of the students themselves were arguing among themselves—Captain Mai was my interpreter, as I am sure he was the Senator's—one student was asking whether it was not true that England dominated the Afro-Asian bloc. Another said, "That not true. Prove it. Give us the name of the Englishman who leads the domination." I mention these two incidents because it shows their tremendous interest in world affairs as well as their own problems in their own coun-

try. I consider one of the most constructive and interesting aspects of my recent trip was the opportunity to observe the training of these Political Action Teams.

Let me again congratulate the Senator on his fine address.

Mr. JAVITS. I am grateful to my friend from Missouri, and must tell him that my ability to see so much of Vietnam was largely because of the fact that he left word, before he left the country, to trust me completely.

Mr. SYMINGTON. The Senator puts it a little differently than would I. I did say "There is a voice in the United States which has great weight, not only on his side, but also on ours. If you will tell him the story, he will tell it well to the country."

Mr. JAVITS. I thank the Senator.

Mr. BREWSTER. Mr. President, will the senior Senator from New York yield further?

Mr. JAVITS. I yield.

Mr. BREWSTER. I should also like to congratulate the Senator from New York for his learned, sincere remarks on the situation in southeast Asia.

As senior Senator from Maryland, I also visited Vietnam in the latter part of October and November, and reached similar conclusions.

I should like to comment upon one aspect of the remarks made just a moment ago by the Senator from New York, namely, the morale and the training of our people there. As an old soldier myself, and as one who had the opportunity actually to spend a week in the field with the 3d Marine Division, commanded by Gen. Lewis Walt, I found that the morale and purpose and training of our people there was as good as I have ever seen under any circumstances heretofore. The men knew what they were doing; they were well-led by NCO's and officers, by and large, far more experienced and older than the officers and NCO's we had in World War II.

From time to time, they asked me two questions. The first: "Are the people at home proud of us? Do they understand why we are here?" And second: "Why do some of our young men oppose us, and burn their draft cards or dodge the draft?"

I answered, "All America is very proud of you, and only a very small but at times vocal minority try to evade the laws of our land and burn their draft cards."

But it gave me a feeling of great pride in the men of the Marine division I visited, the 1st Cavalry Division that I visited, and the 173d Brigade, to see how well trained and proud these men were, and how well they understood why the United States was there.

Mr. JAVITS. I am extremely grateful to the Senator from Maryland for his constructive intercession. I know that he would wish to add two additional units, which perhaps have arrived there since my colleague was there, namely, the 1st Infantry Division—the Big Red 1—and the elements of the 25th Division which are now there. I assure the Senator that everything he says about our military personnel is borne out by those additional units as well as the others, which I also visited.

I now bring my remarks to a conclusion. There is no question that we have never labored under the illusion here that there is a representative government in South Vietnam. Therefore we must accept the fact, and live with it, that the United States is likely to be the dominant influence in South Vietnam for a considerable period. Thus our efforts must be directed toward building up those institutions which can make self-determination—and that is all we seek. I do not believe we can ever emphasize that enough. Our job must be to build up those institutions which can make self-determination viable and visible; and the way to do that is not merely to talk about it or to nibble at the problem. It must be done by giving the country a chance to have peace and more security to produce the personalities and conditions which will improve its opportunities for a representative government.

A grave deficiency in the American attitude toward Vietnam is the fact that while we have emphasized the grimness of the military struggle and its anti-Communist nature, we have failed to emphasize the opportunities of really achieving a success for free institutions in combination with social and economic reform. The American people, and the Congress, must be prepared for difficult decisions and long-range commitments. The Vietnam conflict must be understood as the beginning of the struggle for Asia.

I hope to address myself soon to a review of our China policy, of which Vietnam is but a facet. We must be ready to journey along a very long road, well worth it because it is in pursuit of our national security and the survival of freedom.

Mr. President, I say to the millions of Americans who are deeply concerned about casualties, that in this grim world the question of casualties is relative. The question of casualties is, Shall we have hundreds or even thousands today, or millions tomorrow?

I am no child, and I know that we do not necessarily lead to a world which is relatively free from war by waging war. But I do not believe, either, that we can fail to face the issue on occasion. We do our utmost to minimize it, but sometimes there is no other answer, whether it is against a mad gunman on some city street, or whether it is against a nation which has gone slightly mad, or whether we are faced with frustration, or whatever it may be that is causing the Communist Chinese to act as they do.

Mr. President, the irresistible tide of world events at this time requires, in my judgment, that our action in respect to endeavoring to win the world to a condition of peace and freedom necessitates a continuing deep involvement in Vietnam. I know that all of us—I think there is no exception in the Senate—understand that this is not the way in which we would seek to achieve the great result to which we are dedicated for all mankind, but that it will require a variety of means, mainly the arts of peace, and construction, and economic and social development, and the love of those values which are the values of freedom; and that at some time, somewhere, we

must be prepared to face the issue of life itself.

If the Communists count on the fact that whenever casualties are involved, we are going to run, then we are through.

Sometime, somewhere, somehow, they must understand that they have to face the same thing they are always bragging about; namely, a love of the ideal which is superior to life itself. That is the confrontation which is forced upon us by the circumstances of history. I have described the means as accurately as I can within the competence of this Nation, consistent with its other responsibilities, which I believe are worth the national interest to devote to its purpose in South Vietnam.

Mr. HARRIS. Mr. President, will the Senator from New York yield?

The ACTING PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Oklahoma?

Mr. JAVITS. I am glad to yield to the Senator from Oklahoma.

Mr. HARRIS. Mr. President, I commend the distinguished Senator from New York for what I believe to be a splendid isolation and definition of the decision which now faces the President of the United States on the question of the resumption of bombing in North Vietnam.

I agree with the statement of the late distinguished Senator Vandenberg, which I paraphrase, when he declared that everyone in the Senate wishes to be consulted at the time of "takeoff," but we will stand with the President at the "crash landing." I also agree with the statement of the distinguished Senator from Georgia [Mr. RUSSELL] who stated, "Our flag is committed; and when our flag is committed, we must support it."

Second, I believe the conclusion which has been drawn by the Senator from New York so very well is an accurate one; namely, that the decision facing the President on resumption of bombing in North Vietnam is essentially a military decision and not a political decision.

As the framers of the Constitution properly recognized, military decisions cannot properly be made in the Senate, but are decisions to be made by the constitutional Commander in Chief, the President of the United States, although we are not precluded, of course, from serving in an advisory capacity. But, we must understand that this is a military decision. The Senator from New York has very well set out the criteria which must be in the mind of the President, and which are in the mind of the President; namely, one, he must first assess the kind of response we have received to our peace offensive; second, he must assess the military situation, whether it is necessary militarily to resume bombing in order to support our commitment to our men who are in Vietnam. Only the President has the complete facts and the daily intelligence reports.

Consequently, I conclude, as I believe the Senator from New York has concluded, that if the President does make this decision, it will be a military decision which I am sure the Senate, the

House of Representatives, and the people of this country will support.

I would think that that would have to be our position, if such a decision were made, and I would think that it would be our proper responsibility in the Senate, under the Constitution, to devote ourselves, both privately and publicly, to exploring all sorts of methods by which the war might honorably be brought to an end, and how, once it had been brought to an end, we should act thereafter.

I believe that is our proper sphere; and the Senator from New York has very well risen to his responsibility as a Senator in that respect, to say to the President, to the people of this country, and to all the people of the world, what we might do once peace has been brought about, and how it might be brought about.

The distinguished Senator from Oregon [Mr. MORSE] has stated on the floor of the Senate on countless occasions a point which I believe is a very good legal point; namely, that the United States should make a formal motion in the Security Council of the United Nations, for the United Nations to take over, in some way, the responsibility in Vietnam. As I say, I believe it is a good legalistic point; and I admire and respect the Senator from Oregon as one of the ablest men I know of in the field of international law.

However, I believe it to be an impractical suggestion, because I believe that we well recognize that with the veto power in the Security Council, such a motion would surely be ineffective; and, furthermore, would force a nation such as the Soviet Union to take what I am certain would be an unequivocal and unfavorable stand on that motion.

We must explore the possibility of living up to our commitments under the United Nations Charter by making a formal motion in the Security Council for what might be done by the United Nations after pacification had been brought about, and that we would make a formal motion and engage in discussions within the Security Council and the United Nations for what the United Nations might do in the way of keeping the peace and serving in a supervisory role in South Vietnam governmentally and in elections eventually to be held, recognizing, as the Senator from New York has, that free elections in South Vietnam, because of the terrorism, murder and kidnapping, being carried on at the present time by the Viet Cong, are not now possible. This would put all nations on notice of our peaceful intentions and our equally strong resolve to end the aggression there and assure South Vietnam of the right of self-determination.

Last, let me say that I commend the Senator from New York for so clearly defining what the President's decision will be; namely that it will be a military one. Our responsibility is to follow the President if that decision is made on the criteria which I am sure the President has in his mind.

I pay tribute to the Senator from New York for speaking out as a Senator with suggestions as to what might be done

after the pacification of Vietnam has been brought about and also making suggestions as to how peace may be achieved.

Mr. JAVITS. I am very grateful to my friend the Senator from Oklahoma. He does my soul good. I do not enjoy uttering words which may lead to more struggle. I feel this situation very deeply. I have never been a foxhole hero, although I served in World War II for a number of years. But I have seen how other men suffer, and it has hurt me just as deeply. I do not take these things lightly.

I am very grateful to the Senator from Oklahoma for his approval.

This gives me an opportunity to add one further point. I believe it would be the greatest mistake to assume that if the President, in the interests of military security, did resume the limited bombing in which we have been engaged, that would be the end of the peace offensive. By no means. I thoroughly agree with the Senator that the peace offensive should be pushed even harder with brilliance of execution everywhere in the world, using the United Nations to the full, and any other agency that we can use.

I see no reason why there should be any difference in our attitude if, because of stern military necessity, we can no longer allow North Vietnam, with impunity, to move and supply its forces in South Vietnam.

I appreciate the remarks of the Senator from Oklahoma.

Mr. MURPHY. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. MURPHY. Mr. President, I rise to congratulate my esteemed friend and colleague, the Senator from New York, for his most enlightening remarks and the suggestions he has made.

Lately, we have heard a great deal concerning division—a synthetic division, I believe—about the hawks and doves. It occurred to me that the American bird is the eagle, which is neither a hawk nor a dove. I am, therefore, glad to hear, for the first time in several days, this reflection of the wisdom, the strength, and the purpose of this great Nation.

We must remember that there are thousands of American boys halfway around the world fighting and giving up their lives, suffering all the hardships of war.

For what purpose?

They are in southeast Asia to preserve the basic principle of freedom and the right of self-determination for the people of South Vietnam—a people who cannot preserve it for themselves. Our boys are there to help them.

I am pleased to hear about the morale—I am pleased to hear from my distinguished colleague the fact that our boys in Vietnam know exactly why they are there.

I also would wish that all Americans would understand why our boys are there, and that we could cut away some of the confusion which seems to be widespread around the land.

I wish further that the people of America could understand the character of the people of Vietnam and their willingness to fight to preserve their freedom. Their record on the battlefield amply demonstrates their determination and desire for freedom.

We must not fail them.

My distinguished colleague is correct in pointing out that we must face the realities of life. Nobody wishes the terror of war—but there are times when we must stand up for principle and deal with the situation as it exists, and not always as we would have it exist.

We have come to this crossroad. I believe there is no one in this Chamber within sound of my voice who would not stand with the President once the decision had been made.

One of the things which has bothered my constituents is that civilians have been making decisions that should be made by the military, with the military being denied the right to make such decisions.

I concur in what my distinguished friend has said, and I congratulate him.

I am very much pleased that he has brought back to us the message that he has given us today, of combined military and economic strength, and of extending it, together with the great strength of the friendship of our country, to help other people. This is the character of America that I have known for a half century.

Mr. JAVITS. Mr. President, I am grateful to my distinguished friend from California. With his usual brilliance, he has capsuled what I have tried to say this afternoon.

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

Mr. JAVITS. I yield.

Mr. MORTON. Mr. President, I commend the senior Senator from New York, who, in his usual articulate way, has told us the facts as I understand them to be, and has made constructive suggestions, which I believe will help to bring about an accelerated pacification of that troubled area.

If I may use the word "consensus," I believe that the Senator has, today, on the floor of the Senate, expressed the consensus, not only of those of us on the floor, but also of the Congress and the American people.

The Senator has done it in six pages, which undoubtedly took a great deal of time in preparation. He has done it succinctly, but completely.

The Senator's contribution to this debate today is one of the most constructive, and can become one of the most helpful on the subject.

Mr. JAVITS. I am grateful to my very good and old friend from Kentucky and colleague in the Senate for his kind and gracious words, which are very precious to me, particularly in terms of leadership of our own party.

I conclude on a note which has been supplied to me by these intercessions. It may be hard for the world to realize it, but there is one nation that the good Lord has put upon the earth which seems to have the resources, material and spiritual, to wish to secure for mankind

the rule of law and justice. It may be hard to get the world to accept that as a reality, but we must try. I hope that everything I have said today is in accord with that great effort.

Mr. President, pursuant to the understanding I had with the Senator from Florida [Mr. HOLLAND], I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 19 Leg.]

Aiken	Holland	Muskie
Anderson	Inouye	Pastore
Bible	Jackson	Pell
Boggs	Javits	Ribicoff
Byrd, Va.	Long, Mo.	Saltonstall
Case	Mansfield	Smith
Clark	Metcalf	Symington
Cooper	Morse	Young, Ohio
Gore	Morton	
Hart	Murphy	

The ACTING PRESIDENT pro tempore. A quorum is not present.

Mr. MUSKIE. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Maine.

The motion was agreed to.

The ACTING PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. ALLOTT, Mr. BARTLETT, Mr. BENNETT, Mr. BREWSTER, Mr. BYRD of West Virginia, Mr. CANNON, Mr. CHURCH, Mr. COTTON, Mr. CURTIS, Mr. DIRKSEN, Mr. EASTLAND, Mr. ERVIN, Mr. FANNIN, Mr. FONG, Mr. FULBRIGHT, Mr. GRUENING, Mr. HARRIS, Mr. HARTKE, Mr. HAYDEN, Mr. HICKENLOOPER, Mr. HILL, Mr. HRUSKA, Mr. JORDAN of North Carolina, Mr. JORDAN of Idaho, Mr. KENNEDY of Massachusetts, Mr. LAUSCHE, Mr. LONG of Louisiana, Mr. MAGNUSON, Mr. MCCARTHY, Mr. McCLELLAN, Mr. McGEE, Mr. MCGOVERN, Mr. MUNDT, Mr. NELSON, Mr. PROUTY, Mr. PROXMIER, Mr. ROBERTSON, Mr. RUSSELL of South Carolina, Mr. SCOTT, Mr. SIMPSON, Mr. STENNIS, Mr. TALMADGE, Mr. THURMOND, Mr. WILLIAMS of New Jersey, Mr. WILLIAMS of Delaware, Mr. YARBOROUGH, and Mr. YOUNG of North Dakota entered the Chamber and answered to their names.

The ACTING PRESIDENT pro tempore. A quorum is present.

PROPOSED REPEAL OF SECTION 14(b) OF THE NATIONAL LABOR RELATIONS ACT, AS AMENDED

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] that the Senate proceed to the consideration of the 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 ACTING PRESIDENT pro tempore. The Senator from Florida is recognized.

Mr. HOLLAND. Mr. President, the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN] has appropriately suggested that the remarks made in reference to the pending motion to consider H.R. 77 be entitled "The Second Battle of Section 14(b)." Since we will allude many times to remarks made on a similar motion during the 1st session of the 89th Congress I suggest that the debate of last year be entitled "The First Battle of Section 14(b)."

During the first battle of section 14(b), I spoke on October 12, 1965, at considerable length with reference to the right-to-work law of the State of Florida, and I would like at this time to recapitulate those remarks as I believe them to be important to this debate.

Mr. President, Florida was the first State to adopt a right-to-work law protecting individual workers in the exercise of their free choice to join or refrain from joining a labor union. Section 12 of the Declaration of Rights of the Florida Constitution was adopted in the general election of 1944 by the people of Florida to provide as follows:

The right of persons to work shall not be denied or abridged on account of membership or nonmembership in any labor union, or labor organization; provided, that this clause shall not be construed to deny or abridge the right of employees by and through a labor organization or labor union to bargain collectively with their employer.

Suffice it to say that 18 other States which followed suit by adopting constitutional provisions or statutes protecting the basic right to work of their residents still have their right-to-work laws.

There are 19 States in all which now have that provision either in their constitutions or by way of statutory action.

As so ably pointed out by the distinguished minority leader at the outset of this debate, Mr. George Gallup, who has a faculty for measuring public opinion through his polling formulas and devices, has statistically shown that, nationwide, those in favor of retention of section 14(b) certainly are not in the minority. Other polls have produced substantially the same result.

Mr. President, I am opposed to H.R. 77 to repeal section 14(b) of the National Labor Relations Act because, first, it sanctions and encourages compulsory unionism, a concept contrary to the fundamental principles of individual liberty and freedom of choice; and, second, because it is a wrongful and unjustified Federal interference with the right and obligation of the individual States to protect their citizens and to maintain public order.

I am also opposed to the repeal of section 14(b) because the people, the electorate of Florida, the people who are responsible for electing and returning me to the Senate on four different occasions, have by their vote expressed their will to adopt the right-to-work provision in the Florida constitution, and various efforts to have our legislature submit proposals to repeal our right-to-work law have failed abysmally. So long as this is the will of the majority in the State that I have the honor to represent, I will as vigorously as possible oppose any attempt

to repeal section 14(b) of the National Labor Relations Act.

I might also add that subsequently Florida adopted by an overwhelming majority of our legislature a law in 1947 barring strikes and requiring compulsory arbitration in public utilities. This law was adopted by a vote of 33 to 0 in the State senate, and 74 to 12 in the house. However, as a result of the ruling of the Supreme Court in a Wisconsin bus strike that the Congress has assumed full authority over such labor disputes in passing the Taft-Hartley Act, a ruling which I regard as wholly unsound, the Florida statute is unenforceable. In this connection, I would like to remind the Senate that in the 1st session of the 82d Congress, which was in 1951, just after the decision in the Wisconsin case, I joined Senator Wiley of Wisconsin, in introducing a bill which was also cosponsored by Senators ROBERTSON, of Virginia, and Hendrickson, of New Jersey, to amend the National Labor Relations Act to provide that nothing therein shall invalidate the provisions of State laws prohibiting strikes in local public utilities. In the 84th Congress, I again proposed this legislation which was cosponsored by Senator ROBERTSON. I introduced this measure again in the 85th, 86th, 87th, and 88th Congress, and again at the outset of this 89th Congress on January 6, 1965. I regret that I have never been able to secure any action on this measure by the Senate Labor Committee.

Mr. President, as I read the numbers of the Congresses in which I have introduced this legislation, it was noted, I am sure, that in one Congress, the 83d, I did not introduce this separate legislation. The reason for that was that there was pending in that Congress, a general bill for the revision of the Taft-Hartley Act, and one of the provisions of that bill was broad enough to cover this same objective. That fact was clearly brought out and stated by the sponsors of that bill in the course of a colloquy between the distinguished then Senator from New Jersey, Mr. Smith, and myself, as will be shown by the CONGRESSIONAL RECORD.

In other words, constantly and consistently since the Wisconsin decision, I have been endeavoring to make it clear by affirmative action of Congress that Congress intended to do what I know it intended to do in the passage of the Taft-Hartley Act, that is, to leave it to the States, in their own judgment, to handle disturbances within their own bounds which were caused by stoppages or threatened stoppages only of public utilities affecting the welfare and the peace, and even the lives, of their own communities.

Mr. President, I wish briefly to relate a situation, and I do it because of the fact that I found only yesterday that no printed record was made of a hearing which was held by the late President John F. Kennedy when he was a member of the U.S. Senate, as chairman of the Subcommittee on Labor of the Committee on Labor and Public Welfare. I attach no fault to anyone in connection with that matter, as I shall state later; but there were some things that came out in that hearing which I believe

should be preserved, and I am still hopeful that the transcript of the hearing can be found, though I am told today by the clerk of the committee that it cannot be found, and that no printing of the hearing record was made, though it was quite a substantial record, taking 2 or more days of the time of the subcommittee.

In order to permanently preserve the statement which I made at that time, I now ask unanimous consent to have printed in the RECORD as a part of my remarks my prepared statement which I made before the committee.

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

STATEMENT OF SENATOR SPESSARD L. HOLLAND, DEMOCRAT, OF FLORIDA, IN SUPPORT OF S. 632 BEFORE SUBCOMMITTEE ON LABOR, COMMITTEE ON LABOR AND PUBLIC WELFARE, U.S. SENATE, MAY 28, 1959, 86TH CONGRESS

Mr. Chairman, I appreciate the opportunity to testify before this subcommittee in support of S. 632, a bill to amend the National Labor Relations Act so as to provide that nothing therein shall invalidate the provisions of State laws which seek to prevent strikes in public utilities. S. 632 reads as follows:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 14 of the National Labor Relations Act, as amended, is amended by adding at the end thereof a new subsection as follows:

"(c) (1) Nothing in this Act or the Labor-Management Relations Act, 1947, shall be construed to nullify the provisions of any State or Territorial law which regulate or qualify the right of employees of a public utility to strike, or which prohibit strikes by such employees.

"(2) As used in this subsection the term 'public utility' means an employer engaged in the business of furnishing water, light, heat, gas, electric power, sanitation, passenger transportation, or communication services to the public, or of operating a gas pipeline or a toll bridge or tunnel."

This bill was introduced in the earnest hope that at long last, needed legislation will be enacted in this Congress to fill this particular legal "void"—or labor-management "no man's land"—which fails to supply any method, Federal or State, to assure the continued operation of local public utilities. This dangerous and unexpected situation was created February 26, 1951, by a strained interpretation by the U.S. Supreme Court in its divided decision in the so-called Wisconsin case construing the legislative intent in the passage of the Taft-Hartley Act.

In less than 3 months after that divided Supreme Court decision was handed down, a bipartisan effort was begun in the Senate to correct the unfortunate situation created thereby when Republican Senators Wiley, of Wisconsin, and Hendrickson, of New Jersey, together with Democratic Senators ROBERTSON, of Virginia, and myself, introduced on May 23, 1951, S. 1535 of the 82d Congress, which was identical to the measure now being considered. Unfortunately this bill never saw the light of day and died in the Senate Labor and Public Welfare Committee without being accorded a hearing.

In the following Congress, the 83d, a corrective proposal was again before the Senate Committee on Labor and Public Welfare in an omnibus labor bill, S. 2650, which was considered by the committee and favorably reported. The present chairman of this subcommittee was present when Dr. Archibald Cox, professor of the Law School of Harvard University, and who has been recognized by this committee as one of the leading experts

in the field of labor law, testified on S. 2650 with reference to this public utility problem as follows:

"Second, it would seem clear to me that the States should have power to deal with strikes in gas and electric utilities and in other situations that may create a serious threat and imminent threat to public health and safety.

"Today apparently the States do not have that power. There is a decision by the Supreme Court of the United States invalidating the Wisconsin law providing for compulsory arbitration in public utilities. Some of the other States, like Massachusetts, Senator KENNEDY, have a slightly different law and we have continued to apply them, but I think everyone agrees there is a real question whether these laws would not be invalidated if they were taken to the Supreme Court. I think that decision should be changed by legislation so that the States can deal with those true emergencies which are nevertheless too local to be handled under the Federal statute. Somebody ought to be able to deal with them." (P. 2412, hearings before the Committee on Labor and Public Welfare of the Senate, 83d Cong. 2d sess., on proposed revisions of the Labor-Management Relations Act of 1947.)

However, you will recall that due in large part to the fact that three FEPC amendments were pending—under a unanimous-consent agreement limiting debate—the Senate by a vote of 50 to 42 recommitted the bill. Although I found much to approve in S. 2650—particularly the section dealing with strikes in public utilities—I voted with the majority to recommit the bill because of the unfavorable parliamentary situation which required the consideration of FEPC legislation under a gag rule.

The bill, S. 2650, as reported from the Senate Committee contained the following language:

"(c) Nothing in this Act shall be construed to interfere with the enactment and enforcement by the States of laws to deal in emergencies with labor disputes which, if permitted to occur or continue, will constitute a clear and present danger to the health or safety of the people of the States."

During the debate on that measure, I questioned at length the senior Senator from New Jersey, Mr. Smith, then chairman of the Senate Committee on Labor and Public Welfare, concerning the purpose of this proposed language. I asked the distinguished Senator from New Jersey specifically if it were his understanding that that provision was designed effectively to return to the States the power, authority, and jurisdiction to deal under State laws and under machinery provided under State laws, with work stoppages, strikes, threatened strikes, lockouts, or anything which would tend to bring about a stoppage of the rendition of services by public utilities to the people of States or communities within States. The Senator from New Jersey replied: "In preparing this particular paragraph the committee felt that utilities certainly would be included, because utilities usually could affect the health or safety of the people."

In his January 11, 1954, message to the Congress on labor-management relations, President Eisenhower called attention to the problem at hand and recommended correction in the following manner: "The act should make clear that the several States and territories, when confronted with emergencies endangering the health or safety of their citizens, are not, through any conflict with the Federal law, actual or implied, deprived of the right to deal with such emergencies. The need for clarification of jurisdiction between the Federal and the State and territorial governments in the labor-management field has lately been emphasized by the broad implications of the most recent de-

cision of the Supreme Court dealing with this subject."

Of course, the President was referring to the decision of the Supreme Court in the Wisconsin case.

On June 18, 1955, in the 1st session of the 84th Congress, Senator ROBERTSON and I again introduced a bill, S. 527, designed to correct this situation. Again our proposal received no attention.

Last year Senator ROBERTSON and I again introduced a bill, S. 3962, but no action was taken on it. During the debate on labor legislation last year we offered an amendment to correct this situation. It was defeated, not, I think, on its merits, but because many Senators, though recognizing the need for the amendment, felt that the bill then pending should not contain controversial Taft-Hartley amendments.

This year I introduced Senate bill 632 on this subject, thus making this the fifth Congress in a row that such a proposal has been before the Congress, though the problem is still with us. Again, during floor debate on the Kennedy-Ervin bill, I offered this proposal as an amendment, but it was defeated for the same reason it was defeated last year when offered as a floor amendment. However, during consideration of the amendment this year we were promised hearings on this subject—which promise is being fulfilled today.

Mr. Chairman, as I stated earlier, the passage of S. 632 or similar legislation, was made necessary by the interpretation of the National Labor Relations Act as amended by the Labor Management Relations Act of 1947, by the Supreme Court of the United States in the so-called Wisconsin case (*Amalgamated Association of Street Electric Railway & Motor Coach Employees of America, Division 998, et al. v. Wisconsin Employment Relations Board*, 340 U.S. 383, 71 S. Ct. 359, 95 L. ed. 354.), dated February 26, 1951. The net result of the majority opinion in that case was that a Wisconsin statute, which prohibited strikes against public utilities and provided for compulsory arbitration of labor disputes after an impasse in collective bargaining has been reached, was invalid, because it was in conflict with the National Labor Relations Act, as amended.

I have studied the case rather carefully, and I find myself in complete agreement with the strong dissenting opinion written by Mr. Justice Frankfurter, joined by Mr. Justice Burton and Mr. Justice Minton. I feel as did the principal Senate author of the act in question, the late Senator Robert A. Taft, that the majority of the Court came forward with a highly strained interpretation of the intent of Congress in the passage of the Taft-Hartley Act of 1947, and one which was never anticipated by its sponsors. Senator Taft made no secret of his complete disagreement with the majority opinion, and expressed himself strongly to me on the subject on several occasions. His comments in this regard were of particular interest to me in view of the fact that both the majority and the dissenting opinions refer to some of the same comments made by Senator Taft during the 1947 debate in support of their interpretation of the legislative history of the Taft-Hartley Act.

Also, it is clear from the record that another coauthor of the bill, former Congressman Hartley, had a completely different interpretation of the intent of the bill from that ascribed to it by the Supreme Court. I quote the following from page 6383 of the CONGRESSIONAL RECORD of June 4, 1947:

"Mr. KERSTEN of Wisconsin. Mr. Speaker, will the gentleman yield?"

"Mr. HARTLEY. I yield.

"Mr. KERSTEN of Wisconsin. I wish to compliment the gentleman on the very fine exposition he is making of the conference report. I would like to ask the gentleman about that portion which pertains to the

validity of State laws. Wisconsin and other States have their own labor relations laws. We are very anxious that disputes be settled at the State level insofar as it is possible. Can the gentleman give us assurance on that proposition, so that it is a matter of record, that that is the sense of the language of the report?

"Mr. HARTLEY. That is the sense of the language of the bill and of the report. That is my interpretation of the bill, that this will not interfere with the State of Wisconsin in the administration of its own laws. In other words, this will not interfere with the validity of the laws within that State."

"Mr. KERSTEN of Wisconsin. And it will permit as many of these disputes to be settled at the State level as possible?"

"Mr. HARTLEY. Exactly."

It is difficult for me to understand how anyone could conceive of Congress intending to preempt a field of such vital importance to the general public—which had been entered by many local and State governments—without providing a substitute for local procedure, under an act which contained in its declaration of policy the statement "and above all recognize under law that neither party has any right in its relations with any other to engage in acts or practices which would jeopardize the public health, safety, or interest," and also the words "and to protect the rights of the public in connection with labor disputes affecting commerce." In my opinion, the majority opinion of the Supreme Court went completely contrary to the expressed declaration of policy in the act, without specific language in the body of the act to justify such a departure, and by this interpretation the Supreme Court accomplished in part what the act was trying to prevent, by declaring void all protective State laws dealing with strikes in public utilities and thereby permitting the public health and safety to be placed in jeopardy during public utility strikes.

Congress made provision for threatened and actual strikes which would "if permitted to occur or continue, imperil the national health or safety," and provided authority for the President of the United States to set in motion investigatory and judicial processes which would at least prevent a work stoppage for a period of 80-days, during which conciliation, mediation, arbitration, and continued collective bargaining could operate to effect a settlement of the dispute. However, in the opinion of the majority of the Supreme Court, it left under the law a situation where the health, safety, and general welfare of the same people can be jeopardized without restriction when they are affected in smaller groups—on a State or local level rather than a national level.

The dissenting opinion by Mr. Justice Frankfurter states clearly what I believe to be not only the proper interpretation of the intent of Congress in this regard, but the only reasonable and logical interpretation. Speaking for the minority of the Court he stated: "But the careful consideration given to the problem of meeting nationwide emergencies and the failure to provide for emergencies other than those affecting the Nation as a whole do not imply paralysis of State police power. Rather, they imply that the States retain the power to protect the public interest in emergencies economically and practically confined within a State. It is not reasonable to impute to Congress the desire to leave States helpless in meeting local situations when Congress restricted national intervention to national emergencies."

Florida is one of the States which has had its laws dealing with this subject declared invalid as a result of this decision of the Supreme Court.

In 1947 by a vote of 33 to 0 in the State senate, and 74 to 12 in the house, the Florida Legislature passed a law requiring compul-

sory conciliation and arbitration when a stalemate has been reached in the collective bargaining process between employer and employee of a public utility.

In order that the committee might have the text of the entire Florida law available, I ask permission to have printed in the record of these hearings at this point chapter 453 of the Florida Statutes, entitled "Public Utility Arbitration Law." (Not printed in the CONGRESSIONAL RECORD.)

Briefly, Mr. Chairman, the Florida law defines the term "public utility employer" as an employer engaged "in the business of rendering electric power, light, heat, gas, water, communication or transportation services to the public of this State," and then sets up a procedure to be followed when the collective bargaining processes reach an impasse and stalemate, and when a party in interest requests the Governor to put it into operation, which includes:

1. The appointment by the Governor of a conciliator who must effect a settlement within 30 days after appointment (an additional 15 days may be allowed by the Governor);

2. If the conciliation effort is unsuccessful the Governor may appoint an arbitration board which must hand down its decision within 60 days after appointment (Governor may for good cause extend 30 days);

3. Within 15 days after the date of an order of the arbitration board, either party may petition the circuit court for a review of such order; and

4. Thereafter, any interested party may appeal to the Supreme Court of Florida.

The Governor may proceed with the above action only upon petition of one of the parties to the dispute and after concluding that the dispute, if not settled, "will cause or is likely to cause the interruption of the supply of a service on which the community affected is so dependent that the hardship would be inflicted on a substantial number of persons by a cessation of such service."

From and after the filing of a petition for the appointment of a conciliator, and until and unless the Governor shall determine that the failure to settle the dispute with respect to which such petition relates would not cause severe hardship to be inflicted on a substantial number of persons, no interruptions of work and no strikes or slowdowns by the employees, and no lockout or other work stoppage by the employer, are permitted, until the statutory procedure has been exhausted or during the effective period of any order issued by the board of arbitration pursuant to the law.

I think this committee will be interested in the origin of the language contained in the Florida law. After a hearing had been held before a senate committee of the State Legislature of Florida on this subject, the committee requested labor and public utility officials to get together and come up with language for a bill which was mutually satisfactory, and the bill which was unanimously passed by the senate, and passed by an overwhelming majority in the house, was drafted at a conference participated in by the chief counsel of the State federation of labor and the State president of the American Federation of Labor.

It is comforting to know that reasonable men from labor and management can still sit down and come up with effective and mutually satisfactory programs for the protection of the public health and safety when properly encouraged to do so, and that is exactly what happened with reference to this Florida law. With such cooperation from public-spirited representatives of labor and management being exhibited concerning this subject in my State, it was indeed discouraging to have a U.S. Supreme Court decision result in our law being declared invalid by our State supreme court.

Mr. Chairman, in that connection I ask to have printed at this point a copy of the decision of the Supreme Court of Florida, filed May 5, 1953, declaring invalid the Florida public utilities arbitration law. (Not printed in the CONGRESSIONAL RECORD.)

Also, I ask to have printed table 6 entitled "Regulation of Disputes in Public Utilities, etc.," and table 7 entitled "Compulsory Mediation and Arbitration" volume 4, Labor Relations Reporter. I obtained these tables from the Library of Congress last year and I have been advised that these tables are still accurate, based on the latest information available to the Library. (Not printed in the CONGRESSIONAL RECORD.)

Table 6 shows 18 States—including Hawaii—as having laws regulating disputes in public utilities, government services, or essential industries. Some of these laws have been held unconstitutional by the U.S. Supreme Court; one is considered unconstitutional in an opinion by the State's attorney general; and as already stated, the Florida law was declared invalid by the Supreme Court of Florida.

Of interest in this table is the fact that even since the Wisconsin case two states, Virginia (1952) and Maryland (1956) have enacted laws regulating disputes in public utilities.

The treatment of this subject in these laws varies greatly. Some of them ban strikes and lockouts under a statutory procedure for compulsory arbitration (as in Florida); some provide for seizure and operation by the State; one permits no strikes until 60 days after written notice of intention to strike to a board of mediation and the other party; others do not ban strikes but provide penalties for picketing and sabotage, or provide for mediation of disputes; and various other methods are employed to handle the problem.

Different States have different methods for handling such matters, and many have no laws dealing with this subject, but certainly they should be permitted to take jurisdiction over labor-management problems in a field of such vital concern to the local people.

In my State we have had unfortunate experiences with this situation. I have already mentioned that in a case passed upon by the Florida Supreme Court, the U.S. Supreme Court decision in the Wisconsin case was followed in such a way as to knock out the Florida statute. I think our court was correct in its action. After all, the decision of the Supreme Court of the United States was binding.

That particular case arose in the city of Miami and grew out of the local transit system strike which resulted in the very great hurt of the city and its people, but particularly to the hurt of people who work with their hands and who have to patronize the public-utility transportation system, not having cars of their own in which to go to their places of work.

I have had repeatedly made to me by humble citizens of my own State both within unions and outside of unions—and I certainly agree with them—the point that the people of humble background economically and the people who work with their hands, many of whom do not have cars of their own and could not move out of the city if there should be a stoppage of power, light, electricity, or gas, would be the ones worst hurt if there were a stoppage or a shutdown of any of these necessary public utilities.

Last year in Jacksonville, the second largest city in the State, we had an 83-day strike which tied up its public transportation system. This strike was in progress when I testified before this subcommittee last year and I read into the record at that time portions of an editorial from the Tampa Tribune bearing upon this strike and upon

the hope of that editorial writer that the measure before you today might be enacted.

Mr. Chairman, I ask to have printed at this point excerpts from that editorial of May 3, 1958, from the *Tampa Morning Tribune*. (Not printed in the *CONGRESSIONAL RECORD*.)

The Senator from Florida did not so plan it, but again this year when the Senate was considering the Kennedy-Ervin bill we had in progress in Florida another major strike against a public utility which illustrated clearly the need for action in this field. In this strike which lasted for a period of 30 days, there was no issue regarding wages and working conditions. The sole issue was whether the union could compel the company to recognize the union as the representative for foremen. Incidentally, of 65 first-line supervisors (including foremen), 58, or about 90 percent, stayed on the job.

It was a bitter strike. After the first 3 days of the strike the *Pensacola Journal* made the following comment in an editorial on the subject:

"Violence and threats of violence, sabotage and attempts at sabotage have marked the short period since members of the International Brotherhood of Electrical Workers struck the Gulf Power Co. in an effort to gain union control of foremen and supervisors.

"A bomb scare; threat of personal injury to an unaffected woman employee; attempts to short circuit powerlines, some of which have been successful, causing blackouts; the beating of a telephone company repairman who crossed a picket line to do his job; threats against store operators who receive power bill payments as a public service. These are some of the incidents which occurred in the first 3 days of the strike."

Subsequent to that time we saw headlines such as "Two More Gulf Poles Wrecked By Bombs—Saboteurs Use Dynamite, Fail To Sever Lines." (*Pensacola News-Journal*, Apr. 5, 1959.)

Those poles were on a 110,000-volt power line. A complete blackout in the county would have resulted had the lines been severed by the explosion, and the fallen wires would have endangered the very lives of people in the area. A package of dynamite was discovered wrapped around a third pole in the area but fortunately it failed to explode.

Mr. Chairman, I ask to have inserted in the hearing record at this point an editorial entitled "Loss of Power Endangers Life, Health, Property" from the *Pensacola News-Journal* of April 5, 1959, which I think sums up this particular strike briefly, tersely, and fairly, and also an editorial entitled "Violence and Sabotage React Against Unions" of March 27, 1959, from the *Pensacola Journal* which gives what I feel is good advice to labor unions which place themselves in such an impossible position as we witnessed in this particular strike. (Not printed in the *CONGRESSIONAL RECORD*.)

Mr. Chairman, I have presented the basic facts as I understand them concerning the "no man's land" in connection with preventing stoppage of services in public utilities, and without rearguing the Wisconsin case, it is perfectly clear to me that the major proponents of the Taft-Hartley Act never intended any such result when that act was passed. Regardless of that fact, however, the basic problem is with us—it is serious—and it demands early attention.

In my opinion, public utilities are in a category by themselves in the labor-management picture. They provide services—generally and necessarily as a government-approved monopoly under exclusive franchise—which are vital to the livelihood and the healthful and normal living of the people of the areas served. They function as agencies licensed by the government to serve the

public in necessary fields and should be so treated.

Mr. Justice Frankfurter in the dissenting opinion in the Wisconsin case stated: "A stoppage in utility service so clearly involves the needs of a community as to evoke instinctively the power of government."

The function of public utilities is clearly expressed by Prof. Clarence M. Updegraff in 36 *Iowa Law Review* 61, in the following words:

"It will be recognized that since all public utility properties are owned and operated for purposes which entitle the utility companies to take lands of private owners for their use without violating the 'due process' clause, the utility is in the most complete sense discharging a 'public service'. It is analogous to a branch or department of the State government. Virtually all of the businesses now referred to as public utilities are in one part of the world or another, commonly owned and operated by sovereign States, so that in a very real and correct sense it may be said that the public utilities are to be identified with Government agencies for which they are, in a sense, substituted. Since they have become monopolies because of their duty, like that of the Government, to serve all at reasonable rates, they have reached a point of development where it becomes necessary to sustain their unflinching operation, just as Government itself is sustained. This is to secure protection of the health, public safety, and general welfare of the population or general public. Indeed, the public health, morals, safety, and general welfare (so zealously guarded by the sovereign police power) would be much more quickly impaired by discontinuance of certain public-utility services than by temporary suspension of many governmental agencies."

It seems to me to be completely beyond the realm of reason and good judgment for anyone to seriously contend that States should not have jurisdiction to prevent strikes in public utilities when the interruption of the performance of responsibilities will result in cutting off vital services to strategically important industrial areas; or in depriving hundreds of thousands of homes of services essential to the safe and healthful living of the occupants thereof—services required for such functions as heating, lighting and the preparation and preservation of food; or in cutting off power to farmers necessary to operate milking machines, poultry brooders, refrigeration equipment, water pumps, and the like; or in depriving cities of the services necessary to maintain and operate such necessities as hospitals, traffic signals, police and fire alarm systems, hotels, and a multitude of other adjuncts of civilized existence which will occur to you.

Is it not the proper function of local governments to insist upon adequate transportation for workers in order that they may be gainfully employed so as to provide food, clothing, and shelter for their families? I hasten to add that it is generally those who do not earn large salaries that make the greatest use of public transportation systems, because the man who owns one, two, or three cars is not greatly inconvenienced by transit strikes. Nor does the strike which prevents proper heating of homes place tremendous hardships on wealthy people who might take advantage of the ready-made excuse to visit Florida or other warm climates, until the strike is over, or to visit their country or vacation lodge or home or visit temporarily in a hotel or motel in an unaffected area.

Public utilities have been placed in a position of great importance to the general public by State and local laws, and they have been stripped by law of many of the freedoms and privileges which other industrial and commercial organizations enjoy because of

that fact. They are strictly regulated and are sometimes compelled to supply services to certain areas and classes against the wishes and judgment of the owners and management because of the economics involved. Their expansion and contraction of facilities are carefully controlled and their entire operations come under the close scrutiny and general control of some government agency.

Under such circumstances, I strongly feel that States must retain jurisdiction over labor-management relations in public utilities in order to properly protect their citizens. I agree with the statement of Mr. Justice Brandeis quoted by Mr. Justice Frankfurter in his dissent in the Wisconsin case: "All rights are derived from the purposes of the society in which they exist; above all rights rises duty to the community."

In fairness to the distinguished chairman of this subcommittee, the Senator from Massachusetts (Mr. Kennedy), I think that it should be said that in a colloquy on this subject on the Senate floor in 1954 he expressed sympathy with our problem and a willingness to help solve it. But the thing that puzzles me—and distresses me—is that over a period of 8 years there has been no move by the Congress to correct this dangerous situation in spite of the fact that (1) the chairman of this subcommittee has publicly recognized the problem; (2) the President of the United States has recommended to the Congress that this problem be corrected; (3) testimony has been received by the subcommittee of the Senate Labor and Public Welfare Committee recommending that States be given the power to deal with work stoppage in "gas and electric utilities and in other situations" by a man who is recognized by this committee as one of the best informed experts in the Nation in the field of labor law—which is clearly illustrated by the fact that throughout the floor debate on the Kennedy-Ives bill of last year and the Kennedy-Ervin bill of this year he was at the side of the distinguished chairman of the labor subcommittee, as his chief adviser; (4) statements of other experts in this field clearly emphasizing the necessity for protection of the general public by assuring against work stoppages in vital public utilities; and (5) in spite of repeated statements by the Senate and House coauthors of the Taft-Hartley Act to the effect that such a condition was never intended in the passage of that act.

I have said on numerous occasions that I have no great pride of authorship with reference to the pending measure and that I am willing to go along with the committee on any reasonable amendments to the bill which would not remove from its coverage the mere skeleton or the mere essence of necessary services required in any civilized community. The distinguished chairman of this subcommittee has said that he feels the bill as introduced over the last 8 years is too broad in its coverage and in order to meet that objection I offer for committee consideration the following language which is much narrower and which covers what seems to me to be the absolute minimum of services necessary to protect the health and safety of people living in communities throughout the Nation:

"Nothing in this Act or the Labor-Management Relations Act, 1947, shall be construed to nullify the provisions of any State or Territorial law which regulate or prohibit strikes by employees of a public utility; or which regulate or prohibit lockouts by a public utility."

"As used in this subsection the term 'public utility' means an employer engaged in the business of furnishing water, gas, electric power, or passenger transportation services to the public."

Incidentally, Mr. Chairman, we seldom think of the furnishing of water as a public utility service, but in the last comprehensive survey (1946-47) there were 5,000 privately

owned water facilities; 11,326 publicly owned water facilities and 120 owned jointly. I understand that there has been no noticeable trend either toward public or private facilities since that survey. As of January 1, 1958, approximately 148 cities with a population of 25,000 and above were supplied with water by private facilities, but of course there is a greater percentage of smaller communities supplied by private water facilities than is the case with larger cities.

Mr. HOLLAND. Also, I ask leave to have printed in the RECORD a thermofax copy of the transcript made by the Official Reporter at that time of the colloquy between the then Senator Kennedy and myself.

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

Senator KENNEDY. Does that conclude your statement, Senator?

Senator HOLLAND. That concludes it.

Senator KENNEDY. The rest of the statement then may be placed in the record.

Senator, I will say two things. First, the committee which the Labor Committee has set up to look into the whole field of labor-management relations, which is chaired by Professor Cox, to whom the Senator has referred, is going to look into this problem and is going to make some recommendations on it. I discussed the matter with Professor Cox, and he has a special interest in it, as his testimony has revealed, and I think that interest is reflected in his quotation, which the Senator from Florida has referred to. So I am hopeful that this committee, this blue ribbon committee, will make appropriate recommendations in the field.

Second, it seems to me that the amendment as suggested, the revised language, is preferable to the original language. It does narrow the area, I think, to matters which are of substantive importance, although I am not completely convinced that all forms of transportation should be included.

Third, it would seem to me it might be appropriate for the Congress to give approval to State laws dealing with State emergencies which parallel Federal laws in this field. In other words, we do not provide for compulsory arbitration of Federal emergencies which affect the security of the United States, but rather we set up a procedure to deal with these national emergencies which fall short of the compulsory arbitration. I am wondering if it might not be appropriate—and I raise this only as a question, and am not stating a position on it—for the Federal Government to give consent to the States for State laws which set up a similar procedure for State emergencies which involve interstate commerce, in other words, where the Federal Government had jurisdiction—or permit the State governments to enter into that field where their procedures are comparable, for State emergencies, to proceed, with the Federal Government, to set up for a national emergency—

Senator HOLLAND. Well, of course, that would be some improvement over the present "no man's land" situation in this field. I do not think it would be as adequate as the suggestion which I have made, which I think is a minimum, because I think the States should be left some discretion, and they have shown considerable variety of opinion in dealing with this subject matter. And I still think that the State legislature and the State Governor and the people of the State are better able than we are here at the Washington level to determine how to deal with the problems which are of vital importance to us. And I think it is sound and helpful to find a difference in opinion, and a difference in the methods in treatment, as adopted by the several States, and I believe that the dis-

tinguished chairman will agree with me on that.

The other thing would, in effect, simply mean that we would state, as I understand the suggestion of the chairman, that we would simply state it as a matter of Federal policy, that States could, if they desired to do so, create an agency which would have authority to delay strikes or walkouts in the method now done in the matters of national emergencies. I do not think the national emergencies are at all comparable in their vital effects upon the living conditions of people to these things that happen in the shut off of vital public utilities. For instance, a shut off in water service to 500,000 people in one area served by one company in New York, or to 600,000 people served by one utility in St. Louis County out of the city of St. Louis.

Senator KENNEDY. Senator, the fact is we have not had that kind of cutoff, which indicates the parties involved operate under restraint which the situation compels because of the serious effect of their action. So far, they have withheld any action which would deny water to the people.

Senator HOLLAND. I do not understand the Senator.

Senator KENNEDY. The point I am making is you have not had any water shortage or denial of water service to people in counties which you discussed.

Senator HOLLAND. No. And I remember last time I argued this the Senator said, in effect, we had had no trouble except under transportation. But we have this serious power strike which has happened since that time, which we certainly did not anticipate, and it is just as possible, just as probable, that the employees in a great water system would fail to recognize their high responsibility, as in the case of the power system, and just as possible in the case of the gas systems. And I do not think I have to call attention to the fact that in many homes, and particularly humble homes, either electric power or gas is the sole method of preparing food, or storing food, refrigerating food, and they are just absolutely necessary to civilized existence. And I can see a great difference between that and the matter of Federal emergency in such a field as maritime transportation, where I believe the Taft-Hartley Act has been used twice, or three times, and in a field like the mining or coal, where the Taft-Hartley Act has been used, as I recall it, twice, and the other fields where it would apply.

There is nothing like the violent, immediate, terrible impact upon living in homes, both humble and high, that is occasioned by the shutting off of vital public utilities services, and they are just as apt to happen, I think, in one field as another.

Senator KENNEDY. I want to just assure the Senator that this matter is of interest to the committee and to the chairman, and while there may not be action on this legislation in this session, before the subcommittee or the full committee, nevertheless it is under consideration by the select committee, and we are going to begin hearings on their recommendations in January. So that if the committee takes no action this year, the matter is not dead.

Senator HOLLAND. Mr. Chairman, I thought I understood the chairman to say on the floor that his subcommittee would, within 44 days, take action, whether favorable or unfavorable, on this matter and report it to the full committee.

Senator KENNEDY. Yes.

Senator HOLLAND. And there, of course, a larger group becomes responsible. I personally think that the 6 months' time between now and January is too long a time to risk, this field being still unfilled, and I personally think it is unwise to put possible action over to an election year. And I think since we have started every year seasonably and at the

very first at every Congress, that we are entitled to speedy action.

Now I have investigated the possibility of action by the blue ribbon committee, and I am told that the blue ribbon committee does not expect to become active again until the first of the year.

Senator KENNEDY. The Senator is misinformed. The committee is going to make its report by the 7th of December.

Senator HOLLAND. Well, there will be no further meeting or action by the blue ribbon committee during this session of the Congress. Now, that means we are held up as to the possibility of any floor action until next year, which is an election year.

Senator KENNEDY. Let's make it clear, I am not in agreement with the Senator on this bill, so it is not a question of delaying action. I do not agree with the Senate bill in the presently constituted form. It is not a question of delaying on something we are both in agreement on, there is a disagreement.

Now I am just attempting to meet the commitment which I made on the Senate floor in regard to holding a hearing on this bill. And the commitment, further, that the subcommittee will report to the full committee will also be met. And I am informing the Senator that the blue ribbon committee is concerned about his problem, will make a recommendation to the subcommittee, and the subcommittee is going to hold hearings in January on all of the recommendations of the blue ribbon committee. If the full committee does not report the legislation the Senator has introduced to the floor of the Senate this year, I merely wanted to assure the Senator this does not represent the end of the matter. It is not merely a question of the procedure of the committee, the Senator and I are in disagreement with regard to the amendment which the Senator has introduced. That is all I was attempting to make clear.

Senator HOLLAND. I think I understand the situation, Mr. Chairman, and I hope that the subcommittee will act promptly to report the measure to the full committee.

There is the subject of just one delay that I would like to request, and that is for a chance for Professor Updegraff to be heard, because he is neither with labor nor with management. He is a very distinguished scholar in the two fields that are involved here, both public utilities and labor law, and recognized as a scholar throughout the Nation. He feels very strongly on this matter, I am informed—I have never had the chance to meet him—and he wants to be heard on it. I would hope that this subcommittee would accord him the chance to be heard on it provided that this can come within the next few days, which I believe it can.

Senator KENNEDY. Well, the subcommittee has to hold some more hearings on the minimum wage. I will do my best, Senator, to have a meeting. We have a statement from him now.

Senator HOLLAND. No, this statement that I listed is out of an article by him in the Law Review of the University of Iowa.

Senator KENNEDY. If he could come at the conclusion of a hearing on minimum wage next Thursday, I would be glad to hear him, Senator.

Senator HOLLAND. Off the record.

(Discussion off the record.)

Senator KENNEDY. I will say this, Senator, I will do the best I can to arrange the schedule of the committee to have him.

Senator HOLLAND. I appreciate that. Maybe we can get him to introduce his statement in written form.

Thank you, Senator.

Senator KENNEDY. If the Senator from Florida desires to have him, I will make every effort to have him.

(Whereupon, at 12:10 o'clock p.m., the committee adjourned.)

Mr. HOLLAND. Mr. President, I learned from my office staff that when the full transcript came over to our office for correction of any portion in which I had a part, those who were handling it discovered that there was a sizable colloquy between the then Senator John F. Kennedy and myself at the conclusion of my statement, which obviously constituted a part of my testimony, as well as certain statements between myself and the distinguished Senator who was then serving as chairman of that subcommittee. It was felt that that should be in our files, along with a copy of my own statement which was already there. A thermofax copy of that part of the transcript was made, and I am delighted that there was such foresight, because now it appears that otherwise the record would be lost. There are many things in that record which I very much wish to preserve.

I have not been able to discover whether or not the blue ribbon committee, headed by the distinguished Mr. Archibald Cox, who later became Solicitor General, as mentioned by Senator Kennedy in our colloquy, ever made their report and I am also advised by the staff of the Labor and Public Welfare Committee that the subcommittee which conducted the hearings in May 1959 did not make a report which it expected to make in early 1960. I find no fault with anyone on this account because we all know that shortly after the hearings Senator Kennedy launched his successful campaign for the Presidency and it was impossible for him to maintain a full schedule of activity in the Senate during the period mentioned. I simply want to state at this time that I regret deeply that not only is there no printed copy of the hearing, but even the transcript seems to have been misplaced, or at least it is not now available.

I think I should say at this time that the substance of the colloquy, aside from the opinions expressed by the then Senator Kennedy and myself, which will speak pretty clearly from the portion of the transcript which I have obtained leave to have printed in the *RECORD*, was that the so-called blue ribbon committee, then headed by Mr. Archibald Cox, was studying this problem as well as some other problems relating to labor relations, that the work of that committee was expected to be concluded by December 1959, and that Senator Kennedy was hoping to issue thereafter, a report of the subcommittee shortly after we resumed our work in January of 1960. That apparently proved to be impossible, but I have not been able to determine at this time, though I hope we can determine, whether Mr. Cox and his committee were able to continue and complete their services. The reason I am particularly concerned about that is that Mr. Cox has already stated, in one of the hearings in Congress, that he favored giving back to the States the control of certain of their public utilities, insofar as it would give them the power to prevent stoppages and strikes and lockouts in utilities of great importance to every community.

I have been hoping for a great deal to come from that report of the blue ribbon committee. Apparently it was either never made or, if it was made, we cannot now discover it.

To go back to my principal subject, now that the people of this country must realize the crippling effect that strikes in public utilities can have on the economy—and they cannot fail to realize it when they have seen what has happened as a result of the New York transit strike—not only in our cities and States, but also to the Nation, I am hopeful that the Committee on Labor and Public Welfare, to which my bill, S. 209, again has been referred, will hold early hearings on that proposed legislation.

Mr. President, as I said at the committee hearing, I am not anxious to have the form adopted which I suggested. I am not proud of my own version, but I am intensely anxious that Congress go back and correct the mistake which was made by the Supreme Court of the United States in its Wisconsin ruling by making it abundantly clear that the Taft-Hartley Act was never intended to disturb the jurisdiction of the several States in this particular field; namely, the right of the States, by their own police laws, to prevent work stoppages on public utilities which are of vast importance to the people.

Not only have we observed the recent strike in New York but in Florida also. As a result of the Wisconsin decision, our own State supreme court had to rule that the Florida statute was unenforceable. I believe they were sound in that ruling, because I am not one of those who believe we can lay on the shelf and forget about a deliberate decision of the Supreme Court, even if it is only a majority decision, and even if I believe that the opinion written by the minority—in this case, it was a minority of three Justices who supported the opinion written by Justice Felix Frankfurter, which I believe to be a masterpiece—is the correct decision.

In that opinion, Justice Felix Frankfurter pointed out that there was nothing in the national picture of a national emergency—attempted to be dealt with so effectively in the Taft-Hartley Act—that began to compare with the emergency in a community where, for instance, water might be cut off by a strike.

I was surprised to find that several thousand communities in the Nation are still being supplied by water owned by privately administered water companies. When power can be cut off, or gas can be cut off, or when any of the utilities which are so completely necessary to the functioning of a civilized community can be cut off, there is real hardship.

Mr. President, of course that kind of hardship is visited much more directly, and in much greater proportion, upon the people of modest means, as we found out in my own State in the case of the transportation strikes in Miami and Jacksonville. Those who had automobiles were well able to go where they wished. Even when there was a power strike, those who had automobiles and owned a country home or a camping house out on a lake somewhere could go there, but the

people working for a living, as was the case in the recent New York transit strike, are more directly affected and most grievously hurt by that kind of strike. Consequently, I am hoping that we may come back to that decision and correct it.

Before I leave that part of my discussion, let me say that no one was more seriously out of humor with the decision of the Supreme Court than was the late Senator Taft and Mr. Hartley. I talked with both of them about it.

As to Mr. Hartley, he engaged in a colloquy on the floor of the House of Representatives in which a specific question came up as to whether a State could lose its jurisdiction in that field, and he assured the questioner that such was not the case, that jurisdiction to handle the prevention of strikes and stoppages of public utilities was left to the States.

In the case of the late Senator Taft, he thought he had directly dealt with it in the course of debate, and he felt keenly that the decision of the majority of the Court in the Wisconsin case was not only a tragedy, but was also not a correct interpretation of either the objectives or the actual meaning of the Taft-Hartley Act.

Now that the people of this country must realize the crippling effect that strikes in public utilities can have on the economy, not only in our cities and States, but also to the Nation, I am hopeful that the Committee on Labor and Public Welfare, to which my bill, S. 209, again has been referred, will hold early hearings on that proposed legislation.

Mr. President, proponents of repeal of section 14(b) attempt to create the impression that the authority of the States to enact right-to-work laws began with the adoption of the Taft-Hartley Act in 1947. This is without foundation. The States had the power and authority to adopt such laws before the Taft-Hartley Act was enacted and before the Wagner Act was enacted and before the passage of any of the other labor statutes which have been adopted by the Federal Government.

As I have previously stated, Florida adopted its right-to-work amendment to its constitution in 1944, 3 years prior to the time that Congress considered and passed the Taft-Hartley Act. Ten other States also adopted right-to-work laws before Taft-Hartley and their constitutionality has been upheld in the Supreme Court of the United States in a number of decisions. The State courts of Florida and our State supreme court have upheld the validity of the Florida right-to-work law as have the Federal lower courts and the U.S. Supreme Court. I will not elaborate on the various decisions at this time as I inserted in the *RECORD* citations and certain relevant quotations from decisions of the courts during my lengthy discussion of this matter on October 12, 1965.

Mr. President, October 12 is Columbus Day, but it appears that, somehow, no Senator discovered that the Senate decided on that day, or following that day, not to favorably consider repeal of section 14(b).

It is incomprehensible to me, considering the numbers of Senators voting to refuse what was substantially the same proposal, a proposal to refuse to repeal section 14(b), only last October, that anyone would believe enough of them would have been driven by labor union pressure, or otherwise, to change their minds from that date to January of 1966.

Mr. President, I do not believe that there will be any substantial change of minds. I believe that it has been an unfortunate thing we began this session of Congress with this quite futile effort, when we have so many constructive things to do. At least, I believe it is futile. It has been shown to be such by what happened last October. We should have discovered it at that time.

There is enough to challenge us in the international and domestic fields so that we may speedily lay aside that effort, which is not getting us anywhere at all.

The attitude on the part of the people of Florida has been shown by numerous polls taken at various times, and particularly in recent times, but it has been also shown by other public actions, which I shall cite briefly.

I cited them much more in detail in my remarks of last October 12.

On a number of occasions since the adoption of the Florida right-to-work amendment in 1944 the people of Florida through their elected representatives have turned back union supported efforts to have it revoked. For example, in the 1949 session of the Florida Legislature separate resolutions were offered in the house and senate to amend section 12 of the bill of rights so as to eliminate the right-to-work provision. Public reaction against these resolutions was so powerful that after they were referred to the respective legislative committees no further action was taken. They simply died in committee. Again in the 1951 session of the legislature a union-sponsored bill to repeal the right to work provision of the bill of rights was allowed to die in committee, as had the earlier proposals. The people of Florida have clearly shown their strong desire to retain our right-to-work law.

Mr. President, the effect that strikes can have on the economy of our country was forcefully shown in the recent strike by the Transportation Union in New York City, and I should like at this time to read into the RECORD various editorials that have appeared in Florida papers in regard to this strike. Florida editorials have also pointed out repeatedly that the New York Transit strike should strengthen our determination to hold onto section 14(b) of the Taft-Hartley Act. I am sure that that strike has had that result which was also evident as a result of previous unfortunate strikes in recent months which have so completely ignored the public interest.

Mr. President, I do not need to relate the other strikes. I believe they are fresh in our memories. One of them was the ammunition strike, which shut down for several days the operation of the only plant in which the ammunition used by those who are firing small arms in the

United States forces in Vietnam was being produced.

The reaction in my State of Florida was terrific and fearful. I could bring here dozens of editorials on that strike. I have not sought to do so.

However, I do wish to put into the RECORD—and I shall do so by reading several editorials what I believe to be the public sentiment in our State, as well stated in these editorials. First I should point out that the action in New York must have strengthened the convictions of those of us who do not believe that section 14(b) should be repealed.

The first one I read is an able editorial entitled "Public Be Damned" from the Pensacola Journal of Friday, January 7, 1966.

PUBLIC BE DAMNED

How could any American, after watching Michael J. Quill's endless flow of bluster on television, ask Congress to repeal section 14(b) of the Taft-Hartley Act?

Imagine the power and inflated ego of future Michael J. Quills if States are denied the right to prevent compulsory unionism.

Quill has given the city of New York a strike that has shut down bus and subway lines serving 6 million New Yorkers, a paralyzing, devastating walkout which could easily set some sort of new record for a strike which damages public interest.

And this crippling state of affairs, as much as anything in recent years, represents the necessity to preserve right-to-work laws in Florida and other States.

Quill's philosophy seems to be, "the public be damned."

He carried on his dialogue with the city by calling Mayor John Lindsay an "ass" and a "pipsqueak."

Newsday, the Long Island newspaper, sized up the union leader:

"Quill, of course, is not only a union leader but an actor, as well. His blackthorn cane, his peat-thick brogue, the aggressive thrust of his chin and his coarse turn of phrase are all part of this role. In the past, at least, it seems to have been a successful act. Transit wages have risen by more than 55 percent in the past 10 years, and without recourse to a strike."

But Quill's actions before going to jail went beyond merely acting. His off-again, on-again confrontations with the transit authority could hardly be called negotiations.

It was not until 2 days before the strike began that Quill finally modified his original unrealistic package of wage and hour demands. The original proposals could not possibly have been met without a drastic upward revision of fares or a huge new subsidy:

He repeatedly showed his contempt for the law and for the courts by destroying—or giving the impression that he was destroying—court orders. And throughout it all, he maintains his flow of provocative and unmitigated bluster.

How do hourly wage workers in New York who are denied transportation to the job feel about Quill? To the man making \$80 a week, one of Quill's quips is hardly worth the loss of a day's pay. What happens to New York workers if, as Quill predicts, the strike lasts a month or longer?

Newsday, which is close to the scene of this tragedy, calls Quill "representative of the neanderthal in the labor movement."

Real negotiations, the search for true equity, is a high art.

"It has nothing to do with mugging for cameras and mouthing inanities in the manner of a pugnacious leprechaun," Newsday said.

As a result, the health, safety, and economic well-being of a city of more than 8

million are being subjected to an irresponsible display of raw power.

Regardless of the seriousness of Quill's heart attack, he should never have been in jail. There are better ways to deal with stubborn union leaders.

Remember John L. Lewis 20 years ago?

His fine was \$10,000, while the United Mine Workers were assessed \$3,500,000. Three days later the walkout ended.

We are sure Lewis would have relished the chance at similar martyrdom. It is money, not leadership, that is the life's blood of big unions today. And New York Supreme Court Justice Abraham N. Geller could have gotten to the New York transport workers far more effectively by a fine than by starting Mike Quill on the way to labor martyrdom.

With commuters attempting to bridge the mileage gap by using their own cars, bicycles, and shoe leather, the last few days indeed have been chaotic in a city dependent on an elaborate subway and bus system.

If ever a strike is against the public's interest, this is it.

The Transport Workers' Union is demanding a 4-day, 32-hour week, a 30-percent increase in pay, retirement at half pay after 25 years, higher health and welfare contributions, and other benefits. The transit authority estimates this would cost \$680 million over 2 years. Since the authority is operating at a deficit, to meet the demands would mean a huge jump in the present 15-cent fare, or heavy State and Federal subsidies (the city being broke, too) or maybe both.

It is a heavy price to pay.

But Quill has made his position clear: The public be damned.

And the people of New York are getting it in the neck.

Yet there are those who still demand that Congress erase right-to-work laws. Then, perhaps, we could have a Michael Quill in every city demonstrating his labor leadership by paralyzing public utilities and supplying television audiences with an endless flow of bluster and dirty words.

That editorial, while strong, does not overstate the situation. Those who were in New York with whom I have had the pleasure to talk—and I have talked with a good many of them—tell me that it was chaos such as one would expect after hostile action had been threatened, rather than the mere actions of a union leader in position of great power who did not recognize any responsibility to the public.

The next editorial is from the Tampa Tribune of Tuesday, January 11, 1966. It too points up this whole question. It is entitled "Beneficial Blisters." It reads:

BENEFICIAL BLISTERS

It's pretty hard for a man who can't get to work to feel philosophical about New York City's transit strike but in fact it may prove to be a fine thing.

The strike already has brought evidence that there are limits, even in New York, to how far a labor union can go in defying the law. The transit workers' demagogic Mike Quill and eight of his union associates were sent to jail for contempt of court (Quill subsequently was removed to a hospital with a real or feigned illness). The court now has under consideration the question of imposing a fine of up to \$300,000 a day on the union as long as it defies an injunction against walkout.

If the court hits the union treasury a painful whack, as it should, it will restore a respect for law which has been sadly lacking in New York and other cities on the part of elements of organized labor. Union leaders have fostered the notion that strikers are somehow above and beyond any law,

and jelly-spined politicians have collaborated in this anarchic practice.

Firm enforcement in New York will help to destroy the idea that mob action under a strike placard is any more acceptable than mob action for any other motive.

This, of itself, will be of great benefit.

Then there is the possibility that the lawless action of the transit workers' union, in paralyzing a city to enforce outrageous wage demands, may have its effect in Washington.

It ought to suggest to Senators and Representatives the need for more rather than fewer checks on the power of labor leaders.

Repeal of section 14(b) of the Taft-Hartley Act, sanctioning State right-to-work laws, already was regarded as uncertain in this session despite the AFL-CIO pressure and President Johnson's backing. Mike Quill's conduct may well disturb enough Senators to assure the retention of right-to-work laws for this year, at least.

And, surveying the grave damage to an innocent public done by the New York strike, Congress could even be persuaded to take an action urged upon it for some years by Florida's Senator HOLLAND. That is to restore to the States the authority to forbid strikes in public utilities, including transit systems.

This right was taken away several years ago by a U.S. Supreme Court ruling, in a Wisconsin bus strike, that Congress had assumed full authority over such labor disputes in passing the Taft-Hartley Act. (New York's transit system is publicly owned, and strikers there violated a State law forbidding strikes by State or municipal employees.)

Instead of repealing 14(b) Congress ought to add another section authorizing State no-strike laws as well as right-to-work laws.

Abuses by the likes of Mike Quill can be stopped only when public indignation boils up strongly enough to cause lawmakers to fear the reaction of the unorganized voter more than reprisals by organized labor.

The stranded New Yorker, with blisters on his feet and his mind, may contribute to just such a swing of the political pendulum.

I hope that Senators will listen to that because I believe there has already been a swing of the political pendulum on this matter. I believe there will be more as people realize what a monstrous thing the New York strike was and how horrible for us to see leaders of a public union deliberately defying the court and using vilification of men in authority, as well as a judge who was doing his duty as he saw it.

The next editorial is from the Deland Sun News of Thursday, January 13, 1966, entitled "A Dreadful Example of Labor Monopoly," which I read, as follows:

A DREADFUL EXAMPLE OF LABOR MONOPOLY

The rapid transit strike and its crippling effect upon the economy of New York dealt a powerful blow to those advocating repeal of the right-to-work laws.

When a union leader can tie up the busiest city in the United States, cause undue hardship to millions of working people and financial catastrophe to business, it shows dramatically the reasons the right-to-work laws should not be repealed.

Union leaders claim they have a right to strike, but don't the millions of others dependent on their services have the right to go to work and earn a living?

Does a union by a strike have the right to destroy small businesses and cause their owners to lose their investments? These small businesses cannot operate without employees. Whether it is a garment factory or a store, there can be no business without the worker.

What would have happened if there had been a strike by the doctors and nurses at the hospital where Michael J. Quill, union presi-

dent, was taken after his heart attack? Would Quill have thought they had a right to strike even if it meant he might have died for lack of care?

The power blackout in early November and the strike this month show the weaknesses of the big city metropolitan areas.

It is unequivocally unfair that a person can be required to join a union in order to work, and yet this union can cause economic and financial upheaval by calling a strike and preventing other workers from going to their jobs.

We think that Quill by his action has given Congress a dreadful example of what happens when a union has a monopoly.

Florida has right-to-work laws, as do 18 other States. Let's keep them.

The last of these editorials is from the Miami Herald, on the question of what it thought about the strike. It says it much in the same words as the other editorials.

There have been no differences of opinion in the editorials that I saw. I saw not a single editorial that upheld the action of Mr. Quill or the action of those he represented.

As to the question of section 14(b) the press is not so united. I believe that I am safe in saying that nine-tenths of our press stands back of our State constitution, and more firmly since the strike in New York, the strike in the munitions plant, and the maritime industry which affected the seaports of our State, such as Tampa, West Palm Beach, Miami, Key West, and others in many such businesses, without there being any connection with it at all except they happen to be in a business paralyzed by the action of a few labor leaders.

The next editorial is from the Miami Herald of Friday, January 14, 1966. It reads as follows:

IN THE WAKE OF AN UGLY STRIKE

The ugly New York transit strike was settled in the icy gray dawn yesterday and the end came just as tempers were about to reach the exploding point.

The Transport Workers Union did not win its preposterous first demands. But it did win enough to cause jubilation among the union leaders who announced the settlement as a victory.

The loot was a package well above \$50 million annually and a wage increase well beyond guidelines considered noninflationary by the Federal Government. Almost certainly it will mean a fare increase, so that part of the public which suffered most by the strike is hit hardest by the terms of its resolution.

For New York it was a repetitious story. Wry tales sprang up about those who, in a year's time, endured a housing pinch, a dock strike, a shortage of water, a taxi strike, a power failure that plunged the city into darkness, a newspaper strike and finally the unprecedented stoppage of public transportation. How much more can the world's largest metropolis take?

For other metropolitan areas it raises questions about the power of entrenched labor leaders to shut off public services, despite laws and courts, and plunge communities into chaos.

New Yorkers, who may like to think they can handle any urban catastrophe in stride, were getting their backs up. In an unusual advertisement in the New York Times yesterday, signed by an imposing cross-section of leadership, public officials were called on to restore transportation even if it meant calling out troops to man the buses and subway trains.

It concluded with this statement:

"The committee, to which all who read this notice are invited to lend their support, intends to continue its efforts to find and urge for adoption ways and means equitable to all concerned, but with particular emphasis on the rights and interests of the public, to arrive at fair labor agreements without the recurrent and irresponsible interruptions of essential public services with which we are presently afflicted."

In other words, compulsory arbitration of labor disputes which directly affect the public.

This is the answer to the Quills and others who bid judges drop dead and the public to choke on its own frustrations. If it should come to pass that angry lawmakers write it into hard statutes, the Quills et al. must realize that they asked for it.

Mr. President, there have been literally hundreds of contributors' letters to our newspapers in Florida. If there have been any that supported Quill's action and the action of his union, they have escaped my notice. I suspect there have been some. However, I have seen a great many of them, and they have complained bitterly about the strike, about Quill, and about a system which would permit such a thing to happen to millions of innocent people.

Here, for example, is a letter taken from the Miami News. The Miami News is a liberal paper in Miami. I have an editorial from that paper, and I may insert it later. However, here is a letter signed by one Alvin F. Schmidt, of North Miami, Fla., who says he was a union member for 26 years. I now read the letter into the RECORD:

RIGHT-TO-WORK LAW COMING UP AGAIN

TO THE EDITOR:

Come next Monday, Congress reconvenes and the Senate will take up where it left off. If you will remember, the repeal of 14(b) of the Taft-Hartley Act was stopped cold by the leadership of Senator EVERETT M. DIRKSEN and assisted by 46 other great Senators who voted against cloture intended to stop the filibuster.

The 14(b) repeal will be on the agenda again and it deals with States having a so-called right-to-work law. For a better definition it really should be called the "right-of-choice" or the "freedom-of-choice" law; the choice of each and every workman or woman to make up their mind to join or not to join a union. The administration and the union bosses want 14(b) repealed so each worker will be compelled to join a union and pay dues. To me this is decidedly un-American and violates our freedom of choice.

I was a union member for 26 years and quit 2½ years ago because they violated the contract. They just want your dues and when you squawk they ignore you. I don't believe President Johnson and Mr. HUMPHREY, along with Mr. Meany, will get their way.

Folks who work for a living have a right to make their own decision—the right to join or not to join a union. Good unions don't need compulsion and bad unions don't deserve it.

ALVIN F. SCHMIDT.

Mr. President, I was also intrigued by several letters written by college students, but the one I am about to read was, I thought, particularly good. I do not know the young man who wrote it. His letter was published in the Tampa Tribune of Sunday, January 23, and was sent from Lakeland. Probably the letter was written by a student of little Florida Southern College, although I do

not make that statement as a matter of fact. The letter reads:

**QUILL IS FREE; WHY NOT OTHER
LAWBREAKERS?**

LAKELAND.—Recently Michael J. Quill stood in front of a large gathering of newsmen, who represented all of the large national news agencies, and tore up a court order. This was done in open contempt of the law, and he was jailed along with eight other men.

Yet 13 days later they all were free, by bargaining with the New York City government, whose hands were hopelessly tied.

Nearly everyone has complained of the cost to the city—almost \$1 billion—but the cost to democracy has not yet been assessed. And it cannot be assessed—not until someone can put a price on the law. Yet this in effect was done.

Mr. Quill was jailed because he broke the law, and was waiting for his day in court as the law dictates. He's free. But he's free because New York had to walk until he was released, not because a judge found him innocent.

Now, democracy has a much heavier burden than walking because it has seen its law scornfully broken, and the offender freed without punishment. It seems to me, to have universally equal law that either he should be in jail, or that all lawbreakers should be free.

I'm only a college student, and perhaps my youth will not allow me to see the justification of this, or maybe it's a new part of the Great Society we hear so much about, but I don't understand it.

It appears to me that New York is only concerned about the financial loss, but was that the only loss? Is this proper for our society—great or not?

I, for one, would rather crawl honestly than ride with injustice. How can we afford to "compromise" with the law?

RICHARD M. HAYNES.

Mr. President, I applaud that letter. I certainly approve what this young man has had to say.

I mentioned a moment ago an editorial on this subject that was published in the Miami News, probably one of the three most liberal newspapers in Florida. I shall read it now, not to conclude the group of editorials. We have dozens of them; but I refer to these few in an effort to give a reasonable coverage from conservative and liberal sources, and from various parts of our State geographically. This is the editorial from the Miami News of Friday, January 14, 1966:

**UNION FLOUTED LAW—COURT IS BIGGEST LOSER
IN NEW YORK STRIKE**

Anyone who believes the New York City transit strike has affected only the much-abused residents of that city is advised to read again the terms of settlement.

True, the escalated wages of the bus and subway operators will be borne by the 3.5 million riders. The 15-cent fare is certainly doomed.

And throughout this 12-day, billion-dollar fiasco, it was the New Yorker who suffered the traffic jams, the business shutdowns, the loss of wages, and the monumental frustration that accompanies a breakdown in public service.

But the significance of this settlement from the national standpoint is that it rewards the illegal acts of the union and its leaders.

"May the judge drop dead in his black robes," said Boss Mike Quill, and although the judge survives, his powers appear quite dead.

As part of the settlement, the union demanded and received immunity from the

fines requested because of their contempt of court. Mr. Quill and eight other officers were freed of the charges against them.

The public is thus asked to forget that this monumental strike was forbidden by court order, that the order was defied, and that the whole affair was carried off in disdain of our system of laws.

Well, the public may forget. But will other unions around the country forget? Or have other unions now learned that if they are big enough and militant enough, they can tell the law to drop dead and it will?

A lot of people must wonder, as we do, whether a negotiating panel can mediate away the powers of the court, as this one apparently has done. The court is probably wondering about it too. It should.

Mr. President, there are a number of other editorials that deal with the strike situation in New York, but not with its relationship to section 14(b) as a result. I should like to place them in the RECORD separately at this time. The first one is entitled "In Union There Is Weakness," written by Russell Kay and published in the Florida Business Leader of Monday, January 24, 1966. I ask unanimous consent that the editorial be printed in the RECORD.

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

IN UNION THERE IS WEAKNESS

(By Russell Kay)

Well there is some good coming out of the recent transportation strike in New York; a lot of folks who had been needing exercise for years got it and there was more sure-enough fresh air in the city than most folks can remember.

They say the "pen is mightier than the sword" but we are finding out that the "Quill is mightier than the politicians, the public interest, and the Supreme Court combined."

The situation isn't pleasant for a thinking man to contemplate for it indicates what a few willful labor leaders can do not only to our large cities but to the Nation as a whole and this evil power has been handed to them on a silver platter by selfish politicians willing to sell their country down the river for labor votes.

We have been asking for it for a long time and I am afraid the situation will get much worse before it gets better.

No one ever thought a city like New York would be all snarled up and helpless by the action of one union. Nobody ever thought the day would come when a fanatical labor leader would tell a supreme court judge to "drop dead" on a national hookup but it has happened and we can thank the Congress and political bosses of the Nation who have brought it on through their coddling of labor over the years.

We can brag about our Peace Corps, our medical aid for the aged, our foreign aid, and our Great Society, but all of it can come tumbling down in a mighty short time if some powerful labor group decides it is time to get tough and calls a general strike.

That will be the day that America goes down the drain and don't kid yourself that it can't happen here. Our political leaders have set up the dominoes and they can all go down with a bang if somebody starts the reaction with one little push.

Mr. HOLLAND. Mr. President, I read one paragraph from that editorial for emphasis:

No one ever thought a city like New York would be all snarled up and helpless by the action of one union. Nobody ever thought the day would come when a fanatical labor

leader would tell a supreme court judge to "drop dead" on a national hookup but it has happened and we can thank the Congress and political bosses of the Nation who have brought it on through their coddling of labor over the years.

I hope Senators will read that paragraph closely and attentively, and with particular application to the Senate and to each of us.

If we continue to coddle labor unions and continue to take no notice of things like the New York strike, the munitions strike, the maritime strikes, the strikes at Cape Kennedy, and the strikes at other defense plants, we shall be doing exactly what this statement says. We shall be coddling labor.

So far as the senior Senator from Florida is concerned, he does not propose to coddle labor in that way; and he knows from letters he has received from many responsible labor representatives in his State that they would not expect him to coddle them in that way, because they believe it would be wrong to repeal section 14(b).

The second of the articles I ask unanimous consent to have printed at this point in the RECORD was published in the Orlando Evening Star and is dated January 6, 1966.

Mr. President, Orlando is one of our most rapidly growing cities. It knows something about growth. It is so attractive that Walt Disney and Roy Rogers are going to move to the nearby neighborhood with their new attractions.

The city is so attractive that it is growing by leaps and bounds, in the number of several thousand each month. It is becoming a very great city.

The article reads:

CAN ONE MAN KILL A CITY?

Mike Quill has proven himself to be an ignorant, arrogant and irresponsible labor leader. His illness doesn't change this apparent fact.

It would appear to be true also that his paralyzing strike of New York City's subways and buses not only does damage to the hard-pressed city and inconveniences the 15 million residents of the metropolitan area but it also does great injury to the cause of labor and further endangers labor's cherished right to strike.

Mike Quill's open contempt for a court order not only brought him a citation for civil contempt, but it also brands him as a lawless, irresponsible citizen who puts freedom itself in jeopardy by stretching freedom into a license to disrupt and kill a city.

His attitude is that of others in recent months who chose to practice principles which can lead but to anarchy. Like others equally irresponsible, Mike Quill flaunts a law he does not like and shows contempt not only for the courts but for his fellow citizens.

It is not necessary here to argue the merits or demerits of the demands for a 32-hour week and a 30-percent increase in wage rates, but presumption of a union leader to paralyze the Nation's greatest city through a strike of its vital transportation services, and in the face of a valid court order enjoining such a reckless act, is of concern to us all.

It would appear that our civilization is becoming entirely too complex for such an arrogant and irresponsible attitude as that shown by Mike Quill and his associates. In defying the court order, Quill said he would rather "rot in jail" than to call off the strike, and presumably he would rather see the city rot than to obey a court order which most will agree was both right and necessary.

Some concern must be shown for the businesses and taxpayers who make up the transit system's deficits and have been losing an estimated \$40 million a day. And some concern must be shown for the millions of citizens who depend on the system each day.

New York City itself is in deep trouble. This strike will certainly drive more people and more businesses out of the city. Today's business-killing taxes will go even higher to make up for the lost revenues from the new flight of business and industry.

One wonders if Mike Quill is trying to kill the once great and now sick Gotham. Some way must be found to stop such willful and irresponsible antics.

Mr. President, these are rather strong words. I use them as my own, as well as read them from the editorial. I think they are justified by what is being done.

I am sprinkling these articles pretty well all over our State because, while our State may not be entirely together on many things, such as reapportionment, it seems to be completely together on this point.

I have an article from the Tallahassee Democrat of Wednesday, January 5, 1966, entitled "Big City Frustrations." The article reads as follows:

BIG CITY FRUSTRATIONS

New Yorkers must be patient people, or case-hardened.

Here in recent months they've had a 25-day strike of major newspapers which cost them much in convenience and their merchants many thousands of dollars in lost business for lack of advertising space.

Then that still incomprehensible loss of electric power that paralyzed nearly all commerce and movement of the millions of people who live in that corner of the country.

Now there's the transit workers' strike which in defiance of State law and court orders has stopped city-owned buses and subway trains, leaving people without cars stranded and people with cars jamming the streets in their efforts to get around. The mayor appeals to people to stay home, so commerce again is disrupted.

Now all they need is a heavy snowstorm to make people wonder why they should live there and put up with all that when they could move to some quiet little town in the South or the West where a fellow can walk to work—or a fishing hole—in less time and with less energy output than it takes to catch a subway train.

We suspect that most of them have such a yearning even in normal times; but these strikes and breaks which have plagued them must make them wonder about the kind of trap they'd be caught in if the tie-up came by some malicious or subversive action instead of by the willful orders of little groups of neighbors and through innocent mechanical blunders.

It frightens us, and we don't even have to go to New York for a visit.

Mr. President, everybody has a hometown newspaper. In common with other Senators, I happen to have one. We have an extraordinarily good newspaper which is published twice a week.

Its publisher is a wounded veteran of World War II, with a very fine record. His editorial was published in the Polk County Democrat on Thursday, January 6, 1966, concerning the same subject, and is entitled "Not a Martyr, but a Tyrant." The editorial reads:

NOT A MARTYR, BUT A TYRANT

The television comedians are having a field day with the New York subway and bus strike. All the gags sound alike, the prin-

cipal one being that crime in the subway has been eliminated. On consecutive nights, Henry Morgan credited this feat to Labor Boss Mike Quill, and Sammy Davis, Jr., attributed it to Mayor John Lindsay.

The comedians, however, are the only persons benefiting from the disgraceful situation. New York merchants are estimated to be losing \$100 million a day; theaters are closing or facing the threat of having to fold; residents and visitors are walking interminable distances or getting caught in impossible traffic jams; the strikers themselves are losing income that they can never make up, whatever the final settlement of the dispute may be.

But the chief losers are the forces of law and order.

I emphasize the words from this young veteran: "But the chief losers are the forces of law and order."

I continue to read from the editorial:

It is impossible to tell from the news dispatches just what the differences are between labor and management. Consequently, the outsider has no basis for judging which party comes closer to having justice on its side.

The one crystal clear fact is that the strike was called, and is being continued, in direct defiance of a court order. For Mike Quill to consider himself more important than the mayor of New York is one thing; for him to rate himself and his union as superior to the law is quite another.

This is bald anarchy, and cannot be tolerated. Quill and eight of his fellow union officials have been jailed for contempt of court, it is true. Nevertheless, the buses and subway trains are not running, a mockery is being made of the court, and 8 million innocent bystanders are being penalized.

If Quill chooses to go to jail rather than to obey a court order, that is his privilege. But the blind obedience to his orders of the members of his union destroys a portion of the foundation on which this Nation is built—the rule of law, not of men.

Mike Quill may regard himself as a crusader and a martyr. He is not. He is a traitor to the law of his adopted country—the same law, incidentally, which made it possible for him to amass the tyrannical power that he is using so ruthlessly today.

Mr. President, I am proud of this editorial writer.

During the debate last October, I indicated that I had received several thousands of letters from citizens of my State, and that, of that number, perhaps hundreds—I did not count them—were from labor union members.

I stated that I had selected quite a number of them which I expected to read into the RECORD because the letters showed such a variety of reasons for labor union members favoring the retention of the right-to-work law and the defeat of this effort to repeal section 14 (b) of the Taft-Hartley Act.

Mr. President, since Congress convened this session, that flow of letters has again started. We have received several hundred additional letters. I notice that my clerk thinks that we have received several thousand already. My guess is that it is certainly several hundred, and, perhaps it may have already reached 1,000 or 2,000.

Quite a number of those letters have come from new correspondents, who state that they are labor union members, that they are aroused by what has happened, and that they do not want this bill to pass. They want the right-to-work

law to continue as a protection to them and to all workingmen.

I am not willing, of course, to put the names of the writers in the RECORD, or such other facts as might possibly identify the writer. I know to what length some of the irresponsible leaders of union labor would go in seeking punitive retaliation, but the letters are available in my office and any Senator can see them, subject only to the restriction they must not disclose who they are from.

The first letter I shall refer to is from Winter Haven, Fla., under date of January 24. The letter reads, in part, as follows:

The writer 76 years of age has been a supporter of organized labor for many years also a member at times of two different unions, one voluntary the other one forced.

I am asking your continued fight against the repeal of section 14(b) of the Taft-Hartley Act as I feel it is every man's right to work wherever there is a demand for his labor with or without union membership.

Mr. President, here is another one, from Brooksville, Fla., January 20, 1966:

Am and have been member labor union for 28 years. Think an individual should, however, have a right to make his own decision.

Here is a letter from Jacksonville, Fla., dated January 18:

I am a conductor on the ——— Railroad and have been for — years. I am a member of the Order of Railroad Conductors & Brakemen labor organization and have been a card-carrying member for many years.

I am concerned at the pressure that seems to be building up in the Congress to repeal section 14(b) of the Taft-Hartley Act which I understand would make it possible to force people to become members of labor unions, whether they approve of them or not. I strongly believe that every man should be able to join a labor union if he wishes to do so, but I feel equally strongly that it is not right to force anyone to belong to a labor union if he does not wish to do so. If section 14(b) should be repealed, it would mean that everyone would have to belong to a labor union as the price of holding a job and I think that is wrong. As it is now, the union officials know that they have to do the job right or the union will suffer. If membership in a labor union were compulsory, it would remove the incentive for labor leaders to handle union affairs honestly and in the best interest of the men they represent.

Another great objection to compulsory unionism is that the union leaders can take my dues and use them for political purposes which I oppose.

Many of my coworkers, who are also members of labor organizations, feel exactly as I do and I could get hundreds of signatures to a petition supporting these views.

Sincerely yours,

The next is from Jacksonville, Fla., dated January 22, 1966:

As one humble constituent I should like to voice my intense opposition to repealing the Taft-Hartley 14(b) right-to-work law. I am not in the habit of writing our elected officials but now I believe it is time for the people to stand up and fight for the rights our forefathers fought and died for. What is a free country if a man cannot work where he pleases, without being coerced into joining a union? Lately it seems as if unions have become all-powerful: witness the recent New York transit strike and even honest elected officials cringe before their power.

Even in my own job I am a member of a union, but I have never attended a meeting and never intend to. I am just a member in name only.

How much union is good? Very little it seems to me. Dishonesty and corruption abound. Our forefathers were able to work for themselves and their families without interference or restriction, and they were proud of their independence, as I am of mine.

Yours very truly,

This is from Eau Gallie, Fla. That is in the Cape Kennedy area. Incidentally, I have been to Cape Kennedy several times, and have talked to some of the workers. The picket lines by which many of them have been held away from their necessary jobs are an injury to them as well as an injury to our Nation, its defense, and its space exploration.

This letter from Eau Gallie, Fla., is dated January 24:

This is to express my opposition to the repeal of 14(b). I am a union member, and find that 90 to 95 percent of the people where I work are opposed to this repeal. We believe that the rank and file of working people are against repeal of 14(b). Hoping you will work and vote for the defeat of this amendment.

Respectfully,

Mr. President, those five letters out of the large number which I have received this year are from people who tell me they are labor union members, but who support the repeal of 14(b).

Before me are excerpts from some of the letters of that same kind which I received last summer and fall. Mr. President, these are selected from a much larger number. I have chosen letters which I thought were clearly expressive of the thoughts of the writer, and I shall read them into the RECORD at this time.

The first is from Miami, Fla., dated June 30, 1965. That was just before we took this matter up last year, Mr. President, but it was well known that it was to be taken up:

My husband asked me to write you and express for him his opposition to destroying the Taft-Hartley law which gives a man the privilege of living or not living a union man.

He has been a union man for almost 50 years yet he does not think anyone has the right to say a man cannot work unless he joins a union. Senator, we are moving very fast toward a dictatorial society which can destroy our form of government.

If this bill goes through I know my husband will never be voting for any man voting for either of these bills.

Mr. President, if there is anyone who does not believe there is any political powder in this issue, he might as well get it off his mind, because there is plenty of political powder in it, particularly in a State which thinks so much of the principle involved that it has put right-to-work provisions into its constitution.

The next letter is from Miami, dated May 25, 1965:

This is the first time that I have felt the necessity to write to you concerning my views on pending legislation before Congress. I am a registered Democrat, have always been a Democrat, and I believe in the democratic processes by which this country endures.

I am, however, quite disturbed at the moment on the pending legislation concerning

the repeal of section 14(b) of the Taft-Hartley labor law. I have not always felt this way but I believe and feel now that if this law is repealed, the freedom of the workingman will be abrogated. Let me tell you why I feel this way.

I had been a member of a labor union for 10 years—when I found out, however, that my union, after advocating and getting a substantial dues increase, was taking union funds and using them for dinners and beer parties, I protested bitterly. No satisfaction at all was given to me that this practice would cease; therefore, I had no other recourse but to leave the union. At the time this was the only form of protest that I had and this is the only real protest that many workers have regarding wrongs committed by the unions—now, this right is being taken from us. I feel that this is wrong morally, wrong legally, and is absolutely revolting to me. The right to belong or not to belong is the only wedge that a workingman has over those supposedly representing him.

It takes sagacious and prudent men to adequately debate the new laws emerging from the Halls of Congress and I feel that some are coming out roughshod over honest opposition and are not in the best interest of this land that we love.

You now know my feelings in this matter and you know why I feel this way. I urge you to consider very carefully this legislation and the immense power that it places in the hands of labor unions.

Thank you very much,

A letter from Miami, Fla., dated May 18, 1965:

As a union member, I believe every American should have the freedom to join a union, but not be compelled to do so.

Vote against repeal of section 14(b) of the Taft-Hartley Act.

Yours truly,

A telegram from Miami, Fla., dated August 3, 1965:

As a voluntary union member for 20 years I am violently opposed to the repeal of section 14(b) of the Taft-Hartley Act.

Vote accordingly.

Mr. President, the writer of the next letter is an airplane pilot whom I happen to know. I know many airplane pilots, having flown with them over the years and having been in close association with them. Let me say that his telegram uses exactly the same words as the one I have just read. This is the only point in my remarks where there is any duplication. It is dated August 4, 1965, from Miami, Fla., and reads as follows:

As a voluntary union member for 20 years I am violently opposed to repealing section 14(b) of the Taft-Hartley Act. Please vote accordingly.

Regards,

Letter from Miami, Fla., dated September 2, 1965:

I am a member of the * * * International Union. My wife and I have read with interest in the Miami Herald that you have plans to filibuster the 14(b) repeal.

We want you to know that we are in full support of this action. You have long been one of our admired leaders, and we wish you much success in this endeavor that means so much to our beloved country.

Thank you for your interest.

Very truly yours,

Letter from Miami, Fla., received June 1, 1965:

As a voter and a much concerned American I strongly urge you not to support the repeal of section 14(b) of the Taft-Hartley Act.

I feel that if this law is left on the books our country's free enterprise system will remain strong. Please sir, don't help to remove one of our basic freedoms to belong or not to belong to a labor union.

I am a union member and think this law is good for all Americans.

Sincerely,

Here is another letter from Miami dated June 27, 1965. It seems that we have quite a group of letters from Miami.

I would like to take this opportunity to voice my opinion concerning the proposed change in the Taft-Hartley Act. I am definitely against any change in article 14(b). Although I am a member of * * *, I think union membership should remain voluntary. No one should be forced to join any organization against his free will.

Unions are obligated to make their programs and aims attractive enough to secure membership. In my opinion, if this union obligation is removed by removing the right-to-work clause in the Taft-Hartley Act the individual union members will suffer in the long run. Therefore, I urge you to oppose this drive to change section 14(b).

Respectfully yours,

A letter from Miami, Fla., dated August 28, 1965:

I am enclosing a folder of very important and to the point editorials of newspapers around the country. They all stress the reasons why section 14(b) of the Taft-Hartley Act should be left as is.

In my statements to interested parties I gave all the facts why I got out of the union and believe me I got an extremely raw deal from Local * * * on the Florida * * * here in Miami.

I started with a utility company in Missouri in 1928 and the union was all company. It was understood you could not join, or attempt to organize a union, other than the company union. So you can see that was in essence a yellow-dog contract.

After company unions were outlawed by legislation I helped to organize an independent union on that property in 1937.

It didn't work out, so in 1945, we voted to accept the local —. I came to Florida in 1949 and transferred my union card to local — on the —.

After the raw deal by the union I stopped paying dues in 1963. I was accorded this privilege by the Taft-Hartley Act, section 14(b) and the right-to-work statute in our great and prosperous State of Florida.

My dear Senator, as you can see from the above, I don't want no part of local — and I urge you to vote against the repeal of section 14(b). If you have to join the Honorable Senators DIRKSEN and MANSFIELD in the planned filibuster to talk the measure down and out, please do so.

Good unions don't need compulsion and bad unions don't deserve it. Also, I would like to say that, "Americans should have the right but not be compelled to join a labor union."

I thank you for reading my letter and if you care to show it to your colleagues to help convince them the poor working Joe needs 14(b), I would appreciate it very much.

I am most sincerely yours,

I have tried to carry out his suggestion by reading it into the RECORD.

A letter from Chattahoochee, Fla. Chattahoochee is a place where the Seaboard and the Memphis & Nashville Lines join at the great Apalachicola River, just below the confluence of the Chattahoochee and Flint Rivers, which come in from the north.

The letter is dated May 27, 1965, and reads:

Since President Johnson has proposed to abolish the Taft-Hartley's section 14(b) I feel that it is necessary for me to write you and request that you fight with all your might to keep this 14(b) intact to protect the fundamental American rights.

I feel that the States have already lost too many of their rights, and this is one that the workingman cannot afford to lose.

We have a right-to-work law in the State of Florida but it is not strong enough, and should be improved.

I have been very displeased with a lot of things that have passed through the House and Senate for the past few years. The civil rights laws and so forth have not given the individual any rights. Instead, have taken his rights. In my way of thinking, we have almost run out of rights.

If you find time to answer this, I would like for you to tell me the difference in all of this and the other things the President has proposed is leading to, and the peoples rights under a Communist controlled country.

If the Government has half of the control of the people's rights and our union chiefs the other half, then what rights is left for the people?

I am an employee of * * * and have been for the past * * *, and a member of the Order of * * * for almost that long.

I have been under closed shop for the past several years and will be fired if I should choose to refuse to pay dues, or any assessments the union desires to place upon me. It is a lot different under closed shop. In short, an employee gets no more respect than a dog under closed shop.

After all is said and done, I still feel the need for employee unity, but our union chiefs will have to be held down to a level with industry.

It burns me up to hear one of the union chiefs say, we stand 100 percent for this or that, or we have a ninety-some-odd-percent vote for this or that, when I have doubts about a lot some of them say.

Yours truly,

A letter from North Palm Beach, Fla., dated July 12, 1965:

This is to urge you to vote to retain section 14(b). Let's continue to protect the right of choice of the individual worker. Protect this at all costs. So much individual liberty is being eroded away by the trend to a socialistic society.

I have been a union member, and I know from personal experience that a union that's worth its salt has no trouble in enlisting the workers to join and support it. And a union that's honestly performing a service to the workers retains the loyalty of those workers. Please keep it the responsibility of the unions to earn this support and loyalty.

Sincerely,

A letter from Miami, Fla., dated June 17, 1965:

Personally I think this labor bill they are passing "stinks" in my estimation. If labor ever gets control, this country will be shot to H—.

From my personal experience, I've had enough of the unions. You either have to pay to get a job, or be a friend of the big shots.

I have lived in Florida 33 years, having come here from Pittsburgh, Pa.

During the war, things were bad in Miami—no work. So I decided to go back to the old town, Pittsburgh, Pa.

I paid \$135 to join the union. I did some work out of town for about 5 weeks until I finished up the work and then tried to get work in Pittsburgh again, but nothing doing. I had a friend who was a foreman who wanted to give me a job, but I needed a referral card. I tried to obtain the card from the union so I could go to work, but nothing materialized for me although I went to the union office every day.

If they pass this law it sure will be tough on the workingman who hasn't any pull.

Very truly yours,

The next letter is from North Palm Beach, Fla., dated June 14, 1965:

In these times we are continually being bombarded with administration-backed demands of noisome minorities for their civil rights. It is distressing indeed to have the "high priest" of the Great Society, in order to repay the labor bosses for their support during the past election, demand that workers be robbed of their civil right to either join or not join a union as a condition of procuring or retaining employment.

We, in Florida, have been blessed, since 1944, with a right-to-work law, which law has had no adverse effect on either our economy or the workers themselves. According to U.S. Department of Labor statistics, Florida has during the past 10 years enjoyed a 57-percent increase in wages while the entire Nation only increased by 44 percent.

Perhaps President Johnson is unaware that nowhere else in the world is union membership compulsory except in Soviet Russia and her captive nations. I respectfully request that you will see fit to vote against repeal of the right-to-work section of the Taft-Hartley Act so that American workers may remain free from compulsory union membership, some of these unions actually being branches of the Communist Party, having been expelled from responsible labor organizations.

Sincerely yours,

P.S. I am an exmember of the * * * union, which is Communist controlled. I consider myself fortunate that I was able to drop membership from this subversive organization without loss of employment.

The next is from Sarasota, Fla., dated June 2, 1965:

As a former member of unions, which I had to join against my wishes, I very well know the meaning of sure disaster. I have seen a productive plant closed down because of a group of lazy individuals refusing to do a good day's work. I know what it is to see a town that was booming go to a ghost town because of this. I would not like to see it happen again, so I am writing asking you not to let this new union law go through.

Thank you.

The next letter is from Glen St. Mary, Fla., dated May 29, 1965. For Senators who may not place this interesting town, it is about 40 miles west of Jacksonville:

Please let me urge you to vote against repeal of section 14(b) of the Taft-Hartley law.

I am a * * * employee who has to pay union dues in order to keep my job. I believe in and support labor organizations but I am bitterly opposed to making membership in a union the first requisite for having a job.

Please vote to keep Florida's right-to-work law intact.

Yours truly,

The next is a letter from Hollywood, Fla., dated May 19, 1965:

The right to work is the inherent prerogative of every American and, in my opinion, every citizen of the world, without interference from any special privileged group.

As a citizen and a former member of a labor union I urge you to vote against the repeal of this section 14(b) of the Taft-Hartley Act.

Very truly yours,

The next one is from Lake Worth, Fla., dated May 18, 1965:

I trust you will give your earnest attention when the right-to-work bill amendment reaches you. I think the repeal of this law infringes on a man's constitutional rights, and he should be free to choose whether he should join a union or not.

I am a union man—have carried a card for over 30 years—but I think the law should stand as is.

Yours truly,

The next is a letter from Boca Raton, Fla., dated August 28, 1965:

I for one, having lived with labor unions for most of my working life and knowing how topsided this management-labor problem can get, I urge you to use every power at your command to thwart the repeal of 14(b).

Regardless of what Mr. Johnson pledged to the union chiefs, for patronage purposes, it is unjust to demand of all workers that they join a union to assure them a decent wage.

It's about time that the union pay their way in the plants and factories where closed-shop contracts exist. The companies deduct dues from payrolls at no cost to unions. Their committeemen and stewards use company time to conduct union business and get paid for union work by the company. There are many more irregularities and work stoppages but it seems that management cannot control such loss.

Please stand firm and vote against repeal of 14(b).

Respectfully yours,

The next is a letter from Crystal River, Fla., which is a small but interesting town on the west coast of Florida, north of St. Petersburg, about 80 miles, dated August 30, 1965:

I've belonged to the union since during the war, but I still think we need section 14(b) of the Taft-Hartley Act.

You have our (my wife too) support to help prevent its repeal. Thank you very much.

Yours sincerely,

The next is a letter from Cocoa, Fla., which also is at Cape Kennedy, dated August 22, 1965:

Even though I have been a union member and my father was the president of a local of the * * * for many years, I oppose the repeal of section 14(b) of the Taft-Hartley Act.

I do not believe legitimate union activity is hampered in States, such as Florida, which have right-to-work laws. I do believe the repeal of section 14(b) will have an adverse effect on individuals who do not wish to join unions.

I would also like to see the unions come under the same antitrust laws as other businesses.

Please vote against repeal of section 14(b) of the Taft-Hartley Act.
Sincerely,

Another letter from Margate, Fla., which is close to Fort Lauderdale, dated June 17, of last year:

I have been employed by _____ for _____ years and have been a member of _____ for _____ years. I'm for keeping 14(b) in the Taft-Hartley bill.

Very few of my fellow workers that I have talked to want a closed shop, those that are for the most part radical union members. Let's keep our right to work. You had my vote in the last election.

Yours faithfully,

A letter from DeLand, Fla., dated August 13, 1965:

This has been a year in which the rights of all individuals have legally been established. I hate to see the opposite happen in the labor field with the repeal of section 14(b) of the Taft-Hartley law.

I am a member of the _____; but I think it is the individual right of a person to join a union if he so desires, and not to join if that's what he prefers.

It will be regretful if all employees would have to join their respective unions involuntarily because that will be the beginning of union monopoly over their members; and believe me I have seen it happen.

As long as a union has to work and work hard to gain more members that means they are doing what the majority of the members expect them to do; when a union is permitted to forget about the need to recruit more members, or the right of a person or persons to resign as members of their respective unions; then the path is wide open for personal goals and ambitions to develop within the union governments. I think the best example of what I'm trying to say is the way our great democratic system of Government operates.

I have talked to many of my coworkers and they express the same feeling that the individual right of a person is to or not to join a given union.

Very truly yours,

A letter from Gainesville, Fla., dated May 24, of last year:

Debate has now begun on the President's call for the repeal of section 14(b) of the Taft-Hartley Act. What irony. The Chief Executive of the land presents himself before the television cameras and seemingly in the cause of freedom shouts, "We shall overcome," yet not too long after he demands that the Congress do away with what little protection a workman has from the dictatorial power of unionism.

If ours is truly a land of freedom, and after November 4, I have my doubts, then shouldn't a man be free to choose whether or not he wishes union representation without his right to earn a living being placed in jeopardy?

As a former member of a union I well recall the coercion, and intimidation that was used to keep the men in line. If this can occur in a State where a man is now protected by law what will it be like if this protection is removed?

I therefore humbly ask that as a representative of all the people of the great right-to-work State of Florida you cast a resounding "Nay" on the motion to repeal section 14(b) of the Taft-Hartley Act.

Respectfully yours,

Mr. President, I do not know how resounding it will be, but it will be cast.

A letter from Naples, Fla., dated June 3, 1965:

Having been a union member for some — years, and an employer of union people for — years, and knowing something of the problems of union and management, I am asking you to uphold section 14(b) of the Taft-Hartley Act and vote strongly against the repeal.

Very truly,

A letter from Hialeah, Fla., dated August 8, 1965:

After carrying a card in local — for — years, I was told by my shop steward and local president that I could only speak to union members, all nonunion, or exunion members were not to be spoken to.

I spoke to my president and told him that I had "freedom of speech" in the union, but I was notified that if I kept talking to these men that no one in the union would be allowed to talk to me. Since I believe in my rights I told the union that I was dropping out until they felt that I did have the right to "freedom of speech." Nine months have passed and the union still says it has the right to tell you who to speak to, if for no other reason than this I ask you to vote against the repeal of 14(b).

Thank you,

I read several more letters.

Letter from Ocala, Fla., dated July 29, 1965:

I want you to fight the repeal of section 14(b) of the Taft-Hartley with all your resources.

We have union representation here where I work, but several of our men and I withdrew last month. We got out because we just didn't believe in the way they were conducting themselves and spending our dues for things we don't believe in.

Please do all you can to see that we will be able to have this freedom of choice as the Federal Government is taking our freedoms one by one.

This is like telling me to join a certain church, that I don't want to belong to.

Thanks for your support.

Letter from Cocoa, Fla., dated August 10, 1965:

Please oppose the repeal of 14(b) Taft-Hartley Act.

I am a member of local — union. I feel we union men need protection from the union bosses.

Sincerely,

I call attention at this point to the fact that many of these letters were written in May, June, July, and August of last year at times when the act was pending in the House of Representatives before committees. Then, after it came to the Senate others were written, as will be indicated by the dates.

Letter from Hollywood, Fla., dated June 12, 1965:

May I urge you to give your uncompromising support to uphold and retain section 14(b) in the Taft-Hartley Act.

If we citizens are to retain any vestige of the old constitutional "life, liberty, and the pursuit of happiness," we must retain the liberty and freedom to work where we choose—without paying tribute to a tyrannical labor compulsion that is itself the free-loader it accuses opponents of having become.

Please help keep us free—from tyranny. Defend and support section 14(b).

Your grateful supporter,

P.S.—And I am a union member.

Letter from Jacksonville, Fla., dated September 7, 1965:

Mr. _____ and I are grateful to you for your opposition to repeal of section 14(b) of the Taft-Hartley Act.

Both of us were members of _____ before retirement, but we are both opposed to denial of the right to work when the financial gains are tremendous for persons of the caliber of labor's leaders.

So many curbs have been placed on what were once regarded as indisputable rights that to deny one the right to work without enforced tribute to any organization is almost inconceivable.

Sincerely,

Letter from Jacksonville, Fla., dated May 24, 1965:

I was vice president of the _____ union in _____ during _____. I know the inside working of unionism.

The Taft-Hartley Act is OK for honorable people.

The big bosses want more power over unions, while unions should be controlled, same as business, so that bad element cannot take over.

Unions are worse than business, because they are not controlled.

Unjust actions hurt not only business, but the public right to work is really unconstitutional, or it creates poverty.

A union member has no control of his money dues. One voice does not count among many persons.

Unions operate against God, country, and freedom. Big bosses have wasted and stole money.

John L. Lewis ruined the mines, plus the miners' jobs and upset the railroad and the economy of coal users.

Some miners have never yet got jobs. Convicts are heads of unions with lawyers to protect them. Hoffa, for instance. History is filled with accounts of misuse and abuse to the public and business.

Unions control Congress and the President in election funds a lot of the time. How can Congress and the President agree to repeal the Taft-Hartley Act?

Letter from Miami, Fla., dated June 22, 1965:

The repeal of section 14(b) of the Taft-Hartley would be a big mistake. I belong to a union and I think they serve a purpose. Using force to make people join a union is the beginning of the end of free choice. There is some inequality but complete equality is impossible because of the nature of people.

Without a choice of job there is no freedom. Don't let freedom of job choice go down union's drain. I feel sure you will give this matter your complete attention.

Sincerely,

Mr. President, I wish to call attention to the sincerity of these people, many of them unlettered, speaking from their hearts. There is no duplication of these letters except in the case of the two from airplane pilots, both of whom I happen to know. That is the only case of duplication. These letters are written from the hearts of the writers. Nearly all these letters are written in longhand. Some are not too easily read, which is

no reflection on anybody because I am told the same thing about my writing.

Letter from Miami, Fla., dated, June 6, 1965:

I sincerely hope that you will vote against the repeal of section 14(b) of the Taft-Hartley Act. Approximately 20 years ago I belonged to a union in * * * and not by choice. I attended meetings to get the card punched leaving as soon as possible thereafter. I've gone through life calling a spade a spade, and cannot see the good of an all-powerful labor movement sweeping this Nation and the world.

Walter Reuther would have us believe the Moscow system is AI, and I cannot see why he doesn't avail himself of the great opportunity of being a citizen of Russia. Our country didn't need labor unions years ago, and it doesn't need them now.

Why should a person pay dues to an organization that a ballot will give us free? I know of one case in a labor union election where the results were improperly reported, but the votes were conveniently destroyed. That evidence was given voluntarily; think what sleuthing could uncover.

A local union doing work on a local bank was to go on strike the following Monday. The regular work force was told "No work Saturday," but the officers in the union were on the job on Saturday, getting the overtime pay. The American people need more "backbone" and less "wishbone." Help to retain the few rights left to the States by the Constitution, being ever mindful that those are who you represent, and your office an elective one.

Sincerely yours,

Letter from Port Charlotte, Fla., received May 21, 1965:

I read in the paper here that Mr. L.B.J. is trying to repeal the section 14(b). I am not in favor with it. I was in the union * * * years because I couldn't get work in the company unless you did belong to it and I still think people should have a right to what they want to belong to. Take a look at the * * * company that was in the * * * and see how many have gone out of town because they couldn't do the things the union wanted. I was in the line that three of them closed and I was out of work a long time but I still had to pay my dues or I wouldn't get work at all. I think we are getting into a dictatorship. I hope not * * * I hate to think my boy is dying so we can have someone to tell us everything we can do and not do.

I hope you don't vote for it.

Letter from Merritt Island, Fla., dated June 14, 1965. That, too, is in the Cape Kennedy complex:

I understand that President Johnson will soon be delivering to Congress a request to repeal section 14(b) of the Taft-Hartley Act.

I understand that repeal of this section would make it unlawful for individual States to pass legislation or retain present legislation regulating organized labor and that organized labor would be regulated solely by the Taft-Hartley Act.

I believe in States rights and believe very strongly that States should have the right to pass legislation as necessary in bringing about orderly progress in their State.

I'm a member of organized labor and feel that organized labor is a must to bring to the working force a just compensation for their labors, but yet at the same time, I would not want organized labor to strip the States of these basic rights that are theirs and ours.

I ask you to vote "no" on repeal of section 14(b) of the Taft-Hartley Act.

Yours truly,

Letter from Clearwater, Fla., dated June 21, 1965:

As a citizen of the United States of America, a resident of the State of Florida, and a former charter member of an international labor union in * * *, founded in * * *, I wish to make known to the honorable body, of which you are a Member, the U.S. Senate, my objection to a bill pending, calling for the exclusion of section 14(b) of the Taft-Hartley law.

I heartily believe in the organization of honorable enterprises, as long as they benefit the individual member, without detriment to the nonmember individual. Our Government has been fighting inflation for 30 years, and during that period commodities as a whole have continued to increase in price, and the cost of living has advanced steadily, along with other various necessities of life, yet the millions, upon millions who are more or less on fixed incomes, are having a struggle to make both ends meet. By excluding section 14(b) in subject law, labor unions would have the power to raise wages at will, for no individual could work where labor had a called strike, therefore, in order to exist, the plant would have to succumb to labor's demands, and the fragile strings that are holding down inflation would snap asunder.

Please, Senator HOLLAND, try to kill that bill. May the good Lord bless your efforts.

Yours truly,

The next letter, from Miami, is dated January 6, 1965. I believe this is the earliest date of any that I have read:

It was with great pleasure that I noted via the news media today, that you had expressed your intention to oppose President Johnson in his effort to repeal section 14(b) of the Taft-Hartley bill.

I realize that President Johnson owes a tremendous debt to Messrs. Meany, Reuther, etc. However, with all the talk of civil rights today, I don't know what could be a greater violation of civil rights than to force a person to pay tribute to a labor union against their wishes. Especially so when this union can spend their money for political purposes that may be in direct contrast to the payees' views.

Let me say here that I am not a Republican, and have been a member of a labor organization for the past * * * years. I believe in unionism, but think that some curb should be put on the tremendous power that the individual leaders now have.

Belated congratulations on your recent election, and best wishes for the coming term.

Yours very truly,

The next letter is from Miami, Fla., and is dated August 16, 1965:

I certainly appreciate your opposition to the many extreme leftwing bills that have sailed through Congress. As the Great Society rolls on I can see nothing but a "Great Socialist America."

It seems that this administration has absolutely no respect or belief in the Constitution or in limited government. I especially appreciate your opposition to the repeal of section 14(b) of the Taft-Hartley law even though I belong to a labor group. I joined the * * * union years ago after being employed, but I believe that without 14(b) I may never have had an opportunity to secure my job.

Sincerely,

I read the following letter from Panama City, Fla., dated April 12, 1965:

Speaking as a union man belonging to a dozen unions, some of which are the Boiler-

makers, Ironworkers, Plumbers & Steamfitters, Chemical Workers, Building Trades Council, and others, I request your vote against the amendment which would repeal section 14(b) of the Taft-Hartley law. In other words, I would like to see the right-to-work law remain as it is.

Mr. President, the writer of this letter must be what we call a joiner, or a "jiner," in our country, because he has apparently joined quite a group of labor organizations. I continue to read from his letter:

I am for a man's right to join or not to join a union—I do not believe in compulsion. If a union cannot exist in a land of freedom then it is not good enough. This is the only weapon left that the laboring man has against the big union bosses. There is no difference between forcing a man to belong to a union in order to earn a living than forcing everybody to belong to one church or compelling them to buy their supplies at one place.

Enclosed you will find a newspaper clipping and a pamphlet which I helped get printed a few years ago. If you don't have time to read the pamphlet maybe one of your office force will.

Thanks for any consideration.

Sincerely,

I read now a letter from Miami, Fla., dated September 27, 1965:

I and, I know, a good many union members would appreciate your voting against the repeal of section 14(b) of the Taft-Hartley Act.

Section 14(b), is the last frontier between liberty or bureaucratic bondage for free working men of our great country.

Section 14(b) does not stop me from being a union member, but it does stop to some degree the bureaucratic union parasites from abusing my constitutional rights. Jimmy Hoffa is a perfect example and there will be more of them. I can assure you that I am a union member in good standing.

With kind regards and best wishes, I am Sincerely,

The following letter, from West Palm Beach, Fla., is dated September 27, 1965:

Just to leave you know that I favor a filibuster if necessary to prevent repeal of section 14(b).

I am a workingman and a member of a union and do not wish to force anyone to join against their will. I think the State should be allowed to outlaw the union shop.

Cordially yours,

The following letter, dated August 31, 1965, is from Tampa, Fla.:

I most heartily agree with your stand to uphold States rights and to uphold the right-to-work law and to block repeal of the same. I am enclosing clippings from local newspapers commenting on these, also on other matters of deep concern. In the event that a filibuster is brought into action these will make good reading material.

Mr. President, we are not without a full supply of such material, because the Florida newspapers have been so completely opposed to the repeal of section 14(b)—almost without exception. I think there are three exceptions in the State. As to the recent trouble in New York City and in the munitions factory, and elsewhere, I have heard of no newspaper in Florida that is not against that

kind of outlawry. I continue to read from the letter:

I am now * * * years of age and still working to pay my way. I believe in labor unions and hold a withdrawal card today. I started out as an apprentice boy in small machinist jobbing shop when I was * * * years of age, and all journeymen had to be union as the owner performed repair work in breweries, ice plants, leather tanneries, bakeries, and other industries, which were unionized and every outside contractor who done business with these businesses had to be unionized.

World War I, I enlisted in the U.S. Navy as a machinist mate. After the war we had a lot of merchant ships and no experienced Americans to man them. We had a lot of foreigners; Norwegians, Swedes, Greeks, British, and others who were given red ink licenses which were good until recalled at the end of the war.

I decided to help build a merchant marine and took an examination and received a second assistant engineers license. I was a member of local * * *. My union called a strike in 1921. I was a second engineer aboard a ship in New York and we received permission to sail the ship to—

Another port—

where we took on board a cargo of coal.

We sailed the ship to an anchorage at which place we were notified by the union to take the steam off of the boilers and join the strike. We had barely left the ship when another group from local * * * boarded the ship and sailed her. When I returned and reported at the union hall in * * * my union card was affixed with a loyalty stamp which I hold today for evidence. I was blacklisted all over * * *, I was not known in the union hall so I did not stand a chance for getting a job out of the union hall as I did not know the ropes. For a year and a half I walked from pier to pier and shipping agency to another until I finally landed a third assistant engineers job. Then along came the slump and many ships were laid up.

I then stayed ashore 5 years working as a stationary engineer and became a member of that union from then to withdrawal today. Unions have bylaws and constitutions, but they are no better than the men on the executive board, shop steward, and business agent. I and others have lost quite a few \$20.00 which we had to put up in order to bring charges against local union officials. During my life I have received only one job directly out of the union hall.

Generally chief engineers were exempted from having to go on strike, as they were supposedly in caretaker status for the interest of employer and union. Despite this fact I have been threatened, harassed with brass knuckles, lead pipe, and rubber hose, the throwing of bricks and other objects on board ship while passing through highway bridges.

The automobile union, also seafarers union kept their men in line with miniature baseball bats.

The Florida East Coast Railroad has been struck for 2 years or more and has been operating with so-called nonunion labor.

Cape Kennedy has been plagued with many "wildcat" strikes, presently the Merchant Marine strike. Locally, wildcat strikes at American Co., also Continental Can Co., Florida Steel Co., Dow Chemical Co.—with beatings, bombings, shotgun blasts at persons, also residences of employees and officials.

If everybody is forced to belong to a union, how are these persons that are expelled from a union or refused membership going to earn a livelihood? The railroad union said that they would take into membership all people now working on the East Coast Railroad.

How long do you think they would stay members, until they were expelled from the union.

President Johnson said he made a commitment. He should also be reminded that he has a commitment to every citizen of these United States and not just the union officials. It is about time the States were handed back their rights.

Trusting that the right-to-work law will remain in our State books for the sake of our country and all of us.

Respectfully yours,

I read a telegram from Orlando, Fla., dated October 5, 1965:

Entire family including several union members urges strong stand against repeal of States right-to-work laws. Beside need of States to adjust to local will and conditions the control by unions of jobs in closed shop use a frightening means of political coercion and involuntary support of political parties.

Regards,

I read a letter from Fort Lauderdale, Fla., dated October 6, 1965:

I refer to your letter addressed to Mr. * * * president of Local * * *, in which you advise that you will not support repeal of 14(b) of the Taft-Hartley Act.

As a member of Local * * *, but more as a citizen, I wish to commend you on your stand. Although I am a union member, I feel that repeal of this section is not in the best interests of freemen.

Thank you,

Mr. President, I think this letter points up something that I probably should have answered sooner. I have had inquiries from union men and from union officials both, and requests to go along with the repeal of section 14(b). I have given the same answer to those requests that I have to the others, because one cannot ride both sides of the fence on an issue of this kind. No Senator can or should try to be on both sides of the issue.

The question is: "Will a great centralized government take away the right of States to do what they found in their experience to be necessary to protect the freedom issue and the freedom to work of their own citizens?" I do not want to see our country reach the point at which such a strongly centralized government shall take charge of such a vital part of the life of our citizens. I am strongly opposed to the passage of the pending measure.

I next read a letter from Miami, Fla., dated October 5, 1965:

I am writing you to urge that you continue your fight to retain the States right-to-work law.

I am a union member but I believe this is a basic freedom that every man should decide for himself whether he wants to join a union or not.

I read a postal card from Dania, Fla., received on June 10, 1965:

I ask you, sir, to use your vote and influence others to vote against any repeal or change of section 14(b) of the Taft-Hartley Act.

I have been a dues-paying union member in the State of Florida for over * * * years, holding various offices within the union during this time. I feel that section 14(b) of

the Taft-Hartley Act should be left whole as is.

Thank you very much.

Very truly yours,

Mr. President, I have letters from other States. I do not wish to take the time to read letters from other States.

I ask unanimous consent that letters from Oklahoma City, Okla.; Kent, Ohio; Eugene, Oreg.; Pittsburgh, Pa.; Burlington, Wash.; Chicago, Ill.; and Thomasville, Conn., be printed at this point in the RECORD.

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

OKLAHOMA CITY, OKLA.,

September 27, 1965.

As a union member myself since 1952, please allow me to commend you for your stand against repeal of section 14(b) of the Taft-Hartley which would nullify all right-to-work laws. The union officials constantly try to portray rank and file union members as universally favoring "union shop" and repeal of all right-to-work laws. But such is simply not true.

On * * *, I wrote to the editor of a union newspaper in an endeavor to set the record straight and point out the fact that rank and file workers and union members do favor right-to-work laws and the open shop. Our own Oklahoma Council for Labor's Rank and File, Inc., being one of many proofs available. Please find herewith a Thermo-Fax copy of both my letter to the editor in question and also a current editorial from that publication revealing their complete bias against right-to-work laws and favor of repeal. Quite evidently my earlier letter had been completely ignored. Perhaps you may be able to utilize these points in your endeavor to debate the issue extensively when it comes before the Senate. Union members and rank and file workers like myself are counting on your help with extended debate in that congressional body to help ward off any repeal attempts there.

I certainly do feel that retention of 14(b) is a must for this year and subsequent years. It is the one remaining hope for many working people guaranteeing their freedom to work at the job of their choice without the compulsion of being forced to join and/or support financially a labor organization that more than oftentimes pursues political objectives and goals that are contrary to that member's wishes and conscience.

With respect to the contents of my letter to the editor of Labor, I wish to point out that although unbeknown to me at the time, union officials had already made arrangements to sign a union shop agreement with * * * management the very next day. This went into effect on * * *. The membership was not consulted this time as to whether they wanted a union shop or not. We simply received notice of its existence.

Sincerely,

KENT, OHIO,

September 6, 1965.

I am writing my thanks to you for making an all-out fight against the repeal of section 14(b) of the Taft-Hartley Law.

I am a union man of 20 years but I don't believe in compulsory membership in any organization and the repeal of 14(b) could well bring about the first organization in our country to force membership, because their jobs would be at stake when union shop contracts are agreed to.

The repeal of 14(b) would be a blow for tyranny and crooked labor leaders and their selfish desires.

Also the cause of the workingman is never really helped when the right to choice is eliminated.

The Taft-Hartley law which has been in effect since 1947 has impeded only the abuses of certain labor leaders and their fancy ideas of great power.

Quoting John S. Knight from the enclosed clipping, "the Taft-Hartley law has served our Nation well."

Good unions don't need compulsory membership, because they are and have been doing a good job for their members. Only those who want more money to spend on political maneuvers, which the rank and file membership has no control of, where and how this money is spent, are interested in the repeal of 14(b).

I personally believe the money from union dues should be used for bargaining for better contracts and if there is some left over, then the rank and file members ought to have more say and knowledge of how this money is to be dispersed by secret ballot.

I will close this letter praying that the Senate will exercise better sense than the House did on its handling of this vital matter.

If too much power is put in anyone's hands, then as history has proved in the past, the results are disastrous. Please read enclosed newspaper clipping.

Sincerely,

EUGENE, OREG.,
September 2, 1965.

We appreciate your efforts in the fight against repeal of 14(b), and feel very hopeful that you will succeed in saving this freedom for the American workingman.

We have paid union dues for years. Their right not to belong to a union must not be taken from others.

Keep 14(b).

Yours very truly,

PITTSBURGH, PA.,
September 15, 1965.

Thank you for your stand in the fight against the repeal of section 14(b) of the Taft-Hartley Act. My husband is a union member and is satisfied with the well-run union to which he belongs. But, we do not believe that the Federal Government has the right to force us to belong to any organization.

Please continue to fight. There are many of us who are with you and who thank God that there are still men in Washington like you to protect our rights.

Sincerely,

BURLINGTON, WASH.,
September 13, 1965.

I am writing to thank you for opposing the repeal of section 14(b) of the Taft-Hartley Act.

As a union member I want to express my appreciation of your stand on this issue. You are rendering a signal service to the country and especially to union members.

We and the whole country need your help in preventing the repeal of section 14(b). This is one of the few safeguards we have against further extension of the dictatorial power of the union bosses.

Yours very truly,

CHICAGO, ILL.,
August 26, 1965.

For some time I have been reading editorial arguments against 14(b) in the Midwest edition of Steel Labor which my wife receives compliments of the union. Also, day after day we have been reading what our local papers have had to say pro and con.

So far as this reading has only showed us, that unions are in love with their power, for example in the June 1, 1965, issue of Steel Labor, Mr. Germono explained: "That with the repeal of section 14(b) unions would be stronger, have more finances, and could devote more effort to the election of liberals to the Congress in the future," and needless to say, conservatives are in love with their power to do and say as they feel. So feeling that neither side was motivated by a genuine concern for the workingman, I've looked up all the Senators who failed to get either a very high or a very low COPE rating, hoping they might be more inclined to try and represent the workingman of America.

Now, as you can plainly see my letter goes begging your approval, so with that thought in mind here goes:

We say, repeal 14(b) with these amendments:

1. Grant exemptions from compulsory unionism to anybody whose religion is against it.

2. State that the use of union dues for political purposes be legally prohibited and drastically penalized.

3. Deny union shop contracts with unions whose officers had failed to file non-Communist affidavits.

4. State that union shop bargaining agents be verified by secret ballot elections, not by card check.

5. Ban strikes to gain union shop recognition.

6. A section that would prohibit union officials from disciplining members for exercising their legal rights to self-expression of individual political action.

Thanking you in advance for your careful consideration of this letter, and appropriate action.

Sincerely yours,

OKLAHOMA CITY, OKLA.,
October 5, 1965.

I am a lifelong Democrat and have been a member of an international labor union for almost a quarter of a century. Your opposition to repeal of 14(b) is right and just in that there are those among us who still value our personal freedom to choose our way over and above so-called economic security under the domination of union bosses. Please be assured that I am but one among many in the ranks of union affiliation who feels this way.

Regards,

THOMASVILLE, CONN.,
September 1, 1965.

I wish to express my gratitude and appreciation to you courageous Senators who are fighting to retain the provisions of section 14(b) of the Taft-Hartley Act. Please keep up the fight and help us retain some of the freedom that our union leaders and unthinking Members of the Congress are attempting to take from us.

Although I have been a union member all my life, and am at present the local chairman of my local, I know from bitter experience that it is possible for some unions and managements to conspire with each other and successfully deceive the National Railway Adjustment Board, our Federal court judges, and the Supreme Court of the United States.

Please, also do your best to defeat the attempt by our rail unions to pass legislation that would make all decisions of the National Railway Adjustment Board final and binding. The true facts of a dispute are very rarely presented to the Board, and no member of a rail union should lose his right to appeal an unjust decision.

Our President, Lyndon B. Johnson, talks a great deal about our servicemen fighting

for freedom in some foreign country but, at the same time, our legislators are attempting to take the freedom of the U.S. citizens away from them.

If I were given the opportunity to disclose how the company I work for, and a union official, successfully perpetrated a fraud against the Supreme Court, I would be happy to do so.

Keep up the good fight.

With deepest respect,

Mr. HOLLAND. Mr. President, I read a letter from Ormond Beach, Fla., dated September 29, 1965:

I write to urge your full support for the defeat of House bill 77 which seeks to repeal section 14(b) of the Taft-Hartley Act. Beyond the fundamental guarantees of the Constitution, I can think of few rights more precious than the right-to-work with or without union representation as the sole choice of the worker.

I once was forced to join a union to keep my job since New York State did not afford the individual the right-to-work guarantee. When the contract expired I was forced to go on strike or pay the union fine of \$15 to \$150 a day as provided by union bylaws and collectable in the courts. Needless to say I can't afford \$150 a day so I resigned, after 5 years of service with the company.

This example amply demonstrates the power unions already have and in my opinion they don't need any more. If a union has something of value to offer, then let them make their case solely on its merits and not with a repealed 14(b) as an added threat.

Please give your full support to the defeat of House bill 77.

Respectfully yours,

I read a letter from Delray Beach, Fla., dated October 2, 1965:

Don't give in to Johnson 14(b). We want our right-to-work laws. Sincerely speaking for three union men in our family who want unions kept voluntary, not compulsory.

I read a letter from Miami, Fla., dated October 7, 1965:

I said to myself, a year ago, I'd never write to a Congressman again, expressing my views on a subject, for it is merely a waste of time as Congress appears to be but a rubberstamp for the Executive anyway. They neglect their duty set forth in the Constitution and allow the President to run the whole show, even to a full-fledged war. Now, labor comes in for political pay and wants him to wreck section 14(b) of the Taft-Hartley Act. It is time Johnson got a good slap in the face and let him know where he should stand. I note with concern what labor has done to our maritime fleet the past season and at Cape Kennedy; and, for that matter everywhere.

Labor is led by a few bullies—the rank and file have no say. I know, I used to belong to the electrical workers union. I quit them because I could not stand to hear, night after night, our leader (the bully of the crowd) cuss and abuse our employer. We were very well treated and paid but he demanded more and still more.

Hope you few faithful to the people can save the bill.

Respectfully,

I read a letter from Miami, Fla., dated in October 1965:

Please do not repeal 14(b). Member of Local * * * AFL-CIO.

Mr. President, during the debate last year, I indicated that I had received numerous letters for and against the re-

peal of section 14(b). I stated at that time that I thought that the volume was approximately 10 to 1 in favor of the stand that I was taking.

This year—and I think this is a result of what has happened in New York and in the munitions factory strike and in the Cape Kennedy strike, and other similar strikes against the public interest and against the Nation—the volume of mail, while it is still tremendous, I am told by my office, is almost 50 to 1 in favor of my position. There is hardly a letter the other way up to now. We have been in session for less than a month, but that is the result to this date.

I call to the attention of my colleagues in the Senate that anybody is making a mistake if he overlooks the fact that there have been gross abuses in the handling of labor union industrial problems during the past few months, and that the unions have in many instances completely flouted the rights of the people and the public interest. Anyone is making a mistake who overlooks that fact and overlooks what I think is almost self-evident at this time.

The polls showed at that time, last fall, that there was no doubt that the majority of our people, nationwide, favored retention of section 14(b). My belief is that the majority now would be so great that it would not be at all comparable with the very satisfying majority that existed at that time.

Everywhere I go, I hear the same story, aside from the letters that I receive. In every place that I have been in my State, I hear the same story from people whom I know and from people whom I do not know. When they talk to me, they start by saying, "Senator, as you know, I have always been against you because the labor unions have been trying to get us to vote against you. I thought that others were wrong when they did not follow the union direction. However, Senator, I want you to know that I do not feel that way any more. I think that you are doing the right thing, and I think that many of the labor union leaders are doing the wrong thing."

In our State in particular an enormous impact has been exerted upon the thinking of our people because so many irresponsible strikes have been called at Cape Kennedy by many selfish leaders who want to make a showing and increase the hourly rate of pay from approximately \$4 to \$5 an hour, or higher. Some of them receive pay at rates which are even greater than that.

Mr. President, anybody who overlooks, at this stage, the fact that there has been a change in public opinion, and a very great growth in the number of the majority who wish to hold onto 14(b), particularly in the 19 States which have right-to-work provisions already, will have overlooked what I think is a clear fact at this time.

I received telephone calls from a number of people when I was at home during the recess, and even from a few since my return, all the way from Florida, to tell me that they are union men—some of them I have known as such—and that

they think there is so much at stake in this question that they wish to be on record as opposing the repeal of 14(b). They believe that it is a precious liberty, that it is a precious right that should belong to any American citizen, to choose to work where he is wanted and where his particular ability can be used to good advantage, by an employer completely willing to offer him a wage for which he is willing to work.

Mr. President, there is a great ground swell at the present time against this repeal bill and for the retention of section 14(b). I do not wish my well-intentioned friends in the Senate—we were almost evenly divided on this issue last October—to overlook what I think is so clear a showing of the present state of public opinion on this question, a state which has been occasioned by abuse in so many places, brought on by false leadership of union leaders who have led their membership to take action that was adverse to the public interest; adverse, in many instances, even to the defense of our country or to the quick and effective fulfillment of our space program, which is coupled to the defense of our country.

Mr. President, I am sorry I have kept the Senate so long. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RECESS UNTIL 10 A.M. TOMORROW

Mr. MUSKIE. Mr. President, if there is no further business to come before the Senate, I move, pursuant to the order previously entered, that the Senate stand in recess until 10 o'clock a.m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 10 minutes p.m.) the Senate took a recess, under the order entered on Thursday, January 27, 1966, until tomorrow, Saturday, January 29, 1966, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate January 28 (legislative day of January 26), 1966:

NATIONAL ENDOWMENT FOR THE HUMANITIES

Henry Allen Moe, of New York, to be Chairman of the National Endowment for the Humanities for a term of 4 years, to which office he was appointed during the last recess of the Senate.

POSTMASTERS

The following-named persons to be postmasters.

ALABAMA

Catherine R. Harper, Pine Hill, Ala., in place of M. W. Nuss, removed.

ALASKA

Jack W. Tripp, Fairbanks, Alaska, in place of W. G. Ollikainen, retired.

ARIZONA

Francis J. Splichal, Apache Junction, Ariz., in place of M. L. Porter, transferred.

Beverly J. Sullivan, Jerome, Ariz., in place of R. E. Lawrence, retired.

John M. Summey, Nogales, Ariz., in place of W. L. Bristol, retired.

ARKANSAS

Thomas M. Clevenger, Branch, Ark., in place of J. B. Turner, retired.

Robert R. Nix, Buckner, Ark., in place of C. C. Cook, retired.

CALIFORNIA

Harry E. Sumners, Artesia, Calif., in place of Allen Mullenburg, retired.

Roberta D. Wallan, Bieber, Calif., in place of P. Z. Watkins, transferred.

Harry H. McGannon, Cypress, Calif., in place of Ruth Pugh, retired.

Harold V. Thoren, Del Rey, Calif., in place of L. E. Crosby, retired.

Adeline A. Fitzgerald, Gasquet, Calif., in place of I. F. Symms, retired.

George R. Zeigler, La Mirada, Calif., in place of L. H. Criswell, retired.

Roger B. Knoblock, Lemoore, Calif., in place of M. M. Brown, retired.

Raymond J. Bonin, Lucerne Valley, Calif., in place of R. V. Ely, transferred.

Clyde R. Madden, Pomona, Calif., in place of J. H. Shewman, retired.

Helen A. Avery, Rough and Ready, Calif., in place of E. F. Ettleman, retired.

Cyril E. Pewtress, Jr., Santee, Calif., in place of C. F. Harritt, deceased.

Lola R. McCaffrey, Sierraville, Calif., in place of P. D. Hannon, retired.

COLORADO

Catherine A. Sanborn, Cascade, Colo., in place of L. P. Sanborn, retired.

CONNECTICUT

John R. Adamcik, Coventry, Conn., in place of H. F. LeDoyt, retired.

George F. Hudak, Monroe, Conn., in place of E. J. Carris, retired.

FLORIDA

Delma M. Pons, Citra, Fla., in place of H. F. Baker, deceased.

Margaret H. Ashley, Fern Park, Fla., in place of M. S. Warren, retired.

GEORGIA

Clyde C. Smith, Brunswick, Ga., in place of H. C. Vickers, retired.

Allen T. Lanier, Guyton, Ga., in place of Lois Horton, retired.

Earnest E. Trapnell, Lyons, Ga., in place of R. C. Rountree, retired.

Marjorie G. Sutton, Ocilla, Ga., in place of W. W. Sutton, deceased.

Kenneth O. Bidne, Senola, Ga., in place of H. D. Crook, deceased.

HAWAII

William H. K. Chang, Hana, Hawaii, in place of Minoru Tanka, retired.

IDAHO

Howard W. Buchanan, Moscow, Idaho, in place of H. C. Hansen, retired.

ILLINOIS

Jackie L. Floyd, Cisco, Ill., in place of E. L. Giesler, retired.

Robert F. Bennett, Chrisman, Ill., in place of M. M. Dalrymple, retired.

Marvin M. Van Dyke, Hopedale, Ill., in place of R. B. Diegel, deceased.

James H. Murphy, Loami, Ill., in place of Tom Cloyd, transferred.

John H. Stauthammer, Mapleton, Ill., in place of M. M. Kircher, retired.

James F. Orrison, Opdyke, Ill., in place of Clyde Marlow, retired.

Fred D. Naffziger, Rochester, Ill., in place of E. M. Thomas, retired.

INDIANA

Earl F. Ley, Clay City, Ind., in place of H. O. Storm, retired.

Charles L. Powell, Denver, Ind., in place of H. H. Harris, retired.

Larry D. Garrison, Kingsford Heights, Ind., in place of E. J. Laun, removed.
N. Artelle Lassiter, Windfall, Ind., in place of M. E. Martin, transferred.

IOWA

Floyd W. Forst, Bronson, Iowa, in place of R. E. Glann, retired.
Lester F. Behrends, Buffalo Center, Iowa, in place of A. C. Rank, retired.
Hebron L. Tilton, Carlisle, Iowa, in place of W. E. Rhoten, declined.
Harold W. Spohn, Carson, Iowa, in place of M. E. Coons, retired.
Rex E. Williams, Humeston, Iowa, in place of R. H. Aten, retired.
William J. Coen, Iowa City, Iowa, in place of W. J. Barrow, retired.
John M. Clifton, Mechanicsville, Iowa, in place of J. C. Houle, deceased.
Nyle F. Wegener, Walcott, Iowa, in place of L. E. Gasseling, retired.
Eugene A. Todd, Woodward, Iowa, in place of C. E. Boyles, retired.

KANSAS

Bob R. Donelson, Dexter, Kans., in place of A. C. Chambers, retired.
James G. Denton, Elk City, Kans., in place of D. L. Newkirk, transferred.
Lewis A. Goodwin, Florence, Kans., in place of W. S. Davis, retired.
Carlene F. Wendel, Ingalls, Kans., in place of E. M. Kortz, retired.
John B. Harris, Lawrence, Kans., in place of J. H. Parsons, deceased.
Lucille J. Lindh, Marquette, Kans., in place of R. E. Hultgren, transferred.
Fred G. Burenheide, Olpe, Kans., in place of M. L. Halstead, deceased.
Jean M. Beck, Riley, Kans., in place of Harold Goble, retired.

KENTUCKY

Sidney C. Taylor, Grayson, Ky., in place of W. L. Horton, removed.
Harold D. Lowe, Williamstown, Ky., in place of W. T. Webb, retired.

LOUISIANA

Grady W. Flowers, Bogalusa, La., in place of J. E. Foll, retired.
Earl Allen, Delhi, La., in place of M. W. Higginbotham, retired.
Lloyd G. Bouchereau, Donaldsonville, La., in place of T. O. Thibodaux, retired.
Rodney J. Meaux, Gueydan, La., in place of C. H. Bonin, retired.
Junius H. White, Jr., New Iberia, La., in place of V. J. Harry, retired.
Ida M. Bethel, Roseland, La., in place of L. E. Osborn, retired.

MAINE

Arthur R. Abbott, East Lebanon, Maine, in place of C. H. Moulton, resigned.
Robert L. Forbes, Pownal, Maine, in place of V. M. Snow, retired.

MARYLAND

Charles M. Potter, Jarrettsville, Md., in place of C. E. Burton, retired.
Virginia W. Heather, Maryland, Md., in place of A. H. Wyatt, retired.
Nancy B. Riggan, Rhodesdale, Md., in place of M. R. Bramble, deceased.

MASSACHUSETTS

James P. Welch, Great Barrington, Mass., in place of R. D. Adams, deceased.
Nelson T. Cotter, Hanover, Mass., in place of B. C. Downing, retired.
Peter S. Bobola, Housatonic, Mass., in place of J. S. Burnett, deceased.
Harold G. Sanders, Lancaster, Mass., in place of J. V. Malone, deceased.
John E. Murphy, Millis, Mass., in place of C. F. Germano, deceased.
Thaddeus A. Gumula, Ware, Mass., in place of E. F. St. Onge, retired.
Earle Blake, West Boyford, Mass., in place of B. P. Fryer, resigned.

MICHIGAN

Roger W. Stump, Athens, Mich., in place of F. E. Bauer, deceased.
Charles F. Pratt, Attica, Mich., in place of Belle Edwards, retired.
Mathew D. Hutting, Carson City, Mich., in place of J. D. Van Sickle, deceased.
Matthew Q. Harrar, Carsonville, Mich., in place of Oscar Zeigler, transferred.
Delia A. Bickham, Hessel, Mich., in place of Frances Lindberg, retired.
Donald L. Whalen, Niles, Mich., in place of C. H. Luth, retired.
Elmer E. Lehman, Stockbridge, Mich., in place of O. B. Powell, retired.

MINNESOTA

Leonard V. Lumphrey, Beardsley, Minn., in place of W. L. Taffe, retired.
Jerome E. Buhl, Dunnell, Minn., in place of C. W. Appelquist, deceased.
Anton E. Okerlund, Kelliher, Minn., in place of C. V. Thyren, retired.
Alfred M. Hanson, Nielsville, Minn., in place of Louis Rodal, retired.
Mathias Smith, Rockville, Minn., in place of R. H. Schneider, retired.
Ethel M. Bjorklund, Saginaw, Minn., in place of Walter Freudenberg, retired.
Evelyn M. Holmes, Watertown, Minn., in place of M. E. Herron, retired.

MISSISSIPPI

Lanie T. Huddleston, Heidelberg, Miss., in place of R. M. King, retired.
Kate H. Bishop, Moorhead, Miss., in place of W. O. Yeates, retired.
Aimee T. Knight, Soso, Miss., in place of H. E. Harper, retired.

MISSOURI

Harold L. Wagaman, Bogard, Mo., in place of S. K. Bartlett, deceased.
William A. Agers, De Soto, Mo., in place of T. R. Shell, retired.
L. B. Mabe, Jr., Princeton, Mo., in place of M. C. Hazelton, resigned.
Denver B. Newton, Van Buren, Mo., in place of E. R. Burrows, retired.
Charles L. Panke, Wentzville, Mo., in place of J. P. Cunningham, retired.

MONTANA

Arnold R. Aklestad, Bigfork, Mont., in place of F. B. Burchard, retired.
Edith F. Ray, Carter, Mont., in place of N. L. Ray, deceased.
Neil J. Boyd, Hungry Horse, Mont., in place of H. D. Howell, resigned.

NEBRASKA

Robert W. Goldenstein, Ingleside, Nebr., in place of J. D. Hubbard, retired.
William V. Ahrens, Minden, Nebr., in place of I. W. Newbold, transferred.
Edward H. Koso, Verdon, Nebr., in place of V. F. Knickerbocker, retired.

NEW HAMPSHIRE

Lewis G. Putney, East Andover, N.H., in place of John Wadleigh, Jr., deceased.
Walter P. Kretowicz, Keene, N.H., in place of C. F. Leahy, retired.
Hervy Tanner, Jr., Milton, N.H., in place of H. B. Pinkham, retired.
Richard A. LaPointe, New Durham, N.H., in place of I. N. Wentworth, retired.
Dorothy S. Quinn, South Lyndeboro, N.H., in place of E. D. Ross, retired.
William J. Wright, Twin Mountain, N.H., in place of H. J. Wright, deceased.
Joseph R. Little, West Swanzey, N.H., in place of M. M. Leger, resigned.

NEW JERSEY

Charles E. Osborn, Brick Town, N.J., in place of J. A. Latimer, deceased.
Robert E. Greenfield, Cape May, N.J., in place of T. A. Stevens, retired.
Michael J. Talnagi, Helmetta, N.J., in place of W. E. Lindstedt, removed.
John L. Dilworth, Princeton, N.J., in place of C. F. Murray, retired.

Floyd T. Pastuszak, Sewaren, N.J., in place of A. A. Mullen, retired.

Hermine B. Kuhl, Three Bridges, N.J., in place of Eva Case, retired.

NEW MEXICO

Edward N. D. Fitzgerald, Jemez Springs, N. Mex., in place of B. M. Mann, retired.

NEW YORK

Roger E. Mattis, Castorland, N.Y., in place of G. K. Woods, deceased.
James H. Blaney, Franklinville, N.Y., in place of L. R. Jones, retired.
Ralph E. Christoferson, Greenhurst, N.Y., in place of J. A. Johnson, retired.
Ralph G. Cascardo, Hicksville, N.Y., in place of H. C. Cotler, resigned.
James T. Duffy, Lake George, N.Y., in place of H. J. Smith, retired.
Edna C. McManus, Montrose, N.Y., in place of J. C. McManus, resigned.
Salvatore B. Aronica, North Boston, N.Y., in place of Georgia Massing, retired.
LeRoy F. Sawyer, Sidney Center, N.Y., in place of M. B. Belmont, resigned.
Richard M. Duquesne, Vails Gate, N.Y., in place of J. L. Phillips, retired.

NORTH CAROLINA

Virginia B. Pell, Cashiers, N.C., in place of G. H. Wright, retired.
Lewis A. Thompson, Jr., Franklinton, N.C., in place of H. C. Kearney, retired.
Joseph C. Dudley, Greenville, N.C., in place of J. K. Proctor, retired.
Joseph A. Cherry, Hamilton, N.C., in place of A. R. Ewell, retired.
Walton E. Swain, Plymouth, N.C., in place of J. C. Swain, retired.

NORTH DAKOTA

Rex L. Powell, Columbus, N. Dak., in place of E. J. Fay, retired.
Patricia A. McGillivray, Flaxton, N. Dak., in place of E. H. Krier, retired.
John L. Wacker, Pettibone, N. Dak., in place of A. J. DeKrey, retired.
Wallace M. Holte, Stanley, N. Dak., in place of W. E. Poulsen, retired.

OHIO

Jacob Pavkov, Barberton, Ohio, in place of E. L. Davis, retired.
Louise James, Beaver, Ohio, in place of A. L. Adams, retired.
Carl C. Tschantz, Cuyahoga Falls, Ohio, in place of H. M. Nicol, retired.
George W. Hogg, Galena, Ohio, in place of H. L. Bricker, resigned.
John R. Adams, Germantown, Ohio, in place of C. A. Emley, retired.
Lawrence W. Haynes, Hinckley, Ohio, Office established October 10, 1959.
Merle F. Andregg, Kent, Ohio, in place of O. A. Wolcott, retired.
C. Paul Anderson, Millersburg, Ohio, in place of A. L. Fair, retired.
Floyd E. Miller, Quaker City, Ohio, in place of C. S. Hendershot, retired.
Joseph L. Dennison, Springfield, Ohio, in place of H. A. Lannert, deceased.
Joseph F. Banaski, Tiltonsville, Ohio, in place of W. L. Aiken, retired.
Gilmer T. Davis, Jr., West Richfield, Ohio, in place of C. F. Seither, deceased.

OKLAHOMA

Thomas I. Mayfield, Binger, Okla., in place of J. H. Sellars, Jr., retired.
Estella George, Canadian, Okla., in place of O. W. George, deceased.
Donald R. Harrel, Leedey, Okla., in place of E. L. White, retired.
Melvin D. Skaggs, Shattuck, Okla., in place of V. A. Oates, retired.

OREGON

John H. Brader, Chemult, Oreg., in place of H. N. Brader, retired.
Esma G. Hoover, Kinzua, Oreg., in place of T. B. Hoover, deceased.

PENNSYLVANIA

Bruce L. Moore, Bear Lake, Pa., in place of E. L. Crowe, retired.
 Michael Kuzman, Columbus, Pa., in place of E. H. Blanchard, retired.
 Steve A. Gavorchik, Fairchance, Pa., in place of J. R. Wilson, retired.
 Harry E. Roubesh, Ford Cliff, Pa., in place of R. R. Walker, retired.
 Mary K. Hertzog, Lyon Station, Pa., in place of L. M. Kutz, retired.
 James C. Basler, Mill Creek, Pa., in place of B. R. Faust, retired.
 Herbert D. Snyder, New Bethlehem, Pa., in place of L. M. McCafferty, retired.
 Joseph L. O'Connor, Phoenixville, Pa., in place of J. D. Kane, Sr., transferred.
 J. Richard Hartman, Roaring Spring, Pa., in place of P. A. Martin, retired.
 Georgia R. Briggs, Roulette, Pa., in place of E. R. Dexter, retired.
 Louella J. Hanna, Spring Church, Pa., in place of Margaret Rosensteele, retired.
 Ralph J. Brooking, Starrucca, Pa., in place of L. S. French, resigned.

PUERTO RICO

Guillermo Martinez-Mateo Albonito, P.R., in place of M. C. Abraham, retired.
 Gerineldo Rivera, Cabo Rojo, P.R., in place of A. F. Irizarry, retired.

SOUTH DAKOTA

George J. Liegl, Burke, S. Dak., in place of C. S. Adams, retired.
 Dale U. DeNure, Flandreau, S. Dak., in place of C. H. Schyan, retired.
 Robert C. Uecker, Freeman, S. Dak., in place of A. A. Schmidt, retired.
 Lloyd G. Haarberg, Mission Hill, S. Dak., in place of A. I. Haarberg, retired.
 Henry G. Perron, Mobridge, S. Dak., in place of M. F. Broe, deceased.
 Stella M. Hammill, Ree Heights, S. Dak., in place of K. H. Speirs, retired.
 Lyle D. Lyons, Worthing, S. Dak., in place of E. K. Gayken, resigned.

TENNESSEE

James C. Troxler, Normandy, Tenn., in place of A. B. Wood, retired.
 Vera R. Beck, Wartburg, Tenn., in place of C. F. Schubert, retired.
 Mary G. England, Whites Creek, Tenn., in place of C. S. England, retired.

TEXAS

Travis W. Russell, Ackerly, Tex., in place of J. L. Rudeseal, transferred.
 Charlie L. Carter, Jr., Bon Wier, Tex., in place of R. L. Hext, retired.
 Calvin H. Davis, Brownfield, Tex., in place of W. C. Brown, retired.
 William D. Shepherd, Channing, Tex., in place of J. E. Clanton, removed.
 Norma J. Brown, Coynosa, Tex., in place of R. E. Brown, deceased.
 Douglas R. McGraw, Del Rio, Tex., in place of Raymond Ross, retired.
 Jewel L. Newbrough, Hargill, Tex., in place of F. C. Newbrough, retired.
 Elsie Joyce Rowe, Moscow, Tex., in place of W. C. Fancher, retired.
 Delbert F. Arndt, New Ulm, Tex., in place of B. H. Moeller, Jr., declined.
 Bernie M. Smith, Pantex, Tex., in place of M. N. Lemmons, retired.
 Richard T. Pawly, Pipe Creek, Tex., in place of M. M. Lewis, retired.
 Irene A. Yarbrough, Princeton, Tex., in place of J. R. Gantt, retired.
 Ward V. Hollingshead, San Angelo, Tex., in place of O. B. Fields, Jr., retired.
 John C. Gregg, Santa Anna, Tex., in place of J. L. Strother, Jr., deceased.
 Elmon J. Jacobs, Spearman, Tex., in place of D. H. Smith, resigned.
 Mary K. Herring, Whitarral, Tex., in place of C. B. Kenney, retired.
 Erna L. Boggus, Yancey, Tex., in place of George Helligman, retired.

UTAH

Francis E. Haskell, Payson, Utah, in place of Vernal Twede, retired.

VIRGINIA

Marcellus G. Carpenter, Barboursville, Va., in place of B. E. Utz, retired.
 Herman K. Williams, Galax, Va., in place of Fred Adams, retired.
 Muriel J. Horlander, Meherrin, Va., in place of F. J. Horlander, Jr., deceased.
 Clarence C. Haga, Pocahontas, Va., in place of M. R. French, retired.
 James H. Hale, Richlands, Va., in place of B. P. Lambert, removed.

WASHINGTON

Carol Stipek, Bothell, Wash., in place of W. A. Penn, retired.
 Horace C. Longanecker, Bridgeport, Wash., in place of Daun Ringer, retired.
 LeRoy LeDuc, Granite Falls, Wash., in place of H. A. Miller, retired.
 Gaynor S. Calvisky, Roslyn, Wash., in place of Thomas Woodward, retired.

WEST VIRGINIA

Charles E. Thompson, Sr., Amherstdale, W. Va., in place of Torrence Cook, deceased.
 Howard A. Payne, Belington, W. Va., in place of O. O. Baughman, retired.
 Henry E. Harkins, Buckhannon, W. Va., in place of C. R. Byrne, retired.
 Matthew M. Kinsolving, Cedar Grove, W. Va., in place of J. I. Knapp, retired.
 Freeda F. Sherrard, Inwood, W. Va., in place of E. C. Shroades, retired.

WISCONSIN

Burton W. Sauer, Arcadia, Wis., in place of E. E. Wiffler, retired.
 Duane D. Chapman, Ashippun, Wis., in place of D. E. Chapman, deceased.
 James W. Stellpflug, Galesville, Wis., in place of M. H. Jacobson, resigned.
 William J. Lee, Mellen, Wis., in place of H. V. Kenyon, retired.
 Harris P. Johnson, Osseo, Wis., in place of R. N. Fuller, retired.
 Arthur A. Pritzl, Park Falls, Wis., in place of D. F. Vicker, retired.
 Mary F. Crary, Rock Springs, Wis., in place of H. A. Wiseman, deceased.
 Francis J. Tachovsky, Sturgeon Bay, Wis., in place of J. C. Weitermann, retired.
 Paul R. Trauba, Theresa, Wis., in place of C. H. Bodden, retired.

SENATE

SATURDAY, JANUARY 29, 1966

(Legislative day of Wednesday, January 26, 1966)

The Senate met at 10 o'clock a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore (Mr. METCALF).

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

Our Father in Heaven: We meet these days to face many difficult problems, problems which require the best judgment and the highest spirit of understanding of which we are capable. We live in a time when all of us see as through a glass, darkly; we pray that Thou wilt take the dimness of our souls away. Take away the dimness that we impose upon ourselves with our prejudices and our preconceptions. Broaden and deepen our vision, so that we may see through rationalization, our own and

that of other men, to the heart of the problems we face, and that we may lift our eyes to Thee as the source of their solution.

We pray for strength to meet the challenges of the time.

In the name of Thy Son, Jesus Christ. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal be considered as approved.

Mr. FANNIN rose.

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

Mr. FANNIN. Mr. President, reserving the right to object, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. MANSFIELD. Mr. President, I am afraid the Senator objected too late.

Mr. FANNIN. Mr. President, I was on my feet addressing the Chair at the time the motion was made.

The ACTING PRESIDENT pro tempore. The Chair has ruled; however, the Senator from Arizona was on his feet and addressing the Chair.

Mr. MANSFIELD. Mr. President, I withdraw my request, and will state it again.

I ask unanimous consent that the Journal be considered as approved.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. FANNIN. I reserve the right to object, and I do object.

The ACTING PRESIDENT pro tempore. Objection is heard.

However, the Parliamentarian informs the Chair that, the Senate having met this morning on the expiration of a recess, the Journal will not have to be read.

REQUEST FOR ORDER FOR RECESS UNTIL 10 A.M. MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that upon completion of business today, the Senate stand in recess until 10 o'clock a.m. Monday, January 31.

Mr. ERVIN. Mr. President, I object. The ACTING PRESIDENT pro tempore. Objection is heard.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business, for action on five nominations, which I understand have been cleared on both sides.

The ACTING 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.

The ACTING PRESIDENT pro tempore. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.