technologies. Moreover, these technologies must often be substantially adapted to meet local needs and conditions—a process requiring not the mere skills of a copyist but creative scientific and technological imagination.

No one who has seen the festering social and political unrest in the poor two-thirds of the world—as I have seen it—can doubt the priority of helping to bring precious technological education to those who need it most.

Yes, there are an abundance of opportunities at home and abroad for our partnership. As President Johnson has stated:

"It is imperative for political science and physical science to advance together, and to grow together and to have mutual understanding of each other. The politician who closes his mind to science is a disservice to his people and his time. The same is true of the scientists who closes his mind to politics."

Let us, then, in today's discussions participate with open minds and in the knowledge that we are in the midst of an age when man possesses not only the power to destroy himself but, for the first time, to bring mankind's benefits to parts of the earth still living in darkness and hunger.

SENATE

THURSDAY, FEBRUARY 3, 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.

Rev. Edward B. Lewis, pastor, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

O Thou who dost give us the power of abundant ideas and ideals for great leadership, help us to follow the leading of Thy spirit.

The world is looking to this body of gifted servants for leading solutions. Be with them in the proceedings of this day. May they feel the presence of God as they sincerely seek to be responsible statesmen. Far beyond military might, our Nation becomes strong as we cultivate the arms of good will, trust, and enlightened minds.

Give to all the exhilarating thought that the world can experience moments when men shall learn to live together instead of dying in hopeless conflict. Show us the way and help us to walk in that way, we pray in the Master's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal be considered as approved.

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

ORDER FOR RECESS UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10 o'clock tomorrow morning.

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

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that before the pending question is laid before the Senate, there be a period for the transaction of routine morning business, with statements or speeches limited to 3 minutes.

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

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

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

A MEMORANDUM ON COMMITTEE MEETINGS DURING SESSION OF THE SENATE

Mr. MANSFIELD. Mr. President, yesterday the Senate discussed at some length the question of standing committees of the Senate meeting while the Senate was in session. Certain aspects of that discussion demonstrated that some of the questions raised were not covered by the Senate's precedents. It was suggested by the distinguished minority leader [Mr. DIRKSEN], and I joined him in that suggestion, that the Parliamentarian investigate the subject and prepare a memorandum for the enlightenment of the leadership.

I think the Senate as a whole will appreciate the elucidation of this memorandum and therefore I ask unanimous consent that it be printed in the RECORD at this point.

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

COMMITTEE MEETINGS DURING SESSION OF SENATE

Rule XXV, clause 5, reads:

"5. No standing committee shall sit without special leave while the Senate is in session after (1) the conclusion of the morning hour, or (2) the Senate has proceeded to the consideration of unfinished business, pending business, or any other business except private bills and the routine morning business, whichever is earlier."

The rule is clear and definite that no standing committee shall sit without leave while the Senate is in session with two specified exceptions. Committees may continue while the Senate is in session (1) during the morning hour, or (2) until the Senate has proceeded to the consideration of unfinished business, pending business, or any other business except private bills and the routine morning business—whichever is earlier. Consequently even following an adjournment when there is a morning hour under rule VII the time that committees may meet during the session could be much shorter than 2 hours if the Senate had proceeded to consider the unfinished business, the pending business, or any other business except bills and the routine morning business since the rule is put in the alternative.

Under the rule, once the period for meetings of committees after the Senate convenes has been terminated they may not reassemble while the Senate is sitting for the remainder of that day except by unanimous consent.

When the Senate convenes following a recess, technically the pending question or unfinished business is automatically the question before the Senate. A unanimous-consent agreement that the pending question or business not be put before the Senate until the transaction of routine morning business would allow committees to meet until such morning business under that agreement has been terminated.

The rule, of course, applies only to the standing committees or subcommittees thereof, and select committees and joint committees do not need leave to sit while the Senate is in session.

"Permission to sit while the Senate is in session includes all meetings whether for hearings or the transaction of business, and the leaders have expressed the view that any action by a committee while the Senate is in session, without its permission, is null and void." [1]

Leave is usually granted under unanimous-consent procedure. [2]

Under a decision by the Vice President (Mr. Barkley) in 1949, a motion to grant a committee leave to sit was held debatable and to be privileged business. This means that the motion can be made without being referred to a committee and would be in order any time a Senator could get recognition to make such a motion. Likewise, being a privileged question, it would not displace the pending business or pending question but would only suspend its consideration until such a motion to grant such leave was disposed of.

The rules of the Senate are completely silent as to the validity of a report filed by a committee which held its hearings while the Senate was in session. The rule merely stipulates that "no measure or recommendation shall be reported from any such committee unless a majority of the committee were actually present." (See sec. 133(d) of the Legislative Reorganization Act of 1946.)

Since the hearings are in no way a part of committee reports, a point of order would not lie against any report merely because hearings were held when the Senate was in session in the absence of any provision in the rule to that effect.

The question has been raised as to the enforcement of the rule against committees holding hearings while the Senate was in session. On one occasion the Senator from Oregon, Mr. MORSE, announced that he was going to make a point of order against paying stenographers who took down proceedings at hearings when the Senate was in session and without the Senate's permission. The issue was never brought to a showdown. The rule (sec. 134(a) of the Legislative Reorganization Act of 1946) authorizes standing committees or subcommittees thereof to hold hearings, require witnesses to attend and testify and make such expenditures ("not in excess of $10,000 for any committee in each Congress") [3] as it deems advisable. "Each such committee may make investigations

[1] See p. 180, Senate Procedure.

[2] See p. 180, Senate Procedure.

[3] This amount is modified from time to time by various resolutions adopted by the Senate authorizing committees larger sums.

into any matter within its jurisdiction, may report such hearings as may be had by it, and may employ stenographic assistance" with the compensation to be paid out of the "contingent expenses of the Senate" computed at such rates "and in accordance with such regulations as may be prescribed by the Committee on Rules and Administration, notwithstanding, and without regard to any other provision of law." This proviso of the Legislative Reorganization Act of 1946 concludes with: "The expenses of the committee shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman." There are no other contingencies involved as to the conditions under which payments are to be made.

Obviously if a committee meets without permission of the Senate, particularly in the light of recent discussion, it would be doing so in defiance of the Senate. The Senate, therefore, as the parent body, could take such action as it deemed wise.

A motion to permit a committee to meet while the Senate is in session, over a long period of time, would appear to be a suspension or change of the rules and would not be entitled to a privileged status, since the time element is not of the same significance as in the case of a 1-day leave for a committee to meet. Thus, such a motion involving the meeting of a committee for several days would be treated like any other resolution as far as procedure is concerned. If objection is heard to its immediate consideration, the resolution goes over for 1 day and would be laid down the next legislative day after the conclusion of the morning business. If not disposed of by 2 o'clock it would go to the calendar when there is unfinished business, subject to be brought up later on motion.

PRESIDENT'S INTERNATIONAL EDUCATION AND HEALTH MESSAGE—A BOLD AND IMPORTANT PROGRAM

Mr. MANSFIELD. Mr. President, the President has outlined in his international education and health message a bold and important program to improve the education and health of people in other countries as a contribution to building peace throughout the world.

International cooperation in education and health is part and parcel of our effort to eliminate illiteracy and disease which contribute to poverty and distress in many countries.

The President's message is evidence of our "good neighbor" policy of 1966. I hope that committee hearings will be held on the international health bill and the international education bill at an early date.

The President's program is endorsed by many outstanding leaders. The following expressions of opinion, which I ask unanimous consent to have printed in the RECORD at this point, indicate the strong support for the President's recommendations.

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

J. George Harrar, president, Rockefeller Foundation: "President Johnson's message to Congress today is both interesting and logical. His stress on assistance to education and training responds to the most desperate need in new and resurgent countries for trained people to staff public and private organizations responsible for orderly economic and social development. The proposed program could contribute significantly to the development of foreign institutions which have the academic capacity for preparing leadership at various levels for all aspects of national development. The plan, as presented, is broad and challenging, ambitious and complex. Its success will depend largely upon the skill with which it is organized and administered."

Grayson Kirk, president, Columbia University: "The best and most comprehensive program of support for international educational activities that has ever been devised."

Clark Kerr, president, University of California, Berkeley: "President Johnson's proposals to place increased emphasis on education as a tool to stimulate overseas development are among the most exciting ideas I have heard about in a long time. They testify to the realization that the most significant kind of development is developed human beings—adults and young people with an understanding of the broader world in which they live, an awareness of their own potential, and the equipment to fulfill themselves.

"The President's proposals will advance the cause of development abroad and will also bring new challenges and new excitement to the educational scene in the United States. I hope they will receive every consideration."

Pendleton Herring, president, Social Science Research Council: "The President's message presents a courageous and farsighted program that looks ahead to meeting problems of international relationships in most fundamental terms. Helping individuals in other countries to become better skilled, better equipped to deal with their own requirements, and better able to understand the modern world is the most effective form of foreign aid and the surest hope for a peaceful future. But there is nothing simple or easy in fulfilling the President's objectives. The goals are well stated; the challenge will arise in striving toward their realization."

James Perkins, president, Cornell University: "The new frontiers in international education which the President's message charts offer inspiration to universities and to professors here and abroad. They have the chance not only to know each other better as intellectual partners, but also to fulfill their responsibility to advance common human purposes in a common endeavor."

REPORT ON REAPPORTIONMENT OF APPROPRIATIONS

The PRESIDENT pro tempore laid before the Senate a letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that certain appropriations had been apportioned on a basis which indicates the necessity for supplemental estimates of appropriations, which, with accompanying papers, was referred to the Committee on Appropriations.

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. CARLSON:

S. 2865. A bill for the relief of Dr. Alfredo Hernandez; to the Committee on the Judiciary.

By Mr. JAVITS:

S. 2866. A bill to provide that future appointments to the office of Commissioner of Food and Drugs shall be made by the President, by and with the advice and consent of the Senate; to the Committee on Labor and Public Welfare.

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

By Mr. HOLLAND (for himself and Mr. SMATHERS):

S. 2867. A bill authorizing the Administrator of Veterans' Affairs to convey certain property to Pinellas County, Fla.; to the Committee on Government Operations.

By Mr. CURTIS (for himself, Mr. HRUSKA, Mr. HICKENLOOPER, and Mr. MILLER):

S. 2868. A bill to provide for an extension of Interstate Highway 29 into Nebraska, including a bridge; to the Committee on Public Works.

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

By Mr. MONTOYA:

S. 2869. A bill for the relief of Dr. Jose Enrique Diaz; to the Committee on the Judiciary.

By Mr. HILL:

S. 2870. A bill to amend the acts of July 1, 1944, and February 28, 1948, to provide that the Chief Medical Officer of the Federal Bureau of Prisons shall have the title of Assistant Surgeon General; to the Committee on Labor and Public Welfare.

By Mr. HARTKE:

S. 2871. A bill to amend Public Law 660, 86th Congress, to establish a National Traffic Safety Agency to provide national leadership to reduce traffic accident losses by means of intensive research and vigorous application of findings, and for other purposes; to the Committee on Commerce.

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

By Mr. BREWSTER (for himself, Mr. BARTLETT, Mr. COOPER, Mr. MCGOVERN, and Mr. PELL):

S. 2872. A bill to encourage private enterprise in the establishment and development of outdoor areas and facilities for public use, and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. HILL:

S. 2873. A bill to amend the Public Health Service Act so as to help train and otherwise provide professional health personnel for health work abroad, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. MORSE:

S. 2874. A bill to provide for the strengthening of American educational resources for international studies and research; to the Committee on Labor and Public Welfare.

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

By Mr. BASS:

S.J. Res.135. Joint resolution to request the President to designate the month of October as National Country Music Month; to the Committee on the Judiciary.

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

SENATE CONFIRMATION OF COMMISSIONER OF FOOD AND DRUGS

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill to require the advice and consent of the Senate before the President can appoint the Commissioner of Food and Drugs. Present law does not require Senate confirmation for this vital Federal post.

The Food and Drug Administration is concerned with promoting purity, standard potency, and truthful and informative labeling of consumer products covered by the Federal Food, Drug, and Cosmetic Act and other major laws which it administers. Twenty-five cents of every consumer dollar is spent for products made by FDA-regulated industries.

The FDA, in order to fulfill its vital functions, has some 4,600 employees and operated on a budget of more than $53 million annually. It is, as its new head, Dr. James L. Goddard, recently pointed out, "one of the hottest of the governmental hotspots."

Senate confirmation of the Commissioner of Food and Drugs would offer the Congress an opportunity to review FDA policies on testing of pharmaceuticals, on health standards and on other areas of consumer concern and to ascertain the viewpoint of the prospective Commissioner regarding these matters. While it may have been appropriate for a Commissioner not to have received a Senate confirmation when the Food and Drug Act of 1906 first went into effect in 1907 or when the Food and Drug Administration was created in its present form in 1930, the scope of the agency's responsibilities for the public's health have since so appreciably grown that the opportunity for Senate advice and consent should now be afforded.

Finally, I wish to stress that my introduction of this measure at this time is not in any way related to the appointment of Dr. James L. Goddard to replace George P. Larrick as Commissioner of Food and Drugs. At the time my bill was originally under study during the congressional recess, Commissioner Larrick had not indicated his intention to retire nor was it known that Dr. Goddard was being considered for a responsible Federal post.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). The bill will be received and appropriately referred.

The bill (S. 2866) to provide that future appointments to the office of Commissioner of Food and Drugs shall be made by the President, by and with the advice and consent of the Senate, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

EXTENSION OF INTERSTATE HIGHWAY 29 IN NEBRASKA

Mr. CURTIS. Mr. President, today I am introducing a bill relating to the Interstate Highway. I am pleased to say that Senator HRUSKA, Senator HICKENLOOPER, and Senator MILLER are joining me in this introduction. This is a small bill from the standpoint of our National Highways System. It is, however, very important to many Nebraskans in northeast Nebraska and to Iowans.

U.S. Interstate No. 29 is a north and south highway on the very west edge of Iowa in the vicinity of Sioux City, Iowa. This highway should be accessible to the people of northeast Nebraska because it is a national highway and 90 percent of the cost thereof has been paid by Federal taxpayers.

Northeast Nebraska is to a large extent denied access to this highway because of a bridge situation. At the present time there is only one bridge between South Sioux City, Nebr., and Sioux City, Iowa. This bridge is over 100 years old. It is totally inadequate to handle the traffic.

The immediate area in Nebraska which is involved is Dakota County. This is one of the fastest growing counties in Nebraska. The population has increased more than 63 percent in the last few years. A great deal of industry is moving in.

There will soon be opened a large meatpacking plant on the Nebraska side which will bring more people and will call for the accommodation of more traffic. Many of the feeders who will be selling their livestock to this new packingplant live on the Iowa side. There will be a flow of hundreds of trucks in this activity.

In the past, Sioux City, Iowa, has been the metropolis and South Sioux City, Nebr., and Dakota County generally have been regarded as nearby rural areas. All of the hospital facilities in that area are located in Sioux City, Iowa. From the standpoint of reaching the hospital, from the standpoint of the local traffic, from the standpoint of the commercial traffic that is increasing daily, and from the standpoint of civil defense, and all other public purposes—something must be done about this traffic situation in this area.

The proposal which we have made in our bill is that we add to the total Interstate System the sum of 2.4 miles. This would permit an additional turnout from U.S. Interstate 29 on the Iowa side and would extend the interstate westward for 2.4 miles across the Missouri River including the construction of a bridge to U.S. Highway 77. The location of this new strip of interstate highway, or this new spur of the interstate, whichever you call it, would be south of South Sioux City, Nebr., at a point where it would meet U.S. Highway 20 when its relocation is completed.

The purpose of our bill is to make this short strip of highway including the bridge and the cost thereof, a part of the Interstate Highway System and financed as such.

I believe that this approach is thoroughly justified. Northeast Nebraska and northwest Iowa are growing, thriving areas. The taxpayers there are paying their share of the cost of interstate highways all over the United States, yet they have no practical access to an interstate highway even though one is right in their midst. The building of this strip of highway including the cost of the bridge is absolutely essential to do justice to the taxpayers of that area involved. It is absolutely necessary in order to take care of the growing population of that area and the heavy traffic load.

I hope that our proposal can soon be a reality and that if the engineers have to make any changes in it, those changes will be such that it will still meet the objective and the need which I have discussed here.

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

The bill (S. 2868) to provide for an extension of Interstate Highway 29 into Nebraska, including a bridge, introduced by Mr. CURTIS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Public Works.

ESTABLISHING A NATIONAL TRAFFIC SAFETY AGENCY

Mr. HARTKE. Mr. President, yesterday in remarks which appear in the CONGRESSIONAL RECORD on page 1923, under the heading "Stop Murder by Motor," I noted that it was my intention to introduce today, at the same time that Representative JAMES MACKAY offers the same bill in the House of Representatives, a proposal to establish a National Traffic Safety Agency. We are offering that Hartke-Mackay bill today. Before concluding I wish to speak specifically about some of its features, but first I wish to call the attention of the Senate to some related developments.

Much of what I said yesterday centered upon the nationwide auto safety campaign which was launched yesterday in New York by the American Trial Lawyers Association, in which I hold membership. I became a member long before I became a Senator, since my legal practice was to a considerable degree centered in service as a trial lawyer. Having seen in that capacity the terrible results of some of the more than 12 million automobile accidents now occurring annually, I and other members of the association have formed a deep concern for traffic safety.

The New York Times today takes note of the inauguration of the trial lawyers campaign, which involved the active local participation of a volunteer panel of 2,000 members acting in their communities. Speaking at the launching of the campaign was our Senate colleague from New York [Mr. KENNEDY], whose excellent address on this occasion I shall shortly ask to have inserted in the CONGRESSIONAL RECORD.

President Johnson addressed a message to the association yesterday, in which he pledged his administration to "stop the slaughter, to replace suicide with sanity and anarchy with safety." Mr. Johnson also said:

> There is no excuse for 49,000 Americans killed, 3½ million maimed and injured, billions lost in property damage and manhours—all in the one frightening and tragic year of 1965.

The time has come when we must make war, to the fullest extent and without much exaggeration in the use of that phrase, on this curable scourge of death on the highway. That we can do so is shown by the excellent record of the State of Connecticut, which became a leader in the safe driving field under the administration of Senator RIBICOFF while he was Governor and which has never relinquished that leadership. I

commend the Senator for his continuing concern as evidenced in the Senate by the hearings which he is presently continuing as chairman of the Government Operations Subcommittee and as the author of S. 2231, which has features paralleling some of those in the Hartke-Mackay bill. The traffic accident death rate per 100 million vehicle miles of travel in 1964 was only 2.6 in Connecticut, which was matched only by Rhode Island. Two States had a rate three times as high, South Dakota at 7.9 and South Carolina at 8.

Mr. President, I submit that the difference is not due to any special defect on the part of residents of South Dakota or South Carolina. I have no doubt that they are every bit as anxious to reduce highway slaughter as I am, or as President Johnson, or Senator RIBICOFF and Senator KENNEDY and any other person. But without a single glance at the traffic code in these States, I can guarantee that it is inferior to that enforced in Connecticut. Obviously the same may be said of most States, including my own State of Indiana, where the figure stands in the middle range of 5.7 deaths per 100 million vehicle miles.

I suspect, Mr. President, that the greatest single block to improvement is the apathy which derives from acceptance of a situation we often feel is too complex and difficult for us to change. The President's Committee for Traffic Safety, whose latest report to the President was submitted under date of November 23, 1965, has been in operation for some 11 years. The November report indicates that a "deeper and more comprehensive study" resulting in new estimates shows:

> States, counties and cities should be spending $958 million annually more than they are now spending for this purpose (traffic safety).

Mr. President, the Nation is presently, and properly, focusing its attention upon our problems in Vietnam. Part of the discussion taking place deals with the proclaimed need for spending literally millions of dollars more on increased bombing in order to safeguard the lives of our men who are there. We do not begrudge these millions. Their lives are precious. It is right for the press to note in headlines when the crew of a plane or helicopter are wiped out in a crash.

But at the same time, we have never exercised the same concern, the same effort, the same expenditure, the same public notice and alarm, when persons are killed in traffic accidents. Unless the crash is spectacular, it will be noted on a back page in a brief mention, if at all. But this is as much heartache to the family of the victim as it is to the family of a marine killed in the jungles of Vietnam. Does it matter? Do we care? More important. Are we going to do anything about it?

This, Mr. President, is the crucial question. There is no doubt we are doing some things about it. But we are doing them in a piecemeal fashion, without conscientious and uniform application of the knowledge we have, the knowledge which could bring down the accident and death level throughout the entire Nation to a figure more nearly that of Connecticut. We need a systematic, thorough, and powerful drive. The American Trial Lawyers Association can help. The National Safety Council can help. A hundred other organizations, including such groups as the American Association of State Highway Officials, can help.

But up to this point we have not provided the one most powerful source of help which we can give in this war on highway murder by motorcar. That is the Federal Government, and it is within the power of us who sit in the Senate and the House of Representatives, and ours alone, to give. It is the great shame of the Nation that traffic deaths are the fourth highest of all causes of lives lost. Among young people it holds absolute first rank. The direct cost in money for highway accidents in a year is equal to the sum of nearly $9 billion spent in all highway construction in the same year. We spend a billion dollars, as Senator RIBICOFF has pointed out, on the safety of three men for a trip to the moon—but we do not spend even 1 percent as much to increase safety for our 190 million people as they collectively travel far greater distances in the course of every year—840 million miles in 1964. Eighty-two percent of commuting workers travel to their jobs by car; 78 percent of all families have automobiles; 23 percent have more than one automobile in the family. Because more cars on the road multiples, by a greater ratio than simple addition, the chances for accident—because there is a multiplier effect on opportunities for collisions—by 1972 total accident exposure will be 50 percent greater than in 1964. The challenge to us today is as great here as is the challenge in fields where we have already taken action for the future by the Federal Government—in air and water pollution, in urban development reorganization for the future, in moving vigorously toward better education at every level.

In presenting the Hartke-Mackay National Traffic Safety Act, Mr. MACKAY and I are attempting to focus and define the power and responsibility of the Federal Government in marshaling its forces for the necessary national leadership.

Like so many of the problems with which we deal on a national basis, the problems of traffic safety are not confined to the States and localities which have traditionally acted in this field with only slow and difficult correlation with one another. The driver who is licensed in Indiana does not confine himself to the highways of Indiana. Increasingly, on business and on vacations, he is an interstate driver. But if he were to have knowledge of all of the variants of the rules which apply at home, in order to be aware of and conform to the situation as determined in each foreign State and jurisdiction, he would need to become a walking encyclopedia of traffic regulations.

Our bill, among other things, provides an incentive to every State for the establishment of programs to meet Federal standards in the areas of driver education and licensing, motor vehicle inspection, accident reporting, highway signs, signals, and controls. Grants up to 30 percent for an approved State program would be based on a distribution directly related to the quantity of gasoline sold within the State. Regulations setting forth national traffic safety standards will be published in the Federal Register. There is authority for establishment of necessary laboratories and equipment for thorough study of the causes and prevention of accidents. There is a procedure specified whereby a manufacturer may show that his vehicles meet Federal standards and are entitled to be so proclaimed.

But rather than presenting every detail here, I ask, Mr. President, for unanimous consent that there may appear at this point a summary of the bill, followed by its full text.

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

SUMMARY OF THE HARTKE-MACKAY BILL TO ESTABLISH A NATIONAL TRAFFIC SAFETY AGENCY

Section 1. Short title: To establish a National Traffic Safety Agency to provide national leadership to reduce traffic accident losses by means of intensive research and vigorous application of findings.

Section 2. Findings and statement of purpose: (a) Congress finds that traffic accidents are a menace to the public health and welfare and that they cost the American people $9 billion and 50,000 lives last year, and that the factors which contribute to such accidents may be minimized or eliminated by a national effort; (b) it is the purpose of this act to reduce the extent of death, injury, and loss of property resulting from traffic accidents by providing the means for a concerted attack on the problem.

Section 3. Definitions.

Section 4. Establishment of the National Traffic Safety Agency and the Office of National Traffic Safety Administrator: The Secretary of Commerce will establish the Agency within the Department of Commerce and it will be headed by an Administrator appointed by the President with the advice and consent of the Senate.

Within the Agency a National Traffic Safety Center will be established to carry out research and make studies regarding the causes of traffic accidents and the most effective and practical means for improving traffic safety. The findings of the center will be used to establish national traffic safety standards.

Section 5. Establishment of a national traffic safety program and duties of the Secretary of Commerce: The program shall include conducting research and engineering studies, establishing national traffic safety standards, collecting and publishing statistics, maintaining library reference and public information services, publishing consumer traffic safety bulletins, promoting uniform State traffic and driver licensing laws, employing experts and consultants, negotiating contracts and making grants to outside firms to assist in the research of the center, and acting in concert with the States, local governments, and nonpublic institutions and organizations.

Section 6. Regulations prescribing national traffic safety standards will be published in the Federal Register not later than 6 months after the effective date of this act.

Section 7. Certification by motor vehicle manufacturers: Motor vehicle manufacturers may certify for labeling or advertising purposes that their new vehicles meet U.S. safety standards if they submit proof adequate in the judgment of the Secretary of Commerce.

Section 8. Grants to the States for a uniform traffic safety program: Grants to the States of up to 30 percent of the cost of traffic safety programs they establish are authorized, provided the State plans meet certain standards. State activities eligible for aid may include programs for the improvement of driver education and licensing, motor vehicle inspection, accident reporting, highway design and construction, and highway signs, signals and controls.

Section 9. Register of revoked licenses (already within the Department of Commerce).

Section 10. Transfer of motor vehicle safety functions from the General Services Administration (which includes the present GSA program which sets standards for federally purchased motor vehicles).

Section 11. Regular reports and recommendations to Congress.

Section 12. Payments (technical).

Section 13. Appropriations authorized (exact figures to be determined in committee).

S. 2871

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of July 14, 1960 (Public Law 660, Eighty-sixth Congress), as amended, is amended to read as follows:

"That this Act may be cited as the National Traffic Safety Act.

"FINDINGS AND STATEMENT OF PURPOSE

"SEC. 2. (a) The Congress finds (1) that traffic accidents are the major cause of death of young people and, next to heart disease, cancer and stroke, the principal cause of death and disability in the United States and are a menace to the public health and welfare; (2) that traffic accidents cause the American people direct financial losses each year in excess of $9,000,000,000 and seriously disrupt the economic life of the Nation and impede the orderly and profitable flow of commerce; (3) that many factors contribute to traffic accidents—such as the lack of uniform traffic laws, highway signs and highway design, and the lack of adequate standards of safety incorporated into motor vehicles—and that these factors may be minimized or eliminated by a national effort for traffic safety; (4) that the attainment of maximum traffic safety requires vigorous Federal, State, and local action and a national agency will assist in obtaining such action; and (5) that a national program must be enacted by the Congress in order to carry out its constitutional mandate to promote the general welfare and regulate commerce.

"(b) It is, therefore, the purpose of this Act to reduce the extent of death, injury, and loss of property resulting from traffic accidents by providing the means for a concerted attack on the problem through the establishment of a National Traffic Safety Agency headed by a highly qualified Administrator; the establishment of a National Traffic Safety Center which shall bring together public and private information and research; and through a National Program for Traffic Safety which shall seek to achieve a uniform national traffic safety environment by means of the vigorous application of knowledge as to the principal causes of traffic accidents, deaths and injuries.

"DEFINITIONS

"SEC. 3. As used in this Act—

"(a) the term 'motor vehicle' means any vehicle, self-propelled or drawn by mechanical power, designed for use on the highways except any vehicle designed or used for military field training, combat, or tactical purposes;

"(b) the term 'Secretary' means Secretary of Commerce; and

"(c) the term 'State' means a State, the District of Columbia, Puerto Rico, the Virgin Islands, and the Canal Zone.

"ESTABLISHMENT OF THE NATIONAL TRAFFIC SAFETY AGENCY AND THE OFFICE OF NATIONAL TRAFFIC ADMINISTRATOR

"SEC. 4. (a) The Secretary shall carry out the provisions of this Act through a National Traffic Safety Agency (hereinafter referred to as the 'Agency'), which he shall establish in the Department of Commerce. The Agency shall be headed by an Administrator who shall be appointed by the President, by and with the advice and consent of the Senate, and shall be compensated at the rate prescribed for level III of the Federal Executive Salary Schedule established by the Federal Executive Salary Act of 1964. The Administrator shall be a citizen of the United States, and shall be appointed with due regard for his fitness to discharge efficiently the powers and the duties delegated to him pursuant to this Act. The Administrator shall have no pecuniary interest in or own any stock in or bonds of any enterprise involved in (1) manufacturing motor vehicles or motor vehicle equipment, or (2) constructing highways, nor shall he engage in any other business, vocation, or employment. The Administrator shall perform such duties as are delegated to him by the Secretary.

"ESTABLISHMENT OF NATIONAL TRAFFIC SAFETY CENTER

"(b) The Secretary shall establish, within the Agency, a National Traffic Safety Center (hereinafter referred to as the 'Center'). The Center shall consist of such library, laboratory, research and testing facilities as may be necessary to examine every facet of the traffic accident phenomena in order to find the principal causes of traffic accidents and injury and to identify the most effective and practical means for their prevention.

"ESTABLISHMENT OF NATIONAL TRAFFIC SAFETY PROGRAM—DUTIES OF THE SECRETARY OF COMMERCE

"SEC. 5. In order to carry out the purposes of this Act, the Secretary is authorized to—

"(1) conduct research and engineering studies, including, among others, studies of pertinent laws and regulations, motor vehicle safety design, driver training, accident reporting, highway construction, and highway signs, signals, and controls designed to improve traffic safety and establish national traffic safety standards;

"(2) collect, interpret and publish data, statistics, and other information relating to traffic safety, establish and maintain library reference and public information services, and publish, on a regular basis, periodic consumer traffic safety bulletins for motorists;

"(3) promote and encourage the enactment of uniform State traffic and driver licensing laws and the uniform enforcement of such laws and encourage the several States to enter into interstate compacts promoting highway traffic safety as authorized by the Joint Resolution of the Congress approved August 20, 1958, as amended;

"(4) develop and establish national traffic safety standards pertaining to the various elements in the total traffic environment and certify compliance with such standards pursuant to the provisions of this Act;

"(5) employ experts and consultants, or organizations thereof to assist him in carrying out his functions under this Act, as authorized by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), compensate individuals so employed at rates not in excess of $100 per diem, including travel time, and allow them, while away from their homes or regular places of business, travel expenses (including per diem in lieu of subsistence) as authorized by section 5 of such Act (5 U.S.C. 73b–2) for persons in the Government service employed intermittently, while so employed;

"(6) negotiate contracts with, or make grants to, educational institutions, scientific organizations, and industrial and engineering firms;

"(7) to the maximum extent practicable act in concert with the several States, local governments, and nonpublic institutions and organizations;

"(8) issue necessary regulations and reports authorized by this Act; and

"(9) take such other actions as he determines will promote traffic safety in the United States.

"NATIONAL TRAFFIC SAFETY STANDARDS

"SEC. 6. (a) The Secretary shall establish, and publish in the Federal Register, not later than six months after the effective date of this Act, regulations prescribing national traffic safety standards.

"(b) The standards shall be effective on the date specified in the regulations.

"CERTIFICATION BY MOTOR VEHICLE MANUFACTURERS

"SEC. 7. (a) Any manufacturer of motor vehicles may certify for labeling or advertising purposes that new motor vehicles of such manufacturer meet United States traffic safety performance standards for new motor vehicles if such manufacturer submits proof adequate in the judgment of the Secretary that the new motor vehicles of such manufacturer comply with the relevant national traffic safety performance standards prescribed pursuant to this Act.

"(b) The Secretary shall by regulation prescribe the time and manner of submitting proof required for certification under this section.

"(c) The Secretary may prescribe an appropriate mark or symbol for use by such manufacturers who comply with the national traffic safety standards prescribed pursuant to this Act.

"GRANTS TO THE STATES FOR A UNIFORM TRAFFIC SAFETY PROGRAM

"SEC. 8. (a) The Secretary is authorized in accordance with the provisions of this section to make grants to the States to pay up to 30 per centum of the cost of the establishment or expansion of State programs for improving highway traffic safety.

"(b)(1) From sums appropriated pursuant to section 12 of this Act for such fiscal year, but not to exceed $—— of such appropriation, the Secretary shall allot $—— each to Puerto Rico, the Virgin Islands, and the Canal Zone and he shall allot to each State an amount which bears the same ratio to the remainder of such sums as the amount of gasoline sold in the State in the preceding calendar year bears to the amount of gasoline sold in such year in all States.

"(2) The amount of any State's allotment under this subsection for any fiscal year which the Secretary determines will not be required for such fiscal year for carrying out the State plan (if any) approved under this section shall be available for reallotment from time to time, on such dates during such year as the Secretary may fix, to other States in proportion to the original allotments to such States under this subsection for such year, but with such proportionate amount for any of such States being reduced to the extent it exceeds the sum the Secretary estimates such State needs and will be able to use for such year for carrying out the State plan; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced.

"(c) A State's allotment may be used in accordance with its State plan approved under this section for new or expanded traffic safety programs.

"(d) Any State desiring to receive its allotment of Federal funds under this section shall designate or create an agency which is specially qualified to administer such a traffic safety program, and shall through such agency, submit a plan which shall—

"(1) set forth a comprehensive and detailed State plan for a new or expanded traffic safety program which may include programs for the improvement of driver education and licensing, motor vehicle inspection, accident reporting, highway design and construction, and highway signs, signals, and controls;

"(2) agree to accept and apply the national traffic safety standards promulgated by the Secretary pursuant to this Act:

"(3) contain assurances that the State will pay from non-Federal sources the remaining cost of such program;

"(4) contain satisfactory evidence that the agency designated for the purpose of this section will have authority sufficient to carry out such program in conformity with this section;

"(5) provide such fiscal control and fund accounting procedures as the Secretary deems necessary to assure proper disbursement and accounting of Federal funds received under this section;

"(6) provide for making such reports in such form and containing such information as the Secretary may reasonably require to carry out his functions under this title, and for keeping such records and for affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports, and

"(7) set forth such further information as the Secretary may by regulation require.

"(d) The Secretary shall approve any State plan, or any modification thereof, which complies with the provisions of the preceding subsection.

"REGISTER OF REVOKED LICENSES

"SEC. 9. (a) The Secretary shall establish and maintain a register containing the name of each individual reported to him by a State, or political subdivision thereof, as an individual with respect to whom such State or political subdivision has terminated or temporarily withdrawn an individual's license or privilege to operate a motor vehicle because of (1) driving while under the influence of intoxicating liquor, or (2) conviction of a violation of a statute of a State, or ordinance of any political subdivision thereof, which resulted in the death of any person. Such register shall contain such other information as the Secretary may deem appropriate to carry out the purposes of this section.

"(b) The Secretary shall, at the request of any State, or political subdivision thereof, furnish such information as may be contained in the register established under this section with respect to any individual applicant for a motor vehicle operator's license or permit in such State or political subdivision.

"TRANSFER OF MOTOR VEHICLE SAFETY FUNCTIONS FROM THE GENERAL SERVICES ADMINISTRATION

"SEC. 10. (a) The functions of the Administrator of General Services under the Act entitled 'An Act to require passenger-carrying motor vehicles purchased for use by the Federal Government to meet certain passenger safety standards', approved August 30, 1964, are transferred to the Secretary of Commerce.

"(b) All personnel, property, records, obligations, commitments, and unexpended balances of appropriations, allocations, and other funds, which the Director of the Bureau of the Budget determines are used primarily with respect to any function transferred under the provisions of this section, are transferred to the Department of Commerce.

"(c) All laws relating to any agency or function transferred under this section shall, insofar as such laws are applicable, remain in full force and effect. Any transfer of personnel pursuant to this section shall be without change in classification or compensation, except that this requirement shall not operate to prevent the adjustment of classification or compensation to conform to the duties to which such transferred personnel may be assigned. All orders, rules, regulations, permits, or other privileges made, issued, or granted by any office or agency in connection with any function transferred by this section, and in effect at the time of the transfer, shall continue in effect to the same extent as if such transfer had not occurred, until modified, superseded, or repealed. No suit, action, or other proceeding lawfully commenced by or against any agency or officer of the United States acting in his official capacity shall abate by reason of any transfer made pursuant to this section, but the court, on motion or supplemental petition filed at any time within twelve months after such transfer takes effect, showing a necessity for a survival of such suit, action, or other proceeding to obtain a settlement of the questions involved, may allow the same to be maintained by or against the appropriate agency or officer of the United States.

"(d) The provisions of this section shall be effective after ninety days following the date of its enactment.

"REPORTS AND RECOMMENDATIONS

"SEC. 11. (a) The Secretary shall prepare and submit to the President for transmittal to the Congress at least once in each fiscal year a comprehensive report on the administration of this Act.

"(b) In the annual report to be submitted by June 30, 1967, the Secretary shall make such recommendations for additional legislation as he deems necessary to promote cooperation among the several States in the improvement of traffic safety and to strengthen the national traffic safety program.

"PAYMENTS

"SEC. 12. Payments of grants under this Act may be made (after necessary adjustment on account of previously made underpayments or overpayments) in advance or by way of reimbursement, and in such installments and on such conditions as the Secretary may determine.

"APPROPRIATIONS AUTHORIZED

"SEC. 13. There are hereby authorized to be appropriated $100,000,000 for the fiscal year ending June 30, 1967, $150,000,000 for the fiscal year ending June 30, 1968, $200,000,000 for the fiscal year ending June 30, 1969, and for each fiscal year thereafter only such sums as the Congress may authorize by law."

Mr. HARTKE. Mr. President, I agree completely with President Johnson's statement yesterday that our gravest problem, second only to the war in Vietnam, is "the shocking and senseless carnage" of our highways. I am glad that he has also announced that he intends to propose a comprehensive bill "to arrest the destruction of life and property on our highways." There is room for the most constructive thought and the most comprehensive proposals which can be presented for our consideration. The important thing is that the appropriate consideration be given to them, and as soon as possible.

Mr. President, I ask unanimous consent that the text of the remarks of President Johnson prepared for the American Trial Lawyers Association yesterday in New York may appear in the CONGRESSIONAL RECORD, and that the text of the address delivered on the same occasion by Senator KENNEDY of New York may also appear at the close of these remarks.

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

(See exhibit 1.)

Mr. HARTKE. Mr. President, I would call particular attention to the analysis presented by Senator KENNEDY, which presents the stark outlines of the present situation and which notes the need for such legislation as the Hartke-Mackay bill can provide. Among other things, he has pointed out that for every 10 billion miles traveled by train 5 passengers die; that 13 die for every 10 billion miles in buses, and 14 in airplanes—all vehicles which are under Federal regulation either by the Interstate Commerce Commission or the Civil Aeronautics Board.

But automobiles—

As the Senator notes—

are not subject to any Federal regulation. And 570 passengers die for every 10 billion miles traveled by car.

It is the hope and the aim of Representative MACKAY and myself, and of those of our colleagues who will join in and support this bill, that we will be able in the near future to change this tremendous contrast, to lower the figure to a more reasonably close comparison, to put our knowledge to work by Federal stimulation in a great crusade, and to give the kind of attention needed to the war of the highways on the homefront as well as to the war of the jungles in Vietnam.

EXHIBIT 1

MESSAGE FROM THE PRESIDENT TO THE MEETING OF THE AMERICAN TRIAL LAWYERS ASSOCIATION, NEW YORK CITY

My message to the American Trial Lawyers Association is simple and urgent—We must stop the slaughter on our highways.

I applaud your dedication to this vital task. I share your sense of sharp anxiety and deepening concern. You and I know that the gravest problem before this Nation—next to war in Vietnam—is the death and destruction, the shocking and senseless carnage, that strikes daily on our highways and that takes a higher and more terrible toll each year.

It must stop. There is cause for sacrifice in Vietnam. There is no excuse for suicide at home.

There is no excuse for 49,000 Americans killed—3½ million maimed and injured—billions lost in property damage and man-hours—all in the one frightening and tragic year of 1965.

There can be no excuse for a nation that tolerates such anarchy on wheels. It is anarchy when each week nearly 1,000 of us die in auto accidents and when 70,000 more are crippled or hurt.

Since 1960, 1,675 Americans have been killed in Vietnam fighting Communist aggression. But the number of Americans killed on the highways in 1965 alone was more than 30 times greater. It is time we started doing our homework.

There is no excuse for a country—and no future for a people—that continues to ignore the mounting weight of evidence.

It is a fact that 605,000 Americans have died in all wars from the Revolution to Vietnam—190 years—while 1½ million Americans have died on our highways in only 25 years.

It is a fact that if we continue at our present suicidal rate, half of all Americans will one day suffer death or serious injury on our highways.

It is a prediction, on official Government estimate, that our death toll may exceed 70,000 each year within the next decade.

I accept the facts. I refuse to accept the prediction. This administration has moved and will move to stop the slaughter—to replace suicide with sanity, and anarchy with safety.

The existing Federal-aid highway program gave new and high priority to the elimination of dangerous highway locations. Some 39 States have already spent $55 million on such projects, of which $26 million was provided by the Federal Government.

But more—much more—remains to be done.

I will shortly propose a comprehensive Highway Safety Act of 1966 to arrest the destruction of life and property on our highways.

I want to encourage your organization to carry the crusade for highway safety to every State, community, and individual. Your constant and constructive efforts have already achieved much. Now, together with every American of sense and conscience, we can and must achieve more.

LYNDON B. JOHNSON.

ADDRESS BY SENATOR ROBERT F. KENNEDY, AMERICAN TRIAL LAWYERS ASSOCIATION, WALDORF ASTORIA, FEBRUARY 2, 1966

Alexis de Tocqueville once said that no republic could hope to exist "if the influence of lawyers in public business did not increase in proportion to the power of the people." That judgment has been upheld by time—as each generation of American lawyers exercised new leadership to face the new problems of its own day.

Now you of the American Trial Lawyers Association have an opportunity and a responsibility to lead the way in solving what President Kennedy called "perhaps the greatest of the Nation's public health problems."

And your efforts—your public statements and your publications, the very fact of this meeting today—show that you are in the best of the tradition of which de Tocqueville spoke.

The problem of which I speak, of course, is the tragic toll on our highways.

In 1965 alone, 50,000 Americans died in automobile crashes; 150,000 were permanently crippled.

Since 1900, over a million and one-half Americans have died in motor vehicle accidents—more than twice as many as have died in all the battles the Nation has fought since 1776.

Every week, more Americans die on our highways than have died in Vietnam in a year of combat.

The extent of the damage grows every year.

By 1975, it is estimated that 100,000 Americans will lose their lives in traffic accidents every year.

Every year, the danger of driving a mile on our roads increases.

No one is safe, no one is protected; for the very structure of our society is founded upon the automobile.

A great majority of American families depend on their cars to get to work, to market, to school, to friends, and to family.

And even those who do not drive cars must share the streets with them.

There are in the United States about 89 million automobiles—an average of more than 1 per family.

And because all of us live with the automobile, none of us is far from dying with it.

There are almost none among us who have not known, in our families or among our friends, a life cut short, a family broken, a child's promise turned abruptly into the might have been.

Human life is uncertain; and in our knowledge of this fact, we have tended to think of these deaths as the necessary price of progress—as a chance willingly assumed by all who took to the road.

But the tragedy is that all this has not been necessary.

Accidents can be limited in number; and their consequences can be made far less severe.

Improved driver licensing could prevent many unfit and incapable persons from driving.

Improved driver education could help to train safer drivers.

Stronger law enforcement could cut down on the incidents of drunken driving—which is a factor in over half of all fatal automobile accidents.

And improved roads would by themselves be a major safety factor.

All these things are necessary.

All will require action at every level of government—local, State, and Federal.

But the factor in automobile safety which is most often neglected is the design of the automobile itself; and it is that which I would discuss with you today.

For it is clear that the vast scientific and technical resources of the United States in general—and of the automobile industry in particular—are not giving the safety of American motorists the attention they demand and deserve.

General Motors, for example, had in 1965 a profit of $2.1 billion—larger than that of any corporation in the world.

Yet the entire auto industry spent only $8 million—well under 1 percent of its profits—on research to save the lives of those who buy its products.

Clearly, these expenditures on research are grossly inadequate.

But that is only part of the story.

For we have not even begun to use the results of research or experience that we have.

Cars can be made more safe; but automobile manufacturers have not done so.

The installation of such simple devices as doors which stay closed in a crash, improved seat belts and anchorages, impact-absorbing steering wheels, even a simple $2 item such as an outside rear-view mirror—all of these would help reduce the deaths and injuries on our highways.

Yet none of these are standard equipment on American automobiles.

The Federal Government knows this; and it has required 16 basic safety features to be incorporated in all automobiles it buys this year.

The American Trial Lawyers Association knows this, and you have recommended eight additional major safety features for all automobiles.

All of us have learned from the advances in aerospace and aviation that we can have car brake systems that "fail safe" and not in a crash: that steering mechanisms can have a backup system that gives the driver control if the main system fails; that car seats and dashboards can be designed to protect rather than maim or kill.

Failure analysis has been developed into a fine science.

Space engineers are able to compute the safety requirements that will guarantee that a part will not fail during its normal lifetime.

They have engineered into electronic parts a reliability that insures that our astronauts will come back safely.

These engineers know from experience when a part will fail; they know by calculation when a system will fail; and when a system of parts cannot be made sufficiently safe, they design a backup system that will take over in case of failure.

Americans know that we have the technical knowledge to build these devices—and that they do not need to be prohibitively expensive.

Still the industry has claimed that the problems of brake failure, tire collapse and other major failures are beyond their engineering skill.

These same manufacturers are willing to guarantee the reliability of complex missile and space systems they sell to the Armed Forces.

The contrast is odd indeed.

I submit that there is no lack of engineering ability in the United States today.

Excuses for catastrophic failure—for the early Corvair or the Buick Roadmaster—are an insult to the professional abilities of all American engineers.

The truth is that engineers are not asked to design for safety.

In Detroit, all too often, the laurels go to the engineer who designs a flashy but deadly chrome gadget for the dashboard, who takes a dime out of the brake mechanism, or who shaves the cost—and the performance—of a tire.

One of the most blatant examples of refusal to follow known safety practices is in the sale of tires.

As both the American Trial Lawyers Association and the Federal Trade Commission have pointed out, new cars are sold with tires which cannot safely carry more than three people and no luggage.

The cars, however, are advertised as perfectly adequate for carrying six people and large amounts of luggage.

Tire and automobile manufacturers make every effort to confuse the buyer.

It is almost impossible for the buyer to know that the few dollars off the price of his car significantly increases the danger to himself and to his family.

The National Safety Council had told us that tire failure accounted for 10 percent of all fatal accidents on highways in 1964—for 4,000 deaths.

The irresponsibility which helped to cause those deaths is hard to imagine—or to describe.

These practices must stop.

I fully endorse the position of the American Trial Lawyers Association.

The Federal Government should set minimum safety standards for automobiles—and tires—just as it now does for planes, ships, and trains.

The Interstate Commerce Commission many years ago, first required pullman cars to be built out of steel instead of metal.

Five passengers die for every 10 billion miles traveled by train.

The same Commission requires minimum construction standards for buses.

Thirteen passengers die for every 10 billion miles traveled in buses.

The Civil Aeronautics Board dictates in minute detail changes necessary to protect air travelers.

And 14 passengers die for every 10 billion miles traveled in airplanes.

But automobiles are not subject to any Federal regulation.

And 570 passengers die for every 10 billion miles traveled by car.

The contrast is too marked to be accidental.

Minimum standards for automobiles must be set.

Clearly, States cannot regulate the construction of automobiles which are sold and driven across all State lines.

Therefore, the Federal Government must take the lead.

The Federal Government can also help to develop new information on traffic safety.

Together with Senator RIBICOFF and other concerned Senators, I have introduced a bill to create a National Highway Traffic Safety Center.

But the primary burden of research must be borne by the academic community—and above all, by the automobile manufacturers themselves.

One research area in which Federal action is needed, however, is a uniform system of data collection and analysis of traffic accidents.

Full information on accidents would allow us to pinpoint those models and design features which are hazardous and require change.

These recommendations may well be contained in the message on car safety which the President will send to Congress. In my judgment, they deserve the support of the Congress—and they will have it.

It will be objected that the necessary changes in car design will not be accepted by buyers—and that safety features should be optional equipment.

But we must all drive on the same roads.

No one can buy optional equipment for other people's cars.

If the car in the next lane has a blowout and goes out of control, the fact that I bought adequate tires will not prevent a crash.

We all pay for safe bridges, for safe roads, and for traffic lights.

We must all pay also for those features on our automobiles which will protect others as well as ourselves.

It will also be argued that the cost of the safety features themselves is prohibitive.

But the cost of traffic accidents last year—measured only in insurance payments for death, injury and damage, in days lost from work, in congestion in the courts and in the hospitals—this cost was $8 billion.

A single Government agency, the Department of Defense, estimates that traffic accidents cost it more than $83 million in a single year.

And the human cost is beyond measurement.

So all of us—at every level of government, in State capitols and county courthouses, in private groups and most of all, in the automobile industry itself—must now fulfill our responsibility to the hundreds of thousands of Americans whose life or death depends on what we do in the months and years ahead.

Further inaction will be criminal—for it will be with full knowledge that our action can make a difference, that auto deaths can be cut down, that the slaughter on our highways is needless waste.

Present airport runways are often inadequate for high-performance aircraft, and planes sometimes crash as a result.

When military commanders want money to extend these runways, they place the boots of the dead pilots on the conference table before them.

The boots of millions of traffic victims, past and future, are on the table before us.

It is time to act.

Mr. HARTKE. Mr. President, I ask unanimous consent that the bill be held at the desk for cosponsors for 1 week.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be held at the desk as requested.

The bill (S. 2871) to amend Public Law 660, 86th Congress, to establish a National Traffic Safety Agency to provide national leadership to reduce traffic accident losses by means of intensive research and vigorous application of findings, and for other purposes, introduced by Mr. HARTKE, was received, read twice by its title, and referred to the Committee on Commerce.

DEVELOPMENT OF OUTDOOR RECREATION AREAS AND FACILITIES FOR PUBLIC USE BY PRIVATE ENTERPRISE

Mr. BREWSTER. Mr. President, the rapid growth of our population and the rapid consumption of open spaces has created a critical need for the timely development of recreational areas.

One can get some idea of the demand for these facilities if one realizes that in an average year more than 1 billion persons visit our Federal park system and an additional 400 million enjoy the facilities provided through the State park systems.

The Federal Government has tried to meet the need for rapid development of recreational facilities through a variety of programs under the supervision of the Department of the Interior and the Bureau of Outdoor Recreation. In recent years we have been spending more than $1,500 million in Federal funds annually for this purpose. State governments have been spending more than $343 million for the same purpose. These figures represent total capital investment and are exclusive of the cost of maintenance and operations.

Mr. President, we can be certain that the demand for recreational facilities will grow and will be accompanied by increasing costs to government at all levels. I believe that there would be great advantages, and great savings in cost to local, State, and Federal government, if private enterprise could be stimulated to invest in public recreation.

The present lending program of the Small Business and Farmers Home Administrations have failed to stimulate private investment in recreational facilities. I am, therefore, proposing a new program of Government guaranteed loans by private lenders for this purpose.

The bill which I introduce today is the result of extended consultation with private investors, recreational developers, and governments officials. I believe that the advantages of increased recreational development, decreased Government costs, increased stimulation of private enterprise, and decreased withdrawal of land from the tax roles of our States give the program which I am proposing unique advantages.

Mr. President, I introduce this bill for myself and for my colleagues, Senators BARTLETT, COOPER, MCGOVERN, and PELL, and I ask unanimous consent that this bill lie on the table for the addition of cosponsors until the close of business on February 9.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Maryland.

The bill (S. 2872) to encourage private enterprise in the establishment and development of outdoor areas and facilities for public use, and for other purposes introduced by Mr. BREWSTER (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

NATIONAL COUNTRY MUSIC MONTH

Mr. BASS. Mr. President, I introduce, for appropriate reference, a joint resolution requesting and authorizing President Johnson to officially proclaim the month of October as National Country Music Month.

Some 41 years ago country music started its rise from rural regional folk music to an international industry commanding an audience today of more than 25 million fans throughout the world. Its development has closely paralleled and been inextricably entwined with the development and refinement of electronics broadcasting media, including radios, television, and phonograph recordings. In this connection it is interesting to note that the oldest continuous radio broadcast in existence is the Grand Ole Opry out of Music City, U.S.A., Nashville, Tenn. Having started out with two performers in 1925, it now reaches some 10 million persons each week and provides the hub of a $100 million industry in the Tennessee capital.

But, Mr. President, when I speak of country music as having its origins in rural regional folk music, I do not mean to imply it came from any single section of our country, but, rather, prior to the advent of mass electronic communication, each rural region developed its own music within its mores. Today it includes ballads and heart songs, bluegrass and western songs, fiddle, guitar, and banjo tunes, folk oriented religious songs, and just plain good old hoedown music.

Much of the history and background concerning country music's development is set forth in a recent article on Nashville, Tenn., appearing in the Grit newspaper. I ask unanimous consent that it be reprinted in the RECORD at the conclusion of my remarks.

Mr. President, I am proud to introduce this measure to give adequate recognition to the part country music plays in our heritage, history, and traditions.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the article will be printed in the RECORD.

The joint resolution (S.J. Res. 135) to request the President to designate the month of October as National Country Music Month, introduced by Mr. BASS, was received, read twice by its title, and referred to the Committee on the Judiciary.

The article presented by Mr. BASS is as follows:

[From the Grit, Jan. 30, 1966]

THE NASHVILLE SOUND—MORE MUSIC POURS OUT OF TENNESSEE'S CAPITAL THAN ELSEWHERE IN THE UNITED STATES

(By Bob Shelton)

Nashville, the capital of Tennessee, is known as an educational, medical, and publishing center and as the place that sent Andrew Jackson and James Polk to the White House.

Less well-known about Nashville is that it is the home of a $100 million international music industry. It has become the hub of a recording, publishing, broadcasting, and personal appearance network that spreads around the world.

Although many people still think that the the popular music industry is centered in Hollywood, Manhattan's Tin Pan Alley, or, more recently, in Liverpool rock 'n roll clubs, Nashville is probably the center of more musical activity than are any of these other metropolises.

The statistical evidence is impressive: There are probably more than 25 million

country music fans in the world. To serve their tastes, Nashville is the center of a personal appearance empire that sends out performers for a total of nearly 15,000 performances annually. Nearly one out of every two popular music recordings made in the United States is made in Nashville. Some 500 songwriters live in or near Music City, U.S.A., and more than two-dozen recording studios are in operation there.

Last year marked many events and anniversaries of consequence to Nashville. Forty-one years ago, the radio show "Grand Ole Opry," which was to be the chief reason for the development of the Nashville industry, began to broadcast. Twenty-one years ago, the first commercial recording was made in the Tennessee city.

To show that the Nashville story is not just one of a past glory but rather one of a continuing spiral of growth, 1965 also marked the opening of two new studios by recording companies.

All of which adds up to a portrait of the Tennessee capital as a sort of show business boomtown. The spirit of the musicians and officials who staff the Nashville industry is not the least of the city's subjects of pride. For there is a certain sense of pride in the "underdog" music that helped to make Nashville the thriving music center it is today.

Although the city's industry was built upon country music, the last 15 years have seen another phenomenon there. The relaxed atmosphere of the town, the availability of able accompanists and sidemen, the resources of excellent recording studios have made many pop-music stars gravitate to Nashville.

One recording director has described the town as a "Mayo clinic" for performers whose careers are lagging; they go to Nashville to change their luck, to start off on a new rise to stardom.

But Nashville is not only a haven for singers in trouble. Burl Ives, Perry Como, Rosemary Clooney are a few of the successful ones who have recorded there. Interestingly enough, two European singing stars, Rita Pavone and Sylvie Vartan, recently came to the United States and journeyed to Music City for recording sessions.

The origin and the exact definition of "The Nashville Sound" cannot be established. More than anything, it seems to connote a quality of ease and relaxation, an unhurried, unpressured atmosphere that the Southern center offers to performers, and that they, in turn, pass on to their fans.

Long before the phrase "Nashville Sound" entered the language of the music business, the town started on its destiny as a music center. November 28, 1925, the first barn dance program was presented on the newly established radio station WSM. The announcer-host was a former newspaperman named George D. Hay, who had earlier helped radio station WLS in Chicago start its barn dance program.

The performers on that first show were an 80-year-old bearded fiddler named Uncle Jimmy Thompson and his niece, Eva Thompson Jones, who played piano and sang. Uncle Jimmy scraped out an hour's worth of old jigs, reels, and sentimental parlor and country songs.

After only a few minutes, requests began to pour into the station from listeners by wire and telephone. It was a hit.

Two years later, George Hay, known by his nickname, "The Solemn Old Judge," renamed the show "Grand Ole Opry," and it has become the grand old dinosaur of American radio.

Having missed air time during a few of the late President Franklin D. Roosevelt's fireside chats, the "Grand Ole Opry" is the oldest continuous broadcast in radio. Either directly on its clear-channel station or through subsidiary syndicated shows, the country music on the Opry reaches some 10 million persons each week.

When the Opry started, country music was also in its infancy. It was then just a rural folk music, instrumentally and vocally, that was finding an outlet over the young media of disk recording and radio. (The first country recording of consequence was Fiddling John Carson's Atlanta session of 1923.)

That at was the electronic media recording and radio, that were to transform a regional folk music into an international industry.

The Opry today and the music recorded in Nashville reflect how comprehensive the term "country music" has become. It includes ballads, heart songs, bluegrass, western songs, train songs, breakdowns, fiddle and guitar tunes, and hoedowns.

Country music embraces a wide range from the strictly traditional folk-oriented to the bright, urbane love ballads, or novelty or sacred tunes that have a distinctly modern flavor. As in jazz and pop music, there are a variety of styles and approaches to country music, and the fans will often debate the merits of one over another with considerable passion.

Today the Opry, held in a former tabernacle called Ryman Auditorium, has grown to a 4½-hour marathon. As many as 5,000 persons will turn out on a Saturday night to watch the colorful performance.

The Opry is a tourist attraction in its own right, having already drawn more than 7,500,000 visitors. Among its stars have been Hank Snow, Ernest Tubb, Cousin Minnie Pearl, Roy Acuff, Webb Pierce, Eddy Arnold, the Carter family, Bill Monroe, Flatt and Scruggs, Pete Drake, and a host of others.

The 40-year history of country music has seen a long and distinguished roster of performers who have helped to set fashions and styles. Among these are Jimmie Rodgers, Hank Williams, and Jim Reeves.

Recording in Nashville began sometime in the spring of 1945, when Paul Cohen ran a session with Red Foley, one of the stars of the Second World War era. The recording companies, during the 1920's and 1930's, had made disks in such places as Atlanta, Fort Worth, Chicago, and, of course, New York City.

But it was becoming apparent that each Saturday's Opry broadcast was bringing the stars through Nashville, and it would be only natural to record them there. By the early 1950's, every major label and many minor labels had their officials on the job in Nashville.

Record Row in Nashville today is a gleaming street of publishing companies, recording studios, talent agencies, and similar enterprises.

The euphoria that Nashville's steadily spiraling music industry seems to engender has now established itself overseas. The trend began in the Second World War. Just as many a city-bred American first became aware of songs like "The Wabash Cannonball" and "Tennessee Waltz" in an army barracks, so did many listeners overseas.

Broadcasts of country music on Armed Forces network stations in Europe and Asia greatly helped to spread the Nashville sound to foreign listeners.

As a consequence, Tokyo now boasts its own Grand Ole Opry show plus many country bands and singers. The recordings of Jim Reeves, who died in a tragic air crash in the summer of 1964, have been consistently strong sellers in such places as Great Britain and Scandinavia.

In Canada and Australia, the variants of the music from Nashville are so widely known that many fans there, if asked for the name of a top American singer, might name Hank Snow rather than Frank Sinatra.

Elements of country music have so thoroughly entered the mainstream of American pop music that it is often difficult to say where country leaves off and pop begins. The major revolution in pop music in recent years was, after all, started by a country singer from Tupelo, Miss., named Elvis Presley.

The distinctive style of songwriting from Nashville has been a source of endless fascination to music students. They can discern many characteristics in the content and form of the country song—a closeness to reality, a willingness to face life's problems head on, less fantasy, and more basic coping with such subjects as poverty, infidelity, death, and rejection.

Interestingly enough, the urban folk-music revival of the last 8 years has also spurred the popularity of much of Nashville's music among collegians and city youth. The whole trend toward country music can be properly assessed as a change in values in which the sophisticated life of the alienated city dweller has found a sense of loss, a sense of loneliness that the down-to-earth values of country life and country music can assuage.

It is, indeed, a reflection of the values of American life that some people find reflected in country music, and that is what is conceivably making it "the folk music of tomorrow."

For many sophisticated city listeners, Nashville music is an acquired taste. The nasal sounds, the twang, the simplicity, the lack of subtlety are at first forbidding. Later, they can become the very source of the charm and appeal of country music.

In Bluegrass—the sprightly, jazzlike string-band music—many city dwellers have found an exciting element of movement and interplay. In the event or saga songs ("Battle of New Orleans"), they have found Americana brought back to life. In some country ballads ("Saginaw, Michigan" or "Big, Bad John"), they have found the delights of tall tales or legends set to catching music.

Not the least that can be said in favor of the music streaming out of Nashville on to some 1,500 radio stations in the United States is that the ironclad grip of cultural centralization has been broken. America has at least two popular musics now, and Nashville is the steadily growing center of one of them. It has a vast audience around the Nation and around the world.

Country music has put Nashville on the map, and today Nashville is putting a vital form of popular culture into the ears and hearts of countless millions of listeners.

EXTENSION OF TIME TO FILE CERTAIN REPORTS OF PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF COMMITTEE ON GOVERNMENT OPERATIONS

Mr. JACKSON. Mr. President, at the request of the senior Senator from Arkansas [Mr. MCCLELLAN], I ask unanimous consent that the Committee on Government Operations be given until April 30, 1966, to file certain reports of its Permanent Subcommittee on Investigations. These reports are entitled "Diversion of Union-Welfare Pension Funds of Allied Trades Council and Teamsters Local 815" and the "Investigation Into Federally Insured Banks." There are certain current matters pending which are expected to be completed in the next 90 days. These facts should be incorporated in the conclusions of these reports.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the request of the Senator from Washington will be granted.

ADDITIONAL COSPONSORS OF BILL AND JOINT RESOLUTION

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bill and joint resolution:

Authority of January 27, 1966:

S. 2842. A bill to assist city demonstration programs for rebuilding slums and blighted areas and for providing the public facilities and services necessary to improve the general welfare of the people who live in these areas: Mr. BASS, Mr. BAYH, Mr. CLARK, Mr. HART, Mr. HARTKE, Mr. INOUYE, Mr. JAVITS, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of New York, Mr. MCCARTHY, Mr. MCNAMARA, Mr. MONDALE, Mr. RIBICOFF, Mr. TYDINGS, and Mr. YARBOROUGH.

Authority of January 26, 1966:

S.J. Res. 128. Joint resolution to amend the Constitution as to the length of terms of Representatives in the U.S. House of Representatives: Mr. BENNETT and Mr. BOGGS.

NOTICE OF HEARING ON PROCEDURES FOR THE REMOVAL, RETIREMENT AND DISCIPLINING OF CERTAIN FEDERAL JUDGES

Mr. TYDINGS. Mr. President, as chairman of the Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, I wish to announce that a hearing on procedures for the removal, retirement, and disciplining of unfit Federal judges will be held on Tuesday, February 15, 1966, at 9:30 a.m., in room 6226 of the New Senate Office Building.

The purpose of this opening hearing will be to reveal what procedures are presently available to remove or replace an unfit judge and how well these procedures are working. The subcommittee's ultimate goal is to determine what legislation, if any, is necessary in order to increase the ability of the judiciary to police its own house.

Any person who wishes to testify on February 15, or who desires to submit a statement for inclusion in the record, should communicate with the Subcommittee on Improvements in Judicial Machinery, room 6308, New Senate Office Building.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H.R. 30) to provide for participation of the United States in the Inter-American Cultural and Trade Center in Dade County, Fla., and for other purposes.

The message informed the Senate that, pursuant to the provisions of section 1, Public Law 86-420, the Speaker had appointed Mr. MIZE of Kansas as a member of the U.S. delegation of the Mexico-United States Interparliamentary Group, vice Mr. SPRINGER of Illinois, excused.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. SIMPSON:

Sermon-address delivered by Senator SCOTT of Pennsylvania at St. Johns Episcopal Church in Georgetown at the annual Church-Government Sunday.

BUREAU OF THE BUDGET HAS NO REAL ANSWER FOR KILLING SCHOOL MILK PROGRAM

Mr. PROXMIRE. Mr. President, once again I protest the unreasonable, unjustifiable, and totally indefensible cut in the school milk program.

I have sought an answer from the Department of Agriculture. The Department of Agriculture was friendly and cooperative, but not convincing in their interpretation to me. Yesterday during his appearance before the Joint Economic Committee, I sought some explanation from Mr. Charles Schultze, Director of the Bureau of the Budget. Mr. Schultze is a capable and articulate spokesman for the Bureau which he directs. However, my questions remain unanswered. No real explanation has been offered, no satisfactory reasons have been given.

This program of providing milk to American schoolchildren has earned and deserved to earn, both praise and appreciation from all our people. No charges of waste or inefficiency have been made. There has been not a whisper of mismanagement, not a hint of abuse.

Instead the States want the school milk program, the newspapers laud the school milk program, and most importantly the children of America need the school milk program.

Unless the administration moves immediately to restore the cuts already made in this year's school milk program and rescinds its illogical plan for an 80-percent cut in next year's program, grim alternatives face our schoolchildren and our dedicated State school administrators.

Only children who can be shown to be needy will receive assistance under the new proposal. The meaning of this directive is only too clear. A means test will have to be employed—that affront to a family's dignity. A child will have to swallow his and his family's pride in order to swallow a glass of cold milk. Is this just? Is this right—to subject a child and his parents to a public admission of need in order to receive the vitamins and nutrition his growing body needs?

Or are we to place this heavy burden of selection and decision on the shoulders of the State and local school adminstrators? This again is obviously unfair.

The fact is that we have a surplus of milk. It makes no sense to me, through a bookkeeping maneuver which will actually mean a loss to the Commodity Credit Corporation, to deprive millions of schoolchildren of the milk they need. Only a small percentage of the schoolchildren can qualify as actually needy, but most families with children in school are likely to be on a strained budget. This is the time in life when the mother cannot work. The children are an economic burden, they cannot earn anything. This is the time when young families most need assistance. This is a program with virtually no waste in it, and I do hope that the administration will reconsider.

The only answer is an immediate restoration of the unfortunate and tragic cuts in the school milk program.

NEW YORK TIMES REPORTS NATURE OF NATIONAL CONCERN WITH VIETNAM

Mr. PROXMIRE. Mr. President, the public opinion polls of competent professionals such as Gallup, Harris, and others serve a highly useful public function. But they can be deceptive if there is not an attempt to look behind these polls in depth to find out what the answers really mean.

The Vietnam situation is one in which public opinion polls are especially unsatisfactory. Today most Americans stand behind the administration on whatever it wishes to do in Vietnam, for the good and sensible reason that most Americans like and trust the President and recognize that he has far more information than they have, especially in the military and diplomatic aspects of the war.

At the same time an inquiry in depth shows that this support is troubled and concerned. If the President decides we must bomb, most Americans accept that decision, but with the same kind of a troubled heart as the President himself must.

They want us to meet and stop Communist aggression. Yet they want peace. They want us to meet our commitments made in honor as a nation, but they want a stop to the killing as soon as possible.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Wisconsin may have an additional 3 minutes.

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

Mr. PROXMIRE. I thank the distinguished majority leader.

The New York Times has done great national service in trying to probe and develop these reflections in depth about the Vietnam war. This study tells us far more about national attitudes than the bare poll results, which on the surface can be highly deceptive.

I ask unanimous consent that the survey in depth on national attitudes toward the Vietnam war in this morning's New York Times be printed at this point in the RECORD.

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

[From the New York Times, Feb. 3, 1966]

WIDE SUPPORT FOUND IN NATION FOR RENEWED VIETNAM BOMBING

A spot check by the New York Times indicates widespread support in the Nation for President Johnson's decision to resume the bombing of North Vietnam.

Mixed with this support, however, is fear of a possible nuclear conflict and confusion over U.S. strategy.

Opinion across the Nation appeared to be in general agreement, with the exception of the South. There the view that the United States should press the war harder seemed to predominate.

The prevailing national mood was summed up by a Methodist minister in Madison, Wis.

"I think the people as a whole support the resumption of bombing, but with a troubled conscience," he said. "Most of the people feel a loyalty to the Government and support for the elected officials that require them to rely on their judgments. But I feel more people are sicker of war now than at any time in our history."

Ten staff correspondents interviewed State and local officials, professional and businessmen, editors, students, and others on opinion in their communities. The results reflect a broad trend, though they do not purport to be scientific.

Many of those questioned seemed to feel that while the President had all the facts and probably knew what was best, there still was the "nagging possibility," as one Californian put it, "that perhaps, just perhaps, the minority is correct after all."

"It's hard to fit all these different elements together so they make sense," a Michigan university president said. "The loyal citizen has a little sense of distress and uneasiness because it doesn't quite come clear cut."

For some, anxiety over nuclear war has become intense. The wife of a New Mexico scientist called for disengagement in Vietnam no matter what the cost. "I'd just rather be Red than dead," she said.

The feeling of militancy in the South was generally attributed to the region's long-standing tradition of military distinction, as well as to the large number of troops stationed there.

But one Mississippian explained it in part as a reaction to frustration over civil rights advances. "They don't see much that they can do to stop civil rights activity," he said, "so this seems to make them want to stop the Communists just that much more."

An indication that some segments of the public may be poorly informed on Vietnam emerged from a recent poll of undergraduates at a college in Pittsburgh. Half of the students, many of whom may soon be drafted, could not answer such basic questions as "Who is Ho Chi Minh?" and "Where is Dienbienphu?"

One Texas newsdealer found, however, that interest in the war had picked up lately. In the last week, he said, he has sold a number of maps of Vietnam.

PACIFIC MOUNTAIN STATES

Perplexity in California

(By Gladwin Hill)

LOS ANGELES, February 2.—"Confusion" and "perplexity" are two words that crop up repeatedly in any sounding of public sentiment on the Vietnam situation in this area.

There is no doubt among well-placed observers of collective opinion—political leaders, businessmen, professional people, educators, clergymen, editors—about why people are confused.

"It's because they sense that the administration is confused," one said. "President Johnson and Secretary Rusk have kept reiterating the ultimate goal of our Vietnam involvement: to stop communism. Nobody can challenge that. But there's a vast gap between that goal and the inconclusive military operaitons we see from day to day. The necessary connection between the two is obscure, questionable. That gap is where people are floundering—along with the administration."

"If President Johnson had said we'll escalate and smash through to victory at whatever cost, it would have been accepted by the average citizen," said Julius Leetham, who as county chairman heads the largest bloc of Republicans in California.

"The fact that there have been apparent misgivings in the Democratic leadership about whether we should be in there at all has pushed the average citizen into intellectual perplexity."

Poll of Students

A recent poll of students at the University of California, Los Angeles, on proper course in Vietnam yielded these responses:

For pursuance of present operations, 2,164.

For "escalation," even into Communist China, 498.

For immediate withdrawal, 553.

For stopping bombing in hopes of peace, 763.

For withdrawal to a "neutral" position, 690.

While most of the respondents in this poll presumably were not of voting age, the shading of sentiment encountered in a canvass of adult opinion leaders suggested that feelings generally in the Pacific Southwest might divide in about the same ratio.

Opinion has not yet generally crystallized into aggressive points of view. But indications are that it would not take many radical developments, either favorable or adverse to polarize it.

"People are supporting the President on Vietnam—and at this juncture they'd support him if he chose to withdraw," said Philip Kerby, editor of the liberal magazine Frontier.

"Opinion is becoming more definite on both sides of the question—mostly, I think, because of the growing intensity of public discussion," commented Leonard Mandel, a shoe manufacturer.

The Surface Facts

The consensus is that the public is well informed about the surface facts of the Vietnam situation, but hazy about the rationale and the administration's approach to it.

"People generally just don't know the reason for our Vietnam involvement," said Dr. Neil Jacoby, dean of the UCLA Business School.

"I think there is understanding that our aim is to prevent the spread of communism" said Dr. Robert G. Neumann, UCLA political science professor. "But things come out, like the Fanfani peace overture that give even the President's strong supporters the feeling that things are not being told."

The persistence of uncertainty about the Nation's course seems to be bringing closer a critical juncture in public opinion.

"It's now become a question of get out or get tougher," commented Conrad Jamison, a vice president of one of California's largest banks. "We're doing nothing decisive. If nothing decisive continues to be done, dissatisfaction will grow."

Reflecting this trend, a prominent Beverly Hills dentist, Dr. Fern Petty, the normally jovial former president of Optimists International declared impatiently: "I'm sick and tired of our kissing everybody's foot. We ought to go in there and blast the hell out of Hanoi. We're seeking peace, and that's the quickest way to get it. We're actually impairing our position internationally. People abroad say: "There's that great big power—and it can't even hold South Vietnam."

Heads a Large Temple

More mildly, but no less pointedly, Rabbi Edgar Magnin of the Wilshire Boulevard Temple, one of the world's largest Jewish congregations, commented:

"I get around a lot and I haven't met anybody who likes this venture—Jew, Christian, Chinaman, or atheist. I don't think anybody with half a brain wants to be in this thing, because it can't solve anything. If we did win militarily, 6 months later there'd be another government in there. But if it's going to be a war, it should be an all-out war. If it isn't, we ought to get out."

Simon Cassidy, a newspaper publisher and president of the California Democratic Council, a liberal rank-and-file party organization, commented:

"The kind of people I talk to—mostly people in the CDC—are disappointed to see the bombing resume. Right now they're willing to take the President's appraisal as long as they don't see a lot of coffins coming back, or it isn't costing too much money, or there isn't any rationing. But as the going gets tougher, people's questions will get tougher. They're going to ask: 'What the hell are we doing over there? What can bloodying up some jungle do to defend our freedom?"

There is little evidence that opinion on Vietnam follows economic or class lines. The dominant considerations, cross-sectional in nature, are such things as the draft and, subtly, the national economy.

Mrs. Robert Neumann, a member of the McCone Commission that investigated the Watts riots, said, "I have gotten a feeling that really disadvantaged people don't think much about international affairs—but that's just an impression. But you do get other divisions of opinion. In my United Nations group, which is principally middle-class, there are idealists who believe the war is dreadful and should be stopped immediately—but there are those who think it's necessary."

Resignation in Northwest

(By Lawrence E. Davies)

SAN FRANCISCO, February 2.—Deep-seated regret that bombing of North Vietnam was renewed has gripped the Pacific and bordering States. But the mood of a substantial majority, as suggested by inquiries in a cross-section of opinion leaders, is one of resignation to the belief that perhaps there was no practical alternative.

Even among the clergy, where the bombing renewal was widely deplored, some in high places subscribed to this belief. And some of the "noisy minority" of opponents of bombing, on and off college campuses, acknowledged that they were outnumbered by supporters of President Johnson's action.

Repeatedly, in northern California, the Pacific Northwest, Alaska, and neighboring States, questioners met substantially with this reply:

"I find a lot of people, probably a majority, saying the President and his adviser have the information and we have to trust them to make the decisions."

Coupled with this were similar predictions from a prominent San Francisco businessman and civic leader, a Democrat:

"As surtaxes and other taxes are added to support the war in Vietnam there will be an increasing demand from voters that we pull out. People are selfish; when their own pocketbooks are affected it makes a difference."

A California State Senator, also a Democrat, saw a change in mood as already taking place, away from one guided partly by economic status. The country club set, he said, originally demanded, "go in and knock hell out of them [the North Vietnamese]."

"Now," he said, "as their kids in college are being reclassified, they are beginning to say, 'maybe we ought to try harder to get to the negotiating table.' But what do you do if the other side won't negotiate?"

In Alaska, where the general reaction was "the President had no choice," and where Gov. William A. Egan, a Democrat, said "if principles mean anything, then we must

follow through," Robert J. McNealy, senate president, a Democrat, thought that President Johnson should "order nuclear bombs dropped on both Hanoi and Peiping."

"By such action," he said, "the lives of many thousands of American boys could be saved and this country entrenched as a world power for peace during the next 50 years."

And illustrating a point widely made that personal involvement often dictates the attitude toward bombing renewal, a Portland newspaper advertising executive commented:

"The idea of using the bomb again is horrible. But I wouldn't be here today if they hadn't used the bomb in Japan." He was in the South Pacific during World War II.

Demonstrations in several States by college students against renewal of the bombing against North Vietnam drew relatively small numbers of participants.

Students Support United States

Jerry Baker, president of his fraternity at Montana State University, reported that his house members were "definitely in favor of the bombing policy."

Gov. Tim Babcock of Montana, a Republican, thought "we may have waited too long."

And the Right Reverend Chandler W. Sterling, Episcopal Bishop of Montana, said that he was saddened by the step but added, "I don't see where we have any alternative at the moment."

There was conflicting opinion on whether voters were well informed on issues. Ross Cunningham, political editor of the Seattle Times, doubted "if the average guy in the street worries about any misinformation."

Joe Frisino, executive news editor of the Seattle Post-Intelligencer, said everybody he talked with "has a good idea what is going on and they believe either we should be there or not be there."

Nevadans had mixed reactions on the resumption of bombing and Idahoans, including Gov. Robert E. Smylie, were described by opinion leaders as generally believing that "the Nation was obliged to support the President's decision."

Whereas many felt the public was getting all the information it needed Governor Smylie, a Republican, called for "a good deal more candor on the part of the administration." And Gov. Mark O. Hatfield, of Oregon, a candidate for the Senate, voiced "deep regrets" over the resumption of bombing.

THE MIDDLE WEST

Upper Midwest puzzled

(By Austin C. Wehrwein)

CHICAGO, February 2.—Acceptance without enthusiasm is the general attitude toward the Vietnam war in the upper eastern Middle West despite President Johnson's quest for a United Nations peacemaking role.

The mood seems to be weighted on the side of frustration, puzzlement and an absence of martial fervor except among some ultraconservatives. The basic reason appears to be that it is difficult to understand how the United States got into the Vietnam war and even more difficult to understand how the United States can get out, an assessment of leading opinion indicated.

Nevertheless, a survey of opinion leaders in Illinois, Minnesota, Wisconsin, and Indiana found almost universal backing for Mr. Johnson.

"We support him completely in Vietnam," said Ruben Sonderstrom, president of the Illinois Federation of Labor.

The hard core of "get out now" advocates appeared to be a small minority—not even 1 in 10, a South Bend, Ind., editor speculated. But support for the President often seemed forced by absence of any popularly acceptable substitute, or explained with, "I don't know what to think," as in the words of the Springfield, Ill., Chamber of Commerce president.

Mood of Confusion

Charles H. McLaughlin, chairman of the University of Minnesota Political Science Department said:

"The current mood is one of confusion and frustration. I think people are very uncertain that the Government has worked out a policy that holds any promise of settling the affair. On the other hand, I suppose the majority do feel that we have some obligations in that area and that it would be a mistake to abandon them."

In Milwaukee, Robert Dineen, president of the Northwestern Mutual Life Insurance Co., said:

"I think there are quite a few people that are concerned about it but are supporting the President because he does not have any alternative. I am surprised at how many people have misgivings. If there is an increase in casualties, the concern will grow."

State and local officials, businessmen, clergymen, editors, civic minded women, farm leaders, and civil rights workers were interviewed and generally agreed that people were informed on the issue, but often these opinion leaders doubted that the people had all the facts.

Economic stratification appeared to have little influence on the range of opinion, and there was no single overriding chief concern other than fear of a larger war and "how it will affect me and my family."

"How Can We Get Out"

Said Mrs. William Whiting, president of the Minnesota League of Women Voters:

"I think you have this feeling when you talk with people of not really understanding how we got into this and how we can get out of it."

Opinion, it appears in the Middle West, would harden in favor of a tougher "get it over with" policy if casualties rose and draft calls increased.

At the same time politicians look for anger about "taking our boys." This is not to say, however, that opinion leaders look for a "quit the war" wave.

In Indianapolis, a top Indiana Democrat said that if Johnson "goes sour" politically it will be because of mothers rather than draft card burners.

In Duluth, Minn., the Reverend Frederick Fowler of the First Presbyterian Church, who is chairman of the national Right-To-Work Committee, said that the Republican campaign in 1966 must demand total victory, not stalemate.

Charles B. Schuman, president of the American Farm Bureau Federation, said farmers were "strong behind" administration moves to act with determination. But he added:

"Out in the country there is not much enthusiasm for the United Nations. They think it is quite ineffective and diluted by the African nations."

Gov. Warren P. Knowles of Wisconsin, a Republican said:

"I understand the President's predicament. He's the Commander in Chief and he has the facts at his command. We do not have. I am inclined to rely on his judgment on the resumption of bombing. I only hope we can get out of this mess with our skins. People feel far away from Washington and farther away from Vietnam.

"I think most of the mothers and fathers I have talked to have grave doubts about the conditions in Vietnam. Parents are apprehensive that their sons will be called up. Students are concerned that their educations will be interrupted. There is a general air of real concern on the part of most of the citizens of Wisconsin."

Michigan apprehensive

(By Walter Rugaber)

DETROIT, February 2.—Public figures in Michigan and Ohio feel a vague, nagging apprehension over the American commitment in Vietnam but generally believe that it should be honored, nonetheless.

A series of interviews this week turned up all shades of opinion on the U.S. involvement. But virtually everyone said that the public lacked information on which to base a really firm view.

The average man, it was agreed, is even more in the dark. "The typical person is more interested in baseball than what's going on in Vietnam," one source said.

Harlan Hatcher, president of the University of Michigan, voiced the frustration of an informed observer. He said he has "tremendous faith" in the administration.

But "it's hard to fit all these different elements together so that they make sense," he complained. "The loyal citizen has a little sense of distress and uneasiness because it doesn't quite come clear-cut."

Most people see "no alternative" to the present course, Dr. Hatcher continued. "A kind of reluctant going along is about where we are." Also, he said, there is a feeling of responsibility "for the men we have ferried out there" to fight.

A Hawk Speaks Out

Willis H. Hall, president of the Greater Detroit Board of Commerce, said he takes the "hawk" position on Vietnam and urged the administration to "get in and get it over with."

"It's pretty difficult to carry an olive branch in one hand and a hatchet in the other," Mr. Hall said. "If we pull out, all the Far East is gone."

Emil Mazey, secretary-treasurer of the United Automobile Workers, expressed a different view. The resumption in bombing in North Vietnam was "a mistake" the union leader said.

The President should have attempted to bring about peace negotiations through the United Nations before resuming the attacks, Mr. Mazey suggested.

The officers of both local and State political leaders said there had been a minimum of mail on the war. John M. McElroy, an assistant to Gov. James A. Rhodes, of Ohio, a Republican, said 20 of the men in Vietnam have requested State flags.

An aid to Gov. George Romney of Michigan, a Republican, said that telephoned questions on Vietnam led all others during a mid-December telethon broadcast on a Detroit television station.

There is respect for the war as a political issue. William L. Coleman, the Democratic chairman in Ohio, said that American involvement should "definitely" have a damaging political effect in his State this fall.

A substantial number of the leaders questioned would agree with Zolton A. Ferency, the Democratic State chairman in Michigan and an unannounced candidate for Governor.

"The majority of people that I've talked to support Johnson," Mr. Ferency said. "But they're uneasy about where it might lead us. Their main concern is a worsening of the military situation."

People "aren't sure that they're acquainted enough with the issue," the Democratic leader said. "And they're afraid that talking about it in critical terms might be unpatriotic."

Administration handling of the war is a potential that could hurt the Democrats, Mr. Ferency said. "It's one of those issues that could turn as late as election day."

Support in farm belt

(By Donald Janson)

KANSAS CITY, MO., February 2.—The Nation's midsection has accepted President Johnson's resumption of bombing in North Vietnam as logical, expected, and proper.

A sampling of views from Dubuque to Denver and Fargo to Wichita makes it clear that the farm belt is solidly behind the President's decision.

This does not mean that anybody in the region is happy about U.S. involvement in Vietnam. The consensus is that the situation is a mess that cries out for an honorable exit before American casualties mount much further.

The principal basis for support for the President's move is not an overriding desire to halt communism in a remote corner of the world but to save American servicemen ordered to Vietnam and end the entire unwanted involvement.

A feeling that cuts across all economic and political lines is that more aggressive military action is the quickest way to win the war and halt the need of risking more and more American lives.

The mood is to accept any Presidential decision on Vietnam so long as it gives promise of eliminating the mess.

Few voices are being raised against the President's course, though there are indications that more might have been had the resumption of bombing not been accompanied by efforts to move toward peace through the United Nations.

Should the latest efforts continue to leave American troops mired in a frustrating and unpopular war, the President could find himself with plenty of voter trouble in the Central States.

The electorate has set no deadline, but murmurings indicate that it could be 1968 if the change in the situation most noticeable on the home front by then is simply a mounting toll of American casualties.

Politics Not Stressed

The survey showed considerably more concern about "getting the boys back" than in the political considerations behind the war.

The majority feeling throughout the region seems to be that a much stronger military effort is justified to see whether this will do the job.

If it does not, the mood could change radically in favor of a negotiated settlement.

Warfront pictures showing injured American soldiers trapped by enemy fire and awaiting helicopter rescue have alarmed Midwesterners already concerned about casualties.

"We are asking our boys to fight with one hand tied behind their backs if we don't bomb the enemy's sources of supply," said Clarence Rupp of the Kansas Farm Bureau.

His comment was typical. But also typical was his comment that he finds "growing wonderment about just what we are involved in there and why."

MIDDLE ATLANTIC

Little anxiety in area

(By Ben A. Franklin)

PITTSBURGH, February 2.—Evidence of public concern about the course of the war and the resumption of American bombing in Vietnam all but vanished in the Middle Atlantic States this week under a record snowfall.

However, indications that the heavy weather had significantly distracted public attention from the war were scant; there apparently had been little anxiety about the fighting before the weekend storm brought unusual local hardships to the area.

Observers in five States—Pennsylvania, Maryland, Delaware, West Virginia and Kentucky—said today that there was "more concern about interrupted deliveries of fuel oil for furnaces and of milk for children" than about the resumed deliveries of American bombs on the other side of the world.

The prevailing mood was said to be one of quiet support for the President as the Commander in Chief.

A dearth of public comment about Vietnam—or even of private conversation at office coffee breaks and at home gatherings—was widely interpreted by observers in all five States as constituting "strong but passive support" for President Johnson's decision, announced Monday, to resume the bombing of North Vietnam after a 37-day pause.

They Can Turn It Off

Here in Pittsburgh, one ardent critic of that decision, Richard A. Rieker, managing editor of the Carnegie Review at Carnegie Institute of Technology, described the prevailing attitude of "many if not most" of the scores of persons he said he had talked to in recent days as "about equal to their interest in the Sunday pro football game—they can turn it on or they can turn it off about Vietnam and it is all right because the President, who has the facts, is expertly calling the plays whether they pay attention or not."

"I guess you have to call that public support," Mr. Rieker said. "But the war is not touching the country, in my opinion."

"People are saying, 'What do I know about it? What is it to me? The people in Washington have the facts' " the 38-year-old editor said.

Mr. Rieker is chairman of an informal group here called the Pittsburgh Committee Against the War in Vietnam. He said there were 25 persons at the last meeting in December.

Gov. William W. Scranton, in a monthly televised news conference that was broadcast statewide last Sunday, appeared to have expressed a broadly held consensus about the resumption of bombing by observing, just before the decision was announced in Washington on Monday, that "in the very near future we are going to have to fish or cut bait, as we did in Korea."

"If you can't come to some peaceful solution," the Governor said, "you apparently are going to have to start it [bombing] again in order to stop the North Vietnamese effort from being successful in South Vietnam."

Students Poorly Informed

A poll on Vietnam among 188 undergraduates at Carnegie Tech, published 2 weeks ago in the Tartan, the student newspaper, disclosed that half the students queried were unable to answer correctly even one of nine rudimentary questions about the war, such as "Identify Dienbienphu, Ho Chi Minh, Danang, Diem and Pleime." Only six of the students correctly identified all nine.

Those who did well on the identifications held "widely divergent opinions" on the war, the Tartan reported. "On the other hand, 80 percent of those who knew virtually nothing about Vietnam disagreed with protest demonstrations and supported the Government. Most students fall in this category."

In Kentucky, Wilson W. Wyatt, a former mayor of Louisville, former Federal Housing Administrator, and manager of Adlai E. Stevenson's 1952 presidential campaign, during the height of the Korean war, commented that "the Commander in Chief has made a difficult decision and the only thing to do now is to support him fully. But I have not heard any exultation over the bombing."

Mr. Wyatt said that "in the present mood of national uncertainty" about Vietnam, a sharp rise in American casualties and draft call would be received "with a good deal of anguish" and with "the probability of a strong Republican attempt to exploit the issue."

Should the war lead to a direct military confrontation with Communist China, he said, "as much as I would regret such a development there would be total unity in the country to win."

THE SOUTHERN STATES

No critics in Mississippi

(By Gene Roberts)

GREENVILLE, MISS., February 2.—After working hours in Raleigh, N.C., State Treasurer Edwin Gill plops himself into an easy chair in the Sir Walter Hotel, where he lives, and "feels the pulse" of the public as it strides from the hotel entrances to the elevators.

This week, the talk has turned to President Johnson's decision to resume the bombing of North Vietnam, and Mr. Gill is yet to find anyone who criticizes the President for his action.

"The general feeling I get," said Mr. Gill, who at 66 has survived nearly four decades of political activity in the State, "is that he knows a great deal we do not know. We are all trusting him to do what he thinks best."

Across the South, pulse samplers were reading it much the same as Mr. Gill, except for Mississippi and Alabama where there are rumblings that the war should be escalated still further, and at the headquarters and at the Atlanta headquarters of the Student Nonviolent Coordinating Committee and the Southern Christian Leadership Conference where the general view is that the Nation should withdraw its troops from Vietnam.

In Birmingham, Ala., more than 80 social, business, and labor organizations have adopted an entire division—The Big Red One—and are peppering the troops and friendly Vietnamese with mail and gifts.

Quietly Accepted

Al Stanton, city editor of the Birmingham News, believes that the city had accepted the President's decision quietly, as one that was inevitable. Had he not taken it, Mr. Stanton said, the criticism would probably have been widespread.

A week ago, before President Johnson announced his decision to resume the bombings, Senator JOHN STENNIS appeared before the legislature and produced rafter-ringing applause by calling for intensified efforts in Vietnam even if this were to lead to full-scale Red Chinese involvement. In this event, Senator STENNIS favored stopping the hordes of Red Chinese coolies with every weapon we have.

"One reason the legislators applauded Senator STENNIS' speech was that they do not see much that they can do to stop civil rights activity," said a veteran Mississippi reporter today. "So this seems to make them want to stop the Communists just that much more."

While there is disenchantment with the war among student committee and leadership conference workers, Negroes in general appear to share the prevailing white view. A Little Rock dentist, Dr. Garman Freeman, said he thought that most Negroes—whether middle class or poor—were not greatly informed on Vietnam issues, but were supporting the war because "it is something Uncle Sam is doing."

Tendency Toward Suspicion

In Columbia, S.C., Jim McAden, executive director of the South Carolina Textile Manufacturers Association, said that although the State "tends to be suspicious of anything Lyndon Johnson does," it is accepting his

judgment on Vietnam because it has a "patriotic heritage and will fight over something and is glad to do it."

The general view appears to bear out a recent study of old public opinion polls by Alfred O. Hero Jr. in a recent book, "The Southerner in World Affairs."

Mr. Hero said that in the period before World War II and in periods of tension with Communist countries since then, southerners were quicker to give their support to military objectives than were residents of other regions.

They were less likely, too, than residents of other regions to withdraw their support because of increased drafting and taxation.

"To be perfectly frank, the average person is not real informed on the issues," said Barney Weeks, president of the Alabama Labor Council, "but he is for winning the doggone thing."

Bombing is backed

(By Martin Waldron)

HOUSTON, February 2.—President Johnson's decision to resume bombing of North Vietnam has the overwhelming approval of residents of Texas and Oklahoma. But the war itself has much less support.

Opinion leaders in the two States agree that the average citizen believes that bombing of military targets in North Vietnam will bring the war to an end sooner, and this is what they want, but if the war intensifies, residents of both States will give full backing to it.

Both Texas and Oklahoma have strong military traditions, and regularly furnish large numbers of volunteers for the armed services.

"The whole Southwest is somewhat militarily oriented," said Charles L. Bennett, managing editor of The Daily Oklahoman in Oklahoma City. "Military service to many people still is the most honorable profession."

Mr. Bennett said that Oklahomans had been showing "a growing impatience at the lull in the bombing" when peace moves by this country were frustrated.

Community leaders in a dozen cities in the two States agreed that the Vietnam war is the most misunderstood war in the Nation's history. Julius Carter, editor of a Houston weekly newspaper, The Foreard Times, which says it is the "key to Houston's Negro market," said: "Not only do the average citizens not understand this war, a lot of Ph. D.'s don't. I don't myself. Most people don't even know where the front is."

Pickets in Houston

A group of students picketed in downtown Houston yesterday in protest of the resumption of bombing. They carried signs outside the Tenneco building for several hours, and took a lot of verbal abuse from passersby; some of them stopped automobiles to curse them. The pickets said they chose the Tenneco building because two subsidiaries of the company which owns the building manufacture napalm.

This was the only organized protest against the resumption of bombing in the two States.

The Texas and Oklahoma daily newspapers had generally called for a resumption of bombing, and labeled it afterwards as the only choice President Johnson had. Some editorials have said that the United States had not gone far enough. The Daily Oklahoman called for bombing of Hanoi.

In Austin, a leader of the Texas liberal community, Ronnie Dugger, said he frankly did not know what the majority of people in his area thought. "Among those I know, there is a sense of melancholy."

In central Texas, and in the area around El Paso, both of which are centers of retired military personnel, the support of the resumption of bombing is very strong. Where Senator JOHN G. TOWER made a speech in Braunfels calling for even more widespread bombing than President Johnson had ordered, he received a standing ovation.

Most of those who were themselves against the resumption of bombing said they did not discuss it with persons outside their own circles.

"I don't know what the people think about the bombing," said Rev. James McNamee, a Roman Catholic priest in Tulsa. "I know I think we should settle this war, and some people tell me they agree with me. But others tell me they are for intensifying the war."

The editorial page editor of the Tulsa Daily World, Walter Biscup, said, "Everybody I have talked to privately, publicly, officially, unofficially, on and off the record, has been overwhelmingly in favor of the resumption of bombing. It is the only way of shortening the war."

NEW ENGLAND STATES

Grudging response

(By John H. Fenton)

BOSTON, February 2.—President Johnson has stirred firm but grudging response in New England to his decision to resume bombing of North Vietnam.

The support has many facets. Among them are the normal chins-up response to the Commander in Chief and a reflection of integrity in a matter of national commitment. But they also include a growing disillusionment with the entire military operation and a gnawing concern for the possibility of escalation into a general war with Communist China.

One editor in Maine said that he was chiefly concerned with the shaky condition of the Government of South Vietnam.

Those in higher income and educational levels appear to be better informed about developments and aims, though they shared with the out-and-out hawks a confusion over the moral aspects of the situation. One man said, "Just because we don't like the war doesn't mean we aren't concerned about our boys over there fighting."

Those are some of the conclusions of conversations with a representative cross section of leaders in positions dealing with public opinion in communications, religion and business. And they include inferences made from the disinclination of some persons representing education, religion, and business to discuss the situation even off the record.

Little Visual Protest

So far, there has been little visual protest. A thin line of pickets ringed the Federal building here yesterday. The group was organized by the Committee for Nonviolent Action which is based in Connecticut. But some of the marchers came from local groups that had been opposed to the Vietnam conflict from the outset.

On Boston Common, students handing out leaflets to passers-by reported half of those who accepted them kept them or at least put them in the pockets. They said the others tossed them aside.

Jerome Grossman, chairman of the Massachusetts Political Action for Peace, or PAX, said that the picketing gesture was intended to be a 24-hour vigil. He expressed doubt that it was worth the effort and that the energy could have been spent in other ways. Mr. Grossman is a Boston businessman.

L.B.J. ECONOMIC POLICIES PASS WITH COLORS FLYING

Mr. PROXMIRE. Mr. President, it is about time that someone gave frank praise to the remarkable record this Government has made in recent years to the remarkable economic expansion and growth of our Government.

Complaints about inflation, excessive spending, and so forth come easily and make headlines. But the biggest economic fact today is the magnificent showing of the American economy and everyone with an eye to see and a brain to think must concede that the policies of the Johnson administration have had a great deal to do with it.

Hearings this week before the Joint Congressional Economic Committee has reinforced these Johnson administration achievements.

In today's Washington Post, Harold Dorsey makes a welcome analysis of the economic report. He shows that the report is not simply a singing of hosannahs to the past achievements but a realistic program to meet the problems of prosperity and high employment.

He points out that the President stands ready to recommend unpopular policies if necessary, as the President says:

If the tax measures I am now proposing, in conjunction with the moderating influence of monetary policy, do not hold total demand within the bounds of the Nation's productive capacity, I will not hesitate to ask for further fiscal restraint on private spending.

Dorsey calls that statement by the President "an impressive mouthful of economic wisdom" and the answer to the many economists who "have been doubting that the administration recognizes the problem and who have been skeptical of the President's willingness to adopt corrective policies."

I ask unanimous consent that the article from today's Washington Post by Harold Dorsey, entitled "L.B.J. Economic Report Reassuring" be printed in the RECORD at this point.

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

[From the Washington Post, Feb. 3, 1966]

INVESTMENT VIEW—L.B.J. ECONOMIC REPORT REASSURING

(By Harold Dorsey)

The annual economic report which President Johnson submitted to Congress last week should be placed on the "required reading" list of everyone interested in the current position of the economy and its prospects. It contains facts and reasoning which validate the administration's fiscal and monetary policies.

It portrays an adjustment in some of the policies which have been so effective in promoting the excellent growth of the economy in the past several years. Obviously, the shift is not designed to reverse the favorable trends. Quite to the contrary. Policies are being adjusted for the purpose of protecting a sustainable growth trend against inflation pressures which would create serious maladjustments.

The President bluntly recognizes the threat of inflation. He states: "If the tax measures I am now proposing, in conjunction with the moderating influence of monetary policy, do not hold total demand within the bounds of the Nation's productive capacity, I will not hesitate to ask for further fiscal restraints on private spending."

That is an impressive mouthful of economic wisdom. Not only does it recognize the condition, but it also expresses a determination to restrain demand to whatever degree is necessary to equate it with supply. The statement seems to me to be the answer to the many economists who have been doubting that the administration recognizes the problem and who have been skeptical of the President's willingness to adopt corrective policies.

Equally important in this quotation is the implication of coordination in the use of monetary policies and fiscal policies. This is reassuring because it has appeared in the past few months that there was friction, rather than coordination, in the relations of the Federal Reserve and the administration.

The economic message explains with unusual clarity the policies which led to the current condition of full utilization of the economy's resources. It explains why the problems and policies of a fully occupied economy are different than those of the last few years. It recognizes that the problems ahead require an adjustment in policies if a satisfactory solution is to be found.

I find it very difficult to criticize the policy adjustments that have been recommended. The acceleration of tax payments is likely to slacken moderately the upward trend in the spending of the private sector, but only temporarily. It is one of the efforts to restrain demand a little while the growth in capacity and supply catches up. Tighter credit and higher interest rates are designed to contribute to the same objective. The temporary restraint on otherwise desirable Government expenditures is a third contribution to the same end. The timing and coordination of all three of the policy decisions is a neat bit of planning.

The President's plea to business and labor leaders for restraint is appropriate. The report tried to explain to them why their individual self interest would be damaged by inflation, which is the most unjust and capricious form of taxation. The administration's approach is one of education, not dictation.

Many economists doubt that the art of economic planning has reached the state where monetary and fiscal policies can be tuned to the fine point that will yield a growth trend in the demand for goods and services that will aline with the growth trend of the economy's resources.

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

The PRESIDING OFFICER. Without objection it is so ordered.

THE PROPOSED CONSTITUTIONAL AMENDMENT TO EXTEND THE TERMS OF MEMBERS OF THE HOUSE OF REPRESENTATIVES TO 4 YEARS

Mr. METCALF. Mr. President, the proposed constitutional amendment to extend the term of Members of the House of Representatives from 2 to 4 years makes good sense.

A hundred and seventy years ago, the business of Congress was limited in scope, modest in volume, and less complicated in nature. With the growing complexity of our modern society, the march of technology and the rise of the United States to a position of unparalleled world power, the business of Congress has undergone radical change.

Our work is now almost unlimited in subject matter. Its volume is staggering. Its complexity is such that an entire lifetime could profitably be spent in trying to master it.

There are, in fact, venerable Members who have acquired great expertise through long experience in that body, in one or another field of legislation. Their judgment is profoundly respected. Freshman Members should also have an opportunity to acquire, through experience in office, at least the minimum of knowledge and of skill that is necessary today in order to discharge our collective duties effectively. The present 2-year term practically precludes attainment of that indispensable minimum.

Consider for a moment the workload that confronts the Congress in this second half of the 20th century. We must come to grips with the strategy of nuclear defense, the exploration of outer space, the use of natural resources. We concern ourselves with foreign military economic aid, Federal aid to education, social security, labor relations, highways and housing, industrial health and safety. In every one of these fields, a high degree of expertise is required for the enlightened discharge of the legislative function. That requirement cannot be met in any field—let alone in more than one—within the short space of a 2-year term.

The problem is greatly intensified, moreover, by the hundred-fold increase since 1789 in the number of bills introduced in the House of Representatives during a typical session of Congress. Legislation that is consistently high in quality as well as adequate in quantity to meet this Nation's growing needs would be most likely to emerge from that body if its Members could devote an uninterrupted stretch of 4 years to the problems involved.

In the interests of sound government, the proposed constitutional amendment for a 4-year term for House Members merits our every consideration.

PORNOGRAPHY—ITS PERIL TO YOUTH

Mr. MUNDT. Mr. President, earlier this year I placed in the CONGRESSIONAL RECORD a highly informative article on the subject of pornography, which had appeared in Columbia, the official magazine of the Knights of Columbus. I have just had a letter from the editor of that publication, Mr. Elmer Von Feldt.

I ask unanimous consent to insert the letter in the RECORD at this point.

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

KNIGHTS OF COLUMBUS SUPREME COUNCIL,
New Haven, Conn., January 31, 1966.

Hon. KARL E. MUNDT,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MUNDT: I wish to express my thanks to you for placing the article on pornography appearing in the January issue of Columbia in the January 17 issue of the CONGRESSIONAL RECORD.

The copy you sent is going to the author, Al Antczak. Mr. Antzcak's was the first of three articles in Columbia examining the perils of the pornographic trade in the United States.

Enclosed is the February edition of the magazine which carries a second article. I shall send you a copy of our third article as soon as the March issue comes off the press.

You will be happy to know that the Knights of Columbus, a 1,200,000-member Catholic fraternal organization, which publishes Columbia, has undertaken a nationwide program to alert our society to the danger to youth from the increasingly brazen pornographic productions in this country and is trying to organize community support for legislative, judicial, and executive action to halt this pestilential tide.

Sincerely,

ELMER VON FELDT,
Editor.

Mr. MUNDT. Mr. President, the article to which Mr. Von Feldt refers, "Pornography—Its Peril to Youth," is a searching inquiry into many of the problems surrounding the question of smut, and the restrictions which should be placed on the sale of obscene materials.

I ask that this article, written by Mr. George Gent, TV editor of the New York Times, appear in the RECORD at this point.

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

PORNOGRAPHY; ITS PERIL TO YOUTH

(By George Gent)

(NOTE.—Many authorities who have studied the problem of obscenity feel certain it has noxious effects on youth, but they admit they have not yet come up with massive scientific proof to convince the doubters. Their own disturbing findings are detailed in this second of three Columbia articles on the menace of smut.)

The overridding concern of those alarmed by the rising tide of pornographic literature is its effect on youth and the moral fiber of our Nation.

Most of those active in the crusade to halt the flood of pornography work on the supposition that such literature must necessarily be harmful to youth. Yet the majority of these will admit that they cannot provide any massive statistical proof for their assumption.

A significant fact in the porngraphic trade is that more than ever before it is directed toward the young. It includes magazines that provide a step-by-step program for successful seduction and fully illustrated books of male and female perversion. The young are not spared even the horrors of illustrated bestiality.

Another category—the fastest growing and the one most authorities see as the greatest threat to psychic health—includes books and magazines that combine sexuality with violence. One of these is a comic book series that completely details sadistic methods of sexual fulfillment, including torture, whipping, branding, and the exquisite delight of amputating a woman's tongue. These are not words one puts on paper easily, yet they fill the fantasy life of a growing legion of American youths.

A most vivid memory during the preparation of this article was a visit to the Manhattan office of Operation Yorkville, an interfaith organization dedicated to eliminating the sale of obscene material to young people. During my interview with Father Morton Hill, S.J., the group's executive director, the phone rang and, after listening for a few minutes, the white-haired Jesuit priest

blanched and beckoned me to listen on another extension.

On the other end was one of Operation Yorkville's many volunteers, a 55-year-old advertising executive who had just returned from a screening with a number of community leaders of a pornographic Swedish film that had been seized earlier that day by the New York City police. After describing the film, which dealt with youthful homosexuality, perversion and bestiality, the man, his voice quavering, said:

"I'm a mature man with a grown family and I haven't led a sheltered life, but I've never felt so unclean as after leaving that picture. I wanted to wash my hands and walk and walk until I felt fresh again. It was unbelievable."

Father Hill's office is filled with such material, much of it designed for young readers. He showed me the current copy of a respected literary magazine that featured 12 pages in color of metal sculptures that could be described only as pornographic. The magazine was readily available at the public library.

Americans differ strongly on whether it would be constitutional to suppress such material. The American Civil Liberties Union insists it would not. But another question that arises is whether it can be proved scientifically that pornography has a permanently harmful effect on young people.

Some psychiatrists—Dr. Frederic Wertham is probably the most prominent—insist that it has, but others equally renowned either deny such effects or maintain that proof is lacking.

Groups like Operation Yorkville and the Citizens for Decent Literature work on the assumption that a steady diet of pornography must have harmful effects on young minds and imaginations, but the scientific clincher is missing.

People on both sides of the issue admit that clarity would benefit from a thoroughgoing clinical and sociological study of the problem. But there are those, not at all unsympathetic to the value judgments of the antismut forces, who believe that even in the presence of overwhelming evidence, the issue ultimately will be decided on extrascientific grounds.

Perhaps the most significant scientific endorsement of the antipornography position has come from the New York Academy of Medicine. In 1963, the academy published in its bulletin a statement based on a sampling of obscene literature by its Committee on Public Health. It said in part:

"The academy believes that although some adolescents may not be affected by the reading of salacious literature, others may be more vulnerable. Such reading encourages a morbid preoccupation with sex and interferes with the development of a healthy attitude and respect for the opposite sex. It is said to contribute to perversion. In the opinion of some psychiatrists, it may have an especially detrimental effect on disturbed adolescents. Behavior is complex. It is difficult, if not impossible, to prove scientifically that a direct causal relation exists between libidinous literature and socially unacceptable conduct. Yet it is undeniable that there has been a resurgence of venereal disease, particularly among teen-age youth, and that the rate of illegitimacy is climbing. It may be postulated that there is a correlation between these phenomena and the apparent rise in salacious literature, and perhaps it is causal, but the latter cannot be definitely demonstrated."

It should be noted that the academy's statement was based on a consensus among physicians and psychiatrists consulted by the subcommittee after a perusal of selected pornographic texts. It was not a controlled scientific study of young people addicted to such literature.

Few men have spent as many years in the clinical study of sex and violence in the mass media as has Dr. Fredric Wertham, the noted psychiatrist who has written two classic works on the subject, "The Show of Violence" and "Seduction of the Innocent." While Dr. Wertham's theories have been criticized, he has specialized in this area for over 35 years and has appeared as an expert witness in medicolegal cases throughout the country. His views have been discussed before the U.S. Supreme Court.

Dr. Wertham told Columbia he really feels the combination of sex with violence is the principal threat to psychic health today. Words like pornography and hard-core pornography are misleading, he said, because they lack precision and can be misused. "We have to be careful that we don't fall into the hands of the bigots whose real aim is to suppress sex," he said. The depiction of normal sex or even of eroticism within normal limits is not unhealthy, Dr. Wertham maintains, but when sex and violence are mixed, young people can be affected greatly.

Citing his essay on "Mass Media and Sex Deviation," Dr. Wertham said "the saturation of children's minds with brutality, violence and sadism has done, and is doing, unquestionable harm, including in the sexual sphere. It leads to a demoralization of healthy instincts. This influence on the psychosexual development of children and preadolescents takes place in various ways, through different mechanisms and of course to varying degrees."

He stated there is a direct link between violence and sex. "Sadism is contagious," he said. "It is quite wrong to think of sadism as just a form of aggression or hatred. Psychodynamically it is a short circuit connection between physical cruelty and sex. As well as being potentially socially dangerous, this link is always pathological. Anything that fosters this trend therefore is noxious to mental health."

Dr. Wertham cited numerous instances in his clinical experience where sadistic acts carried out by young people proved upon investigation to be associated with literature dealing with similar experiences. But even where no sadistic acts are committed he said, sadistic fantasies may become a stumbling block in the way of psychosexual development and a dependence on these fantasies may eventually wreck harmonious sexual adjustments in marriage.

Dr. Wertham rejects the widely held psychological theory that the representation of sadistic acts serves as a "safety valve" for disturbed personalities and prevents the execution of such acts. There is no clinical justification for such an opinion, Dr. Wertham says. He said the theory is based on a misunderstanding of Freud who never advocated that people indulge their aggressiveness, either vicariously or actually.

"One of the tests for scientific evidence is predictability," said Dr. Wertham. "More than 15 years ago I predicted that younger and younger children would be committing more and more serious violent crimes. Today that is common knowledge."

Dr. Max Levin, a Freudian psychiatrist and neurologist who has been closely associated with Operation Yorkville, shares Dr. Wertham's opinion about the harmful effects of literature devoted to sex and violence. Dr. Levin, clinical professor of neurology at the New York Medical College and contributing editor on psychiatry to Current Medical Digest, also disagrees with those who maintain that obscene works provide a healthy outlet for repressed sex desires.

"The falsity of the outlet argument may be demonstrated by an analogy," he said. "Let us suppose that the land has been stricken by famine and people are starving. How would they respond to a movie of a Thanksgiving feast? Would it serve as an outlet and diminish their hunger? Not at all. It would only intensify it. So it is with aberrant sex impulses, and for that matter, with normal impulses as well. Sex impulses will only be intensified by pornographic books and films."

To those who maintain that no girl was ever seduced by a book, Dr. Levin replies that it all depends. There are girls and girls, he says, and their reaction to any given work will depend on whether or not they were reared in emotionally secure homes by loving parents. "The argument that no girl is ever ruined by a book is like the contention that there is no need to control the spread of germs since the only people who succumb to germs are those with a predisposition to disease. Predisposition is a hypothetical concept. A healthy man can't say what his predispositions are. Only when he contracts a disease can he conclude that he must have been predisposed."

Dr. Levin's psychiatric practice has been primarily with adult patients. He cited a case where a young married woman complained that she was having marital difficulties, including sexual maladjustment.

In the course of therapy she revealed that her husband had become addicted to pornographic books and magazines of the sadomasochistic type. It wasn't long, Dr. Levin said, before the husband's sexual fantasies were along this line and the couple's sexual problem became greater than ever. In short, pornographic material had a dramatic effect on a middle-class, married man and greatly complicated the couple's marital difficulties.

Father Hill, whose work with Operation Yorkville has brought him into close contact with many adolescents, believes that obscene literature has four undesirable effects on young people.

He listed them as:

1. In every case it weakens the will.
2. It brings about a general introversion of personality by centering the ego on itself.
3. It creates a general feeling of unhappiness by creating desires that are insatiable.
4. It fosters rebellion against authority.

Father Hill said Operation Yorkville is trying to awaken the community to the dangers of the smut racket so that the courts will know that in New York the prevailing community standards—one of the Supreme Court's tests for obscenity—are firmly opposed to the sale of obscene literature to children.

One of the founders of Operation Yorkville is Dr. Julius G. Neumann, the Orthodox Jewish rabbi of Congregation Zichron Moshe. Like most of those interviewed, Dr. Neumann is aware of the dangers inherent in any form of censorship and insisted that every safeguard must be provided for works of serious literature, even those containing a high degree of erotic realism. However he also said:

"The basic unity of our society is the family. Yet how are we going to establish family patterns in the thinking of young adults when pornographic magazines show these young adults their opposite numbers as simply animals, vehicles which may be used to satisfy a sexual hunger and then discarded when the hunger subsides?"

Rabbi Neumann asserted that those who maintain that obscene literature has no permanent effect on the imagination would be among the first to insist that great literature is important in their children's lives precisely because it widens their horizons and creates within them an imaginative empathy with the people and events depicted. "Is it logical to suppose that highly stimulating pornographic literature is totally without effect?" he asks.

The harmful effects of pornography were emphasized in a statement given Columbia

by Dr. Robert Buckley of Santa Monica, Calif., president of the Guild of Catholic Psychiatrists.

"Very few maturing children receive proper and practical instruction about sex," he said. "These uninformed children are easy prey for casual obscenity easily found on the newstands. Once subjected to a mild basic distortion about love, the individual's knowledge can become only more distorted and amoral.

But still there is that nagging lack of scientific evidence to support the argument. Could a test be devised that would settle the issue once and for all? I asked Dr. John Martin, associate professor of sociology at Fordham University, New York, and coauthor of the book, "Delinquent Behavior."

"Yes, such a test could be devised," he said, "but I'm not sure that it would do any good. Decisions of this kind are rarely made on the basis of scientific evidence. In fact, they are often made in complete opposition to such evidence."

The Fordham sociologist agreed, however, that given sufficient funds, a large enough sample and a competent staff, a test could be devised that would satisfy many, and perhaps the majority, of behavorial scientists. At the same time he cautioned that even the most perfect tests devised to date have been subjected to valid criticism because of their methodology, the underlying presuppositions of the testers and their failure to include scientists in related fields.

What if other scientists were included? "An interdisciplinary program would only build the objections into the program itself, not eliminate them," Dr. Martin observed.

He expressed some skepticism, however, about whether any "substantially harmful effects" could arise from the reading of obscene literature. He said that in his work with delinquents he was much more impressed by the impact that economic and social factors have on complex personality problems than the influence of a book.

He agreed, however, that a good test that would bring substantial scientific evidence to the debate, help clear the air and raise the argument above the level of vague generalities and unproved assumptions. But society does not have to wait for the results of such a test before demanding action, he observed. The value judgments of society are frequently enacted into legislation without recourse to scientific proof. "Values, interests and community power are the usual determinants of policy," he concluded.

A deep study of the entire question of pornography leaves one in a tangle of legal, moral, sociological and psychological opinions. Clearly, the only one profiting from this tangle is the pornographer himself.

It is also clear that society has every right to protect itself from what it considers harmful to its children and that scientific evidence is not a requirement of the law. But in view of the increasing difficulty to marshal public opinion on social issues without scientific proof a broad scientific study seems clearly the proper next step.

NAACP WISDOM

Mr. LAUSCHE. Mr. President, in a recent issue of the Cleveland Plain Dealer, there was carried an editorial: "NAACP Wisdom." It commends Roy Wilkins of the NAACP for rejecting the stand of the Student Nonviolent Coordinating Committee's program of encouraging civil rights workers to defy the draft laws as they pertain to our involvement in Vietnam.

It is one thing to exercise the constitutional rights of every citizen of the United States to express his views on courses followed by our Government; but another to advocate noncompliance with the duly adopted laws of the Nation.

Those who advocate civil disobedience, defiance to law and order to achieve their objectives regardless of how noble those objectives may be are building a Frankenstein that will agonizingly crush them in their own efforts to achieve desirable objectives.

Civil disobedience, noncompliance with law and order, although negligible in the beginning will, at the end, produce a monster that will destroy the creators of the wrong.

Mr. President, I ask unanimous consent that the editorial of the Cleveland Plain Dealer be printed in the RECORD as a part of my remarks.

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

NAACP WISDOM

Through its executive director, Roy Wilkins, the NAACP displays the wisdom that goes with maturity in rejecting the stand of the Student Nonviolent Coordinating Committee opposing U.S. involvement in Vietnam and encouraging civil rights workers to seek an alternative to the draft.

As an organization, the NAACP would be diverted from its own major objectives if it were to lash out at American foreign policy and military recruitment methods.

Members of the NAACP can still express their individual opinions of both policies but as an organization the NAACP quite properly keeps its sights on its goal of advancement of colored persons.

As Wilkins and other NAACP leaders know, it has a lot of work to do and a long way to go.

JOSEPH C. WILSON—BUSINESSMAN OF THE YEAR

Mr. JAVITS. Mr. President, I would like to call to the attention of my colleagues the announcement that Joseph C. Wilson, president of the Xerox Corp., in Rochester, N.Y., has been named Businessman of the Year for 1966 by the Saturday Review. This is a well-deserved honor for an outstanding New York businessman.

It is especially significant to me because Mr. Wilson is deeply committed to the concept of a creative partnership between business and government, and has shown, through numerous actions, that he is deeply conscious of the public service responsibilities of business and its leaders. This is a concept which is very precious to me, and which has been the cornerstone of my own political philosophy throughout my career. So I am doubly pleased to join in honoring Mr. Wilson, and congratulating him for serving the American system so brilliantly.

The Saturday Review of January 8 has an excellent article on Mr. Wilson, which shows him to be a remarkable combination of successful business executive, public-spirited citizen, and corporate philosopher.

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

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

JOSEPH C. WILSON: FINDER AND SEEKER

The reach of man's mind is being multiplied far more dramatically today by the communications revolution and the information explosion than the power of his muscles was by the industrial revolution of the 19th century. With more than 90 percent of the scientists in the entire history of the world now alive, and with the great bulk of mankind's entire scientific literature having been published in the past 10 years, the techniques and facilities for capturing, managing, retrieving, transmitting, and presenting information for society's use have become central to the management of the human community around the globe.

One man who sees this challenge with impressive clarity is Joseph Chamberlain Wilson, president of the Xerox Corp. He is both an idealist who is the chief architect of one of the great corporate successes of American business and a hard-headed realist who believes profoundly that public service is essential to the health of private enterprise. Mr. Wilson, who was 56 years old last month, personifies Saturday Review's conviction that in our complex socioeconomic system the modern executive must embody a personal commitment to the good society as well as to a sound economy in order to make that system work. Out of this conviction, Saturday Review established its annual Businessman of the Year award. The 1966 citation goes to Mr. Wilson.

A family enterprise in Rochester, N.Y., the Xerox Corp. was a modest maker of photographic paper with annual sales of $33 million before 1960. When Wilson joined the Haloid Co., as it was then known, in 1945 after graduating from the Harvard Business School he was determined to explore new avenues of growth. He had no idea where they were or where they might lead, but his personal philosophy has always included the quest for new horizons as a prerequisite to personal and professional success. He recently phrased it this way: "To set high goals, to have almost unattainable aspirations, to imbue people with the belief that they can be achieved, is as important a fact as the balance sheet; perhaps more so. There is another quality—of the spirit—which is equally meaningful. Call it esprit—call it enthusiasm—call it pride in striving for excellence—call it willingness to change, to create, to innovate—or call it courage to risk. Call it many things but it adds up to character."

This philosophy soon found an opportunity for testing, when Wilson heard of a new process for electrostatic copying developed by an obscure inventor, Chester Carlson. Carlson had been unable to interest any major corporation in his idea, but Wilson saw the advantages of speed, simplicity, and the elimination of specially treated paper and chemicals. With limited financial resources only a small research and marketing organization, Wilson was able to persuade Carlson and his associates to let Haloid undertake the development of his xerographic process. The reason, as Wilson said, was: "We were hungry to act. They knew we would risk everything to make xerography a success. Here again is a point indelibly planted in the history of this corporation. It is that the great opportunities are given to those who are willing to take advantage of the new, but are willing to accept great risk in doing so. * * * Xerox policy puts great stress on innovation, on creativity. It is the quality

we most applaud; willingness to try new things is the motive above all others we nurture."

In 1945, however, it seemed to be all risk for a remote reward. It required tenacious courage over 14 years, not to mention an investment of $20 million before the famous office copier, 914, finally conquered the market in 1960. Five years later, 1965 sales had increased nearly tenfold, to $385 million and for 1975 Mr. Wilson's forecast is $2 billion in sales.

Now head of a remarkable, worldwide corporation with 15,000 employees, 70,000 stockholders, and an unparalleled record of growth and profits, Mr. Wilson, during an interview in his office in Rochester, made this point about the launching of the 914: "Every good thing happens as an act of faith, not as the result of a market study. The act of imagination is to create something people will want when it is ready, even though they say when you ask them about it beforehand that they don't want it. Market research said we were absolutely wrong in planning the 914, in making a big complicated machine when people clearly wanted small simple machines. We were advised to abandon the project as soon as possible. But our own intuition, our sensitivity told us to go ahead. You have to risk a strikeout in order to hit a homer."

The dramatic financial success of Xerox, however, has not been an end in itself to Mr. Wilson, but rather a means to open other horizons of public service. He recently expressed his aims this way: "When people ask me what Xerox really wants to do, I say we want to render values, usually new ones that men have not enjoyed before. We want to be part of an industry that gives men something worth getting. We want to add new dimensions to the ways they communicate, to make increasing knowledge more broadly useful. We want to profit from these efforts. And we want those associated with us to be proud of what they are doing. * * * To say we are in the communications business suggests, at least to us, an obligation to a world in which people can communicate. It suggests the need for freedom and peace, and it demands the end of ignorance."

When Xerox decided over a year ago to commit $4 million to sponsor a noncommercial series of special television shows designed to spread knowledge about the work and contributions of the United Nations, it created the kind of controversy that many corporate executives abhor. More than 60,000 letters of protest from rightwing, anti-U.N. correspondents poured wrath on Xerox. But Wilson stood firm. A volume of favorable letters began to arrive, and a recent study by public opinion analyst Elmo Roper confirmed that the controversy had gained more valuable friends for Xerox than it had lost.

A relaxed, friendly man, Mr. Wilson said reflectively of this incident a few days ago, "we want people in this company who are not only able, but highly motivated about the public interest. We believe that people keenly concerned about the world around them, with a strong interest in social progress, make the best executives and are most likely to work for a company that shares such concerns. That is why most of my associates at all levels were proud we did the United Nations programs, and that we continue to * * *. We are established in Rochester, but to have influence outside in the country—and the world—you have to live the way you believe, and we believe it is best for our business to be highly motivated by an interest in the good of the society around us."

This business philosophy of social progress was also reflected in Mr. Wilson's activity as a member of the Committee for Economic Development (CED), the organized instrument for research, study, and policy planning through which many of the most influential and enlightened business leaders in the country help shape the direction of our national economy.

It was typical of the man and the spirit of his company that he was anxious to pay generous tribute to Xerox's team of talented executives, and especially to his close friend and colleague, Sol M. Linowitz, chairman of the board. Mr. Wilson emphasized that "more than anyone else, Sol Linowitz has had great influence in helping shape the direction and philosophy of Xerox. He is also our general counsel and I have never made a major decision in the past 20 years without talking with him about it."

Mr. Linowitz, with whom Mr. Wilson wished to share Saturday Review's citation, is also a skilled and dedicated ambassador of public service for Xerox in the fields of international relations, education, foreign aid, the United Nations, and the broad development of facilities for bringing the serious performing arts directly to more and more of the American public. In all these fields he occupies important advisory posts for the Federal as well as city and State governments. As much as Mr. Wilson, he personifies the public service philosophy of the Xerox Corp.

Not only did the corporation donate $300,000 to charities during the past year, but it annually gives 1 percent of its pretax profits to colleges and universities. Higher education is one of Mr. Wilson's most vital interests, and he is chairman of the board of trustees of his alma mater, the University of Rochester. On graduation (Phi Beta Kappa), he planned to go into teaching—until his father persuaded him to join Haloid.

Of the $809,492 in educational grants made by Xerox last year, about $370,000 went to the University of Rochester. In 1961 he announced a plan to enable the university to apply a $1 million contribution toward its objectives "over the next 3 to 5 years." He also established a scholarship fund for the children of Xerox employees and endowed a chair in international economics at the university.

In speaking of Mr. Wilson's services to the university, President W. Allen Wallis said, "He brings great management insight to the board of trustees. He focuses on broad-gage matters, sticks to policy, and does not intrude into operations. The breadth of his vision, the scope of his knowledge help us to define our aims and to achieve them."

Xerox has invested more than $86 million in preparing for planned diversification over the next decade. New teaching systems to find new ways of teaching people, an educational publishing company to create specially programed courses for students and thus increase the productivity of teachers and accelerate the learning progress of students are among these projected Xerox activities. Mr. Wilson sees the educational market as a major factor for Xerox in the 1970's.

Because of the swift technical development of communications, Mr. Wilson thinks the world is at the dawn of becoming a single cultural community. He says: "Communications includes important elements of education, and is close to being the essence of humanism; our ability to draw upon the information created by those who went before us is a uniquely human ability. It is in the area of communications that Xerox has its special interests and will make, I trust, special contributions. Communications technology is undergoing a revolution no less great than that experienced by energy."

To respond to the coming changes Mr. Wilson believes that people must receive "purchasing power that is increasingly independent of the hours spent doing things that have represented the great bulk of the world's work up to now. We must, quite simply, invent a new kind of money, a new way of distributing the material wealth of our society. How prepared are we to make the social inventions, the practical nontechnical plans, for the changes in our institutions that these developments are forcing upon us?"

It is the tremendous spectrum of change that he sees coming that interests Mr. Wilson so keenly in education. He thinks of the university as the bridge to these new aspects of life, as a cluster of brains on which business, government, scientists, and other individuals must depend for the cohesive intelligence needed to meet the problems confronting the world. The university will help preserve freedom, and Mr. Wilson says of freedom that it may be clumsy but it leads to greatness in any society or nation.

His faith in freedom was an integral part of his work for equal rights for Negroes and other minority groups in Rochester. Xerox today, in association with other leading Rochester institutions (especially Kodak, of which he is a great admirer), is working carefully to open up job opportunities, to give special training, to recruit talented prospects from these groups. The serious disturbances within Rochester's Negro communtiy last year were a "surprise to most of us here for we felt the city had really done a conscientious, enlightened job in this area of our relations with each other. Our difficulties were probably a symptom of the racial tinderbox here and everywhere."

With his wide reading and frequent travel abroad, Mr. Wilson feels deeply involved with the world around him as well as with Xerox, but he recognizes that corporate success powers his ability to render the quality of public service that interests him in education, in racial justice, and the reduction of poverty, and in international relations. Of this aspect of Xerox, he says, "To provide leadership within business for the social projects that interest us here we must be terribly successful. If our business were to falter it would harm our ideas. Xerox's task is to remain incredible, but be credible. We want to be an important major world enterprise. And we want to render services of real value to the world.

In a speech at the United Nations in connection with the controversial television programs Xerox sponsored, Mr. Wilson said, "It is a part of our philosophy that the highest interests of a corporation are involved in the health of the earth's society. How ridiculous it is to build a showroom in New York without simultaneously trying to help build a peaceful world. Our objectives, like yours, are to help men better communicate with each other, and therefore it is all important for Xerox to be favorably known throughout the world as an institution willing to risk in order to improve understanding, which will innovate boldly, but not recklessly, which will accept challenge of its short-range position in order to buttress the long years ahead. It is our deeply considered judgment, cold and calculated, that this company will benefit by its association with the U.N. and with you * * *. These men of the U.N., of all the earth's people, are living soul-size lives. It is a joy and a value to join with them."

A highly efficient, resourceful, imaginative version of the businessman-citizen Saturday Review regards as essential to the expansion of our economic society and of the quality of life in America, Mr. Wilson is himself living a soul-size life at a time of

national urgency when our character and our principles are being challenged as never before.

WILLIAM D. PATTERSON.

THE PRESIDENT'S MESSAGE ON INTERNATIONAL HEALTH AND EDUCATION

Mr. YARBOROUGH. Mr. President, today the President sent to Congress a special message on international health and education.

Reading it, I remembered some informal remarks which President Johnson made last summer at the National Institutes of Health.

The occasion was the signing of the Health Research Facilities Amendments of 1965. Before putting his pen to that historic act the President made a speech which included these words:

I wake up in the morning * * * and the one thing that sustains me is to see what we are doing for the lame and the palsied, what we are doing in adding knowledge in the field of education, what we are doing * * * to make this not just America the beautiful, but the world the beautiful.

He spoke that day of "the goals that we will set for happiness for all of the children not only of our land," but of the world.

I was struck then by the magnitude of the President's hopes.

And I am glad today to see those hopes being translated into a program of mutual cooperation and mutual benefit to the world's nations.

I believe this program will be remembered as a remarkable achievement for the Congress.

It emphasizes cooperation, not charity.

It recognizes that our wealth and manpower are not unlimited.

It gives us an opportunity to broaden the concern we have already demonstrated for better health.

It affirms Disraeli's famous observation:

The health of the people is really the foundation upon which all their happiness and all their powers as a state depend.

I endorse these imaginative proposals. And I submit that if we support them, we will earn the verdict of time that we did the just and right thing at this moment in history.

A large part of the President's message dwelt upon international cooperation in education. The main thrust of the message was clear: increase understanding and we increase the chances for a livable world. Increase our knowledge of the world beyond our shores and increase the knowledge that those in other lands have of us, and we will have taken a giant step toward peace.

VIETNAM—A CHRISTMAS TO REMEMBER

Mr. RUSSELL of South Carolina. Mr. President, while great and difficult decisions are upon the President and the Congress with respect to this Nation's foreign policy in Vietnam, I think it fitting that the observations of a soldier, stationed in that faraway place, be brought to the attention of us all. It is his recollection of Christmas evening in Vietnam, written by Capt. R. E. Ward III, son of Mr. and Mrs. R. E. Ward, Jr., of Spartanburg, S.C.

I ask unanimous consent to have the article from the Spartanburg Journal of Spartanburg, S.C., printed in the RECORD.

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

A CHRISTMAS TO REMEMBER

(NOTE.—Christmas has passed but the memory and experience lingers with most. Here is the story of a soldier in Vietnam in his words:)

R. E. Ward III, son of Mr. and Mrs. R. E. Ward, Jr., of 116 Pineville Road, is a captain with the 1st Infantry Division on combat duty in Vietnam.

Prior to his Vietnam assignment, Captain Ward was aide-de-camp to Brig. Gen. Randolph C. Dickens. For his performance during his service with Brigadier General Dickens, Captain Ward received the Army Commendation Medal.

Since he assumed his duties in Vietnam, Captain Ward and Mrs. Ward, the former Miss Beverly Riedel, have become parents of a son, Robert Edwin Ward IV. He was born on January 6.

From Vietnam, Captain Ward has written his parents about his observance of Christmas. No one can tell his story for him. It follows in his own words:

"A Christmas to remember:

"Christmas Eve 1965, Republic of South Vietnam. Tonight I experienced Christmas as man was intended to. Unlike the typical cold snowy Christmas Eves of my youth, this was a warm tropical evening with a slight breeze, very pleasant and mild. Also different was my dress. On this night I, like most of the other men, was in uniform. Not our dress uniform or class A uniforms, but in the dusty olive drab combat fatigues. Some of the men even carried guns on their hips.

"We all arrived at 2000 hours for the Main Post Chapel Christmas Eve communion service. The tent was without lights due to a generator failure and men were hastily putting up gas lanterns. A wooden floor and strong rough pews had been placed inside. An altar table had been erected with the chaplain's altar set open in readiness for the service. The men of the 1st Infantry Division band (used as guards of the division CP and the commanding general when not playing in the band) were seated inside the tent dressed in starched dress uniform.

"The service began with a Christmas carol played by this great band. We sang hymns and carols of Christmas with one powerful 100-man voice fortified by this band lifting the top of the tent almost off. Never have Christmas carols sounded so proud, yet so humble. So strong and mighty, yet so reverent and in praise of our Lord. Two Army chaplains lead us in prayers, read the Christmas Story, and served the Lord's Supper.

"The chapel was too small for the communion to be served at the altar, so we were asked to come forward one after the other and receive a wafer, dip it in the wine and return to our seats by moving outside the tent. Here were men from all walks of life, all denominations, all ranks and races coming to receive the blessings of their God.

"On this night the fighting edge of the 1st Infantry Division gathered together, infantrymen, artillerymen, engineers, quartermasters, signal, adjutant general, etc., cooks, drivers, clerks, mechanics, gunners, medics, riflemen, all coming to this tent in this strange land to remember and pay their respects to the day that Our Lord and Savior was born. This was the day that God gave His only Son for us and all mankind.

"This was truly a Christmas with Christ as the central theme. It was a celebration of His birthday. After the benediction we went out refreshed and proud to be here in this country doing a job for our God and country. We went back to our tents and fox-holes with a renewed spirit, ready to do our jobs knowing that there is a cause, there is a meaning to our life, there is a reason for being in this land at this time. We knew what Christmas was about and we were happy.

"I wanted to pass this experience on to you all so that you also might remember in years to come that this was a Christmas to remember.

"It was a difficult time for all of us with this separation. And yet our cross is light, our suffering slight in comparison to God who so loved the world that He gave His only begotten Son so that whosoever believeth in Him should not perish but have everlasting life. On this day the greatest man who ever lived was born. Let us always take time during this season to remember this event and thank God for His love and understanding.

"ROBERT E. WARD III."

EDUCATION AND LIBBY DAM

Mr. METCALF. Mr. President, one of the serious educational problems in various parts of the country has been construction of adequate school facilities, in time for children to use them, in federally impacted areas.

Lincoln County, Mont., is an impacted area which is due for a much greater impact in the years ahead. Libby Dam in Lincoln County is going into construction, by the Corps of Engineers, this year.

According to a survey furnished me by the corps last year, the school population of the town of Libby will increase by 180 this year, 1,060 next year, and 1,440 in 1968. In other words the school population in 1967 will be about 800 above what it was in 1966, and the Libby schools will have to educate an additional 380 children in 1968. The impact will stay at approximately that high level, the corps estimated, through 1971. The Libby school system now has about 2,000 pupils, thus the new impact will mean an increase of about 70 percent.

There will also be an impact, although a lesser one, on other school systems in Lincoln County, because of construction of Libby Dam.

On January 10 I asked the Corps of Engineers and Office of Education to advise me how plans were progressing on extension of all possible assistance to the Lincoln County school system in connection with Libby Dam construction.

Mr. President, I am amazed by the response that I have received to that request. I find that the Corps of Engineers, which last year forecast a tremendous impact on the Lincoln County school system, has advised the Office of Education as follows:

Most of the work on Libby Dam will be seasonal, due to winter weather conditions.

Representatives of the Corps of Engineers have expressed their belief that, for this reason, many of the construction workers will not move their families into the Libby area, and that the workers will live there only during the actual working season. If such proves to be the case, the impact on the Libby school system will not reach the proportions apparently anticipated by the officials of the school district.

That statement above, attributed to the Corps of Engineers, contrasts sharply with the forecast by the Corps of Engineers itself, in its estimates furnished me last year.

Mr. President, I had not been aware of any plan to construct Libby Dam on a seasonal basis. The Bureau of Reclamation constructed Hungry Horse Dam and Yellowtail Dam, in similar latitudes, in record time. Many construction workers, despite the nature of their work and the amount of travel and moving involved, endeavor to take their families with them, particularly when, as in this case, construction will extend over a 6-year period.

Libby Dam's builders are not going to be a bunch of hermits, working when the sun shines. They are going to include a good many family men, many of them from other parts of Montana, who intend to stay with the job, be a part of the community, and educate their children in Lincoln County.

I want to see adequate school facilities for those children. I am not pleased with the conflicting forecasts of school impact provided by the Corps of Engineers. It will be provided an opportunity to review and reconsider these contradictions.

I know that the corps, the Office of Education and the local school system have extremely competent and conscientious persons who want to provide adequately for the children's education. I believe it wise to get this matter of projected school population straightened out as quickly as possible.

Mr. President, I ask unanimous consent to insert at this point in the RECORD the corps' March 1965 estimate of school enrollment increase in Libby, my letter of January 10 to Lt. Gen. William F. Cassidy, Chief, Corps of Engineers, which also went to Dr. B. Alden Lillywhite, Assistant Commissioner and Director, Division of School Assistance in Federally Affected Areas, Office of Education, and Dr. Lillywhite's January 19 reply. I also include the January 28 letter to me from Col. C. C. Holbrook, district engineer—Seattle—of the Corps of Engineers, which concerns not only school matters incident to Libby Dam but also health, highway safety and law enforcement in the project area.

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

Libby Dam project—Estimated increase in Libby, Mont., school enrollment resulting from construction of Libby Dam project

[Based on an assumed construction start in 1966]

Year	Project created employment				Student enrollment [2]				
	Contractor workers	Government workers	Service workers [1]	Total workers	Kindergarten	Grades 1 to 6	Grades 7 to 9	Grades 10 to 12	Total
1966	200	50	25	275	16	100	40	24	180
1967	1,350	100	145	1,595	95	583	244	138	1,060
1968	1,850	110	195	2,155	130	792	331	187	1,440
1969	1,800	115	190	2,105	126	770	322	182	1,400
1970	1,800	115	190	2,105	126	770	322	182	1,400
1971	1,780	115	190	2,085	125	765	320	180	1,390
1972	1,350	100	145	1,595	95	583	244	138	1,060
1973	250	35	25	310	19	116	48	27	210
1974	30	35	5	70	4	25	10	6	45
1975	20	25	5	50	3	19	8	5	35

[1] 10 percent of project workers.
[2] Total enrollment is based on ratio of 1.5 workers per student. Department percent of total is: Kindergarten, 9 percent; grades 1 to 6, 55 percent; grades 7 to 9, 23 percent; grades 10 to 12, 13 percent.

JANUARY 10, 1966.

Lt. Gen. WILLIAM F. CASSIDY,
Chief, Corps of Engineers, Department of the Army, Washington, D.C.

DEAR GENERAL CASSIDY: In the enclosed letter, Superintendent Carl R. Engebretson of the Libby, Mont., public schools, shows that close cooperation between the corps, the U.S. Office of Education and local school officials is essential in order to have adequate school facilities available for the thousands of students who will be added to the Lincoln County school rolls after construction of Libby Dam begins.

I am most anxious to see that the Federal Government extends all possible assistance to the Lincoln County school system during this difficult period.

I would like to know what the corps is doing in this regard now, and what else needs to be done.

I am sending a copy of this correspondence, for comment, to Dr. B. Alden Lillywhite, Assistant Commissioner and Director, Division of School Assistance in Federally Affected Areas, Office of Education. I assume your people are already in touch with the Office of Education.

Very truly yours,

LEE METCALF.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, OFFICE OF EDUCATION,
Washington, D.C., January 19, 1966.

Hon. LEE METCALF,
U.S. Senate,
Washington, D.C.

DEAR SENATOR METCALF: This is in response to the request in letter dated January 10, 1966, to Lt. Gen. William F. Cassidy, Chief, Corps of Engineers, Department of the Army, for our comments concerning Federal aid for school construction under Public Law 815 for the Libby public schools, Libby, Mont.

Our field representative for the area which includes Montana is keeping us currently advised of developments pertaining to the Libby Dam project and with the situation in the Libby school district. His latest report to us dated January 5, 1966. Since the fall of 1964, he has been in close contact with the Seattle District Office of the Corps of Engineers, which is in charge of construction work on the Libby Dam project.

The contracts for construction of Libby Dam are not expected to be let until April 1966. The Corps of Engineers has advised our field representative that of the first three construction contracts scheduled to be let, only two will be so located as to have a possible effect on the school population at Libby. One of these contracts is expected to involve about 60 construction workers and the other about 80 workers. Most of the work on Libby Dam will be seasonal, due to winter weather conditions. Representatives of the Corps of Engineers have expressed their belief that, for this reason, many of the construction workers will not move their families into the Libby area, and that the workers will live there only during the actual working season. If such proves to be the case, the impact on the Libby school system will not reach the proportions apparently anticipated by the officials of the school district.

Libby School District No. 4 has two current Public Law 815 applications on file, one for the 2-year membership increase period ending June 30, 1966; and the other for the 2-year membership increase period ending June 30, 1967. At the present time, it does not appear that the school district will qualify for a grant under either application.

Under section 5 of Public Law 815, the minimum requirements for eligibility are that the estimated increase in membership of federally-connected children during a 2-year membership increase period covered by an application must be at least 20 in number and constitute at least 5 percent of the base year total average daily membership. Section 4 of the act provides that a grant to an otherwise eligible applicant may not exceed the amount required to provide minimum school facilities for the estimated number of children who will be in the membership of the schools of such district at the close of the increase period and who will otherwise be without such facilities at such time.

On the basis of current information, it does not appear that there will be a sufficient increase in federally connected membership in the school district by June 30, 1966, to meet the minimum eligibility requirements under the 1966 application. Based on the information furnished by officials of the school district in the current applications, the capacity of the existing school facilities exceeds by over 400 the total membership estimated for June 30, 1967. Thus, at this time it appears that if the number and percentage requirements for eligibility are met by June 30, 1967, the school district still would not be eligible for a Federal grant for construction of additional classroom facilities because there are no unhoused children (i.e., those without minimum school facilities) in the school district. However, if the increase in membership should be substantially greater than anticipated at present, the school district might qualify for Federal funds for school construction.

It appears that most of the increase in school membership which may occur in the Libby school district as a result of construction on the dam project will be children in

subsection 5(a)(2) category; that is, children who reside with a parent who is employed on Federal property. As Public Law 815 is currently amended, the provisions of subsection 5(a)(2) of the act expire June 30, 1966. Thus, unless the provisions of this subsection are extended by the Congress, only subsection 5(a)(1) children (children who reside on Federal property with a parent employed on Federal property) may be counted as federally connected in an application filed for an increase period ending later than June 30, 1966. It is not anticipated that there will be very many of this category of children in the school district.

We will continue to keep in close touch with the Corps of Engineers, and if there is any change in the situation, we will act accordingly.

If you need any further information, please let me know.

Sincerely yours,

B. ALDEN LILLYWHITE,
Director, School Assistance in Federally Affected Areas.

JANUARY 28, 1966.

Hon. LEE METCALF,
U.S. Senate,
Washington, D.C.

DEAR SENATOR METCALF: You will recall during our meeting in November when I briefed you on the Libby Dam project and the resultant social and economic impact on the town of Libby and other communities within the project area, you asked me to advise you where assistance in their obtaining Federal aid might be required. Yesterday the announcement was made from Washington that the Government of Canada had been formally notified that the United States would construct Libby Dam as provided for in the treaty. Therefore, at this time I would like to advise you of the status of certain matters involved in preparing the communities for the impact which will result from the construction activity.

You expressed greatest concern in regard to the schools. The town, county, and State authorities were given, approximately 1 year ago, our best estimate of the number of persons that would move into the area and of the number of students by grade grouping expected. We have continued to advise and assist them since then. Following my meeting with you, I visited Miss Miller, State superintendent of public instruction, as you suggested, and, in addition, Mr. John Campbell, State aid administrator, and Mr. Wayne Haefer, administrator of 815 and 874 money, State department of public instruction. In addition, my staff has been in contact with Mr. Ralph Rose, regional representative, Office of Education, U.S. Department of Health, Education, and Welfare. From this many contacts I obtain the belief that arrangements for preparing the school system in the project area for the influx is progressing satisfactorily. Even so, I suggest a query by you to the Department of Health, Education, and Welfare would be appropriate.

Sanitation and health provisions are also very important. In November I informed you that the citizens of the town of Libby had just rejected by a 2 to 1 vote the proposal for a bond issue necessary to finance construction of an adequate sewage treatment plant which is badly needed now even without the added influx. The mayor apparently intends to put this matter to another vote soon. I have discussed the matter with him and also with Mr. Brink of the State department of health. In addition, my staff has discussed the problem with Mr. Riepe, regional director, Public Health Service, U.S. Department of Health, Education, and Welfare. Solution to this problem is uncertain. Consequently, I suggest that your query to the Department of Health, Education, and Welfare on this matter also would be appropriate. A less severe problem in this category but worthy of mention here is the need for medical facilities. As I mentioned in November, the hospital at Libby is apparently planning an addition, but there isn't yet reliable assurance that this will come about or that medical personnel and facilities would be adequate.

Safety on the highways and law enforcement in the communities is, of course, another important problem area. I have discussed this with Col. Allen Stevenson, chief, and Capt. Pete Gauch, safety director, Montana State Highway Patrol. In addition, my staff has had many contacts with various law enforcement officials. Some action has already been taken and other is planned to meet the requirements. However, in view of the limited resources of the communities in the project area, I feel certain that the State will find it necessary to provide more than normal assistance. As far as I know now, there is no Federal aid available.

Sincerely yours,

C. C. HOLBROOK,
Colonel, Corps of Engineers, District Engineer.

HOUSE VETERANS' COMMITTEE REPORTS OUT VETERANS' READJUSTMENT BILL

Mr. YARBOROUGH. Mr. President, I commend Representative OLIN TEAGUE, chairman of the House Veterans' Affairs Committee, for reporting to the House of Representatives a comprehensive readjustment bill, similar to my cold war GI bill—S. 9—which passed the Senate last year. The bill reported out today is far preferable to the limited, discriminatory bill which was recently recommended by the Veterans' Administration and the Bureau of the Budget. Where the Veterans' Administration bill is severely limited as to eligible veterans serving in particular areas, Chairman TEAGUE's bill would apply equally to all veterans of the cold war without the artificial qualification of where they served. Similarly, the House Veterans' Affairs Committee bill would apply to all veterans since January 31, 1955, rather than be limited to a small number of recently discharged veterans.

The bill reported out today is the most advanced bill to be reported from the House Veterans' Committee in 7 years, and Chairman TEAGUE is to be given credit for his understanding of the philosophy of readjustment benefits behind such a bill. While the bill reported out does not offer as full educational benefits as my cold war GI bill—S. 9—which passed the Senate last year, it is still a major step forward in providing justice for these 5 million veterans, although it is regrettable that the House bill omits on-the-job training. There is a great need for vocationally trained men in many fields today, and on-the-job training is a good way to obtain vocational training.

Although I will continue to work for a bill that will provide 1½ days of educational benefits for every 1 day's military service—rather than 1 day for 1 day as in the House bill—for a bill that would offer the larger monthly payments included in S. 9, and for a bill that includes on-the-job and on-the-farm training, I still consider today's House action a major breakthrough in our efforts to provide a just and equitable readjustment bill for our deserving cold war veterans.

THE TWO EDGES OF INTEREST RATES

Mr. BENNETT. Mr. President, early in December the Federal Reserve Board, sensing the inflationary pressures that were building took action to increase the discount rate. There was an immediate reaction by some who favor artificially low interest rates at all costs. I have been pleased that following the first reaction by the administration, there have been no official statements criticizing the action and in fact, the President in his economic message recognizes the responsibility of the Federal Reserve to prevent excessive credit flows that could carry the pace of expansion beyond prudent speed limits.

In the interest of presenting facts that may dispel some of the misstatements that have been circulated regarding the Federal Reserve action, I feel that it would be desirable to include in the RECORD the remarks by Archie K. Davis, president of the American Bankers Association made before the National Credit Conference as reported in the American Banker of February 1, 1966. I ask unanimous consent that the article be printed in the RECORD.

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

THE TWO EDGES OF INTEREST RATES: DOMINANT IN BOTH INCOME AND EXPENSE

(Perspective on interest rates was provided by Archie K. Davis, president, American Bankers Association, and chairman, Wachovia Bank and Trust Co., Winston-Salem, in an address before the National Credit Conference this week. While bankers generally understand the expense of interest, the public generally seems to regard it primarily as a revenue item for banks, and the industry therefore needs to make vigorous efforts to correct the misconceptions, Mr. Davis said. He directed attention to inflation as the primary problem in increased financial costs, and cited a number of cases where interest rate increases have had relatively minor influence on total cost. Key excerpts are printed herewith.)

In view of the developments since the first week in December, there can be little doubt that the increase in the discount rate was the right move for the right reasons at the right time. Credit demands from the private sector are still high and mounting. Fears that capital spending programs would be cut back by higher rates have been dissipated by evidence that business will continue to enlarge its capital outlays. State and local government borrowing is steadily increasing, and there is every indication that the Federal Government will continue to rely on deficit financing. Under these circumstances, it is clear that sound monetary policy must stand in the first line of defense against inflation. And it is not unreasonable to expect further monetary restraint if demand continues to

surge against the Nation's capacity to produce.

Against this background of emerging economic trends, the subject of interest rates is in the public forum and is likely to remain so for some time to come. We in the banking industry have an obligation to see that these discussions are both factual and balanced because the subject of interest rates is among the least understood of all economic facts. Yet, interest rates play a vital role in our free enterprise market economy.

Explaining the function of interest rates is no easy task. Most people recognize that interest is the price of borrowed money, and that the rate of interest is merely expressing that price as a percentage of the amount borrowed. Yet, once we go beyond this simple definition, one's views may be emotionally biased by his position as a borrower or a lender.

Interestingly enough, most Americans are both borrowers and lenders. In the past 15 years, savings accounts of individuals in banks and other financial institutions have risen from $71 billion to $253 billion; life insurance and pension fund reserves have advanced from $85 to $238 billion; Federal, State, and corporate bonds and mortgage holdings have risen from $88 to $128 billion, and on all of these items individuals earn interest. Liabilities or obligations of individuals, during the same 15-year period, have risen from $80 to $313 billion and, of course, interest had to be paid on this rising total.

As bankers, we are very much aware of the dual role of interest. As the price we receive for our most important product—credit—it is our single largest income item. On the other side of the equation, and of rapidly growing significance, interest payments to our time and savings depositors represent our single largest item of expense. Annual interest payments now exceed total salaries and wages paid annually to the better than 750,000 men and women employed by the banking industry. During 1964, these interest payments exceeded $4 billion, or almost double the amount paid in 1961. And, when the figures for 1965 are in, I am sure we shall see another large increase.

Contrary to popular opinion, rising interest rates are a mixed blessing for banks. Since the banking system, in effect, borrows from its depositors and lends to its borrowing customers, it must compete in the marketplace with other borrowers and lenders; therefore, it must pay the going rate for savings and other time deposits and must lend at competitive rates. A soundly managed bank must be a profitable bank and must naturally lend at a rate higher than it pays for money. But higher rates do not necessarily mean greater earnings over the long pull because profits are influenced by other cost factors, by the volume of credit outstanding and by the quality of loans and investments.

If inflationary pressures are present in the economy, as they are today, with prices and wages going up in response to supply and demand factors, there are bound to be upward pressures on the price of money—again the result of supply and demand. Banks are not insulated from the economy and must flow with the tide. A strong loan demand requires more loanable funds. To attract these funds requires higher savings rates which, in turn, are reflected in higher loan rates. In periods of rising money costs, the prices of Government securities and other fixed rate investments decline. Not infrequently, in order to meet increasing loan demands, banks must liquidate such investments at a loss which obviously results in a drag on profits.

Banking, like most other businesses, makes its profits primarily on volume—on expansion in the total volume of interest-bearing loans and investments.

Given the volume of credit demanded, the amount that banks can lend depends on two things: their ability to attract time and savings funds and the degree of ease or tightness in Federal Reserve monetary policy, which governs the amount of new reserves available to banks for additional loans and investments. A period of rapid credit expansion and rising interest rates is usually accompanied by monetary policies which restrict the rate of growth in bank reserves. This, in turn, limits the rate of growth in bank loans and investments. And that is precisely what the Federal Reserve is trying to accomplish.

Clearly, then, rising interest rates are a mixed blessing for commercial banks. As the evidence accumulates, economists are, more and more, coming to the conclusion that overall profits tend to be better when interest rates are stable and the rate of growth in bank loans and investments is relatively high.

There is a popular misconception that the Federal Reserve determines interest rates and can and should keep them low by simply pumping more money into the economy. It is true that the Federal Reserve is an influential supplier of funds, but it is not the sole supplier nor can its powers be used recklessly and without regard to all phases of the national interest. No responsible central bank would have used its full powers to hold interest rates down in the face of the circumstances prevailing last fall.

Another misconception that seems to attract public attention is that rising interest rates have been responsible for the rapid rise in consumer living costs. We hear about the higher cost of housing, autos and other manufactured products. But what are the facts? The typical house that cost $10,000 in 1946 costs almost $22,000 today. In 1946, with a 15 percent down payment and a 20-year federally insured mortgage, the buyer paid only $52 a month for the house. Today he would have to pay $128 How much of the increase is a result of the rise in interest from 4 percent to 5½ percent? Less than $7. Putting it another way, if the cost of the house remained the same and interest had gone up 1½ percent, the house would still cost less than $60 a month. Inflation has been the true culprit, not rising interest rates.

Or consider the interest costs on an automobile. When a bank raises its installment credit discount rate by ½ of 1 percent, or 50 cents per $100 per year, this means that the monthly payment on a typical auto loan of $2,400 over 36 months rises from $75.66 to $76.66.

Or consider the impact of rising credit on manufactured goods. The Federal Trade Commission estimates that interest costs account for only one-fortieth of 1 percent of the price of the average manufactured product. If interest rates were to double, which is highly unlikely, the price of a typical manufactured product selling for $100 would rise by only 40 cents.

These are indeed small prices to pay in an effort to hold down the price that the consumer pays for food, clothing and shelter, and to protect the value of his savings.

As professionally skilled bankers, you may conclude that I have oversimplified the problem. But the widespread misunderstanding of interest rates in our economy indicates that we should not spend all our time talking with one another in technical terms; we should discuss interest rates in terms the public understands. To assist bankers in this understanding, I have asked the ABA staff to prepare a short booklet describing in detail some of the aspects of this matter. I hope bankers will use it at every opportunity—with their directors, staff members, customers, and local media—to increase general understanding of interest rates and the important role they play in a market economy.

No discussion of credit and interest rates in today's environment would be complete without referring to some of the thorny problems that have arisen as a result of the Federal Reserve action in raising the CD rate under regulation Q. It is not too much to say that the situation confronting our industry with respect to rates paid on CD's is fraught with danger, not only for our industry, but for the entire financial system and the economy.

Almost 2 months have passed since the Federal Reserve and the FDIC raised the Regulation Q ceiling on time deposits to 5½ percent. In announcing the changes, both agencies emphasized the need for a high degree of prudence and responsibility on the part of both large and small banks in adjusting to this new ceiling. Since that time, a number of banks have made such adjustments, and there have been numerous reports of rates on certificates of 5 percent, and, in a few instances, as high as 5½ percent. This has renewed concern that the scramble for deposits might carry the going rate among the large as well as the small banks to the regulatory ceiling, despite the attempts to avoid making this ceiling into a magnet for going rates.

A new rash of savings instruments based on certificates of deposit has developed among many banks. These are being called savings certificates, savings bonds, investment deposits, or other special names and are being offered at rates as high as 5 percent and guaranteed for periods as long as three years. The minimum amounts being accepted are often $1,000 and, in some cases, as low as $25. The common denominator for many of these new instruments is the fact that they provide for many depositors a ready alternative to passbook savings on which a maximum 4-percent rate has been retained under regulation Q. There have been reports of unsettling and disruptive shifts of funds among banks, and from savings and loan associations to banks. Whether such shifts are indeed taking place in large amounts is of critical significance to the financial system and of great importance to the economy. The Federal Reserve authorities looked into this matter a few weeks ago and concluded that reports of disruptive shifts were somewhat exaggerated, at least at that time.

But this is not the complete story. Even though a rate war among banks and other financial institutions may not yet have developed, the pressure resulting from the rising demand for credit is tempting some bankers—including a few in the large money market banks—to offer unrealistically generous terms on CD's. There is a clear and present danger that such actions could lead to highly destructive and undesirable competition from which no one—banks, savers, other financial institutions, or the American economy—could gain.

Such a fierce competitive race for savings and time money could be particularly harmful to the small banks of the Nation and the regional and local economies which they serve. Healthy competition among banks and other lenders is highly desirable. However, competition that entices large and disruptive flows of funds from country to city, from small banks to large banks, and from the specialized financial industries into the banking system can be harmful.

I therefore urge the Nation's commercial bankers to exercise the prudence and responsibility that will be absolutely necessary in the days and months ahead. There is no magic formula. Nor will the pressures be uniform throughout the banking system. But it is appropriate that we remind ourselves that the most successful banks, over extended periods of time, have been those banks that have been able to strike a healthy balance between the need for stability and the need for growth.

In reviewing bank policies, several questions should be answered objectively. Does the local demand for credit warrant the competitive quest for deposits? Is the bank attempting to grow just for the sake of growth? Will credit standards have to be lowered to put the expensive money to work at rates that will be profitable? How stable are the deposits? Will these shift quickly with any rate change by competitors? How long will the bank be able to sustain the higher rates?

This we must understand: a significant result of the Federal Reserve action has been to grant new freedom to the banking system. With the prime rate at 4½ percent, banks had become a "bargain basement" for borrowers in relation to prevailing rates in the bond market. The effect was to maintain an unrealistic prime rate level which gave a subsidy to bank borrowers and threatened to exhaust bank lending capacity. The increase in the discount rate, and related rise in the prime rate, has given banks a new freedom to charge rates on loans that are more in line with the open market.

In a full employment economy, demands for credit can become almost insatiable. The problem for many credit institutions is to control the integrity of their own portfolios through the selection or rejection of the loans offered. Thus the Federal Reserve action on the rate front dramatized the credit situation that had been developing and helped to improve our ability to build healthy loan portfolios.

The matter now rests essentially with the bankers in their response to this rapidly changing environment. We cannot expect to be monitored daily by the Federal Reserve Board. We have been told plainly that credit must be restrained. We have been told plainly that banks must not indulge in competitive rate wars for time money.

If the Federal Reserve policy is to be effective, self-discipline on the part of banks is now absolutely required. Any other course of action would be unthinkable simply because the national interest demands it. Failure to exercise voluntary but prudent restraint now can only lead to stricter regulatory controls later.

Indeed, the very manner in which the Federal Reserve has raised the flag of caution is indicative of its confidence in the integrity and responsibility of the American banking system, and this we must honor.

STEPS TOWARD CLEAN WATER

Mr. MUSKIE. Mr. President, the Water Quality Act of 1965 is a meaningful document. But it does not complete the responsibility of Congress in the critical area of water pollution control and abatement.

The Water Quality Act gave the Nation the basic tools to enhance the quality of our water resources. To put those tools to work, we need the muscle of greatly increased Federal, State, and local money behind them.

The Senate Subcommittee on Air and Water Pollution has recently published a report which documents this need. The report is entitled "Steps Toward Clean Water," and is based on 12 days of hearings last year. More than 900 pages of testimony and supporting evidence were recorded.

The findings and recommendations of the report are a sobering evaluation of the problem and the need to solve it.

The subcommittee estimates that the national cost of meeting our treatment plant construction needs by 1972 is at least $20 billion. The present Federal effort is only $150 million a year. The subcommittee reports this "is entirely inadequate even to keep pace with the problem."

Furthermore, present restrictions on individual grants gravely limit the program, especially in large communities. While these may be the most obvious deficiencies in our program, they are not the only ones.

For instance, the overwhelming majority of States does not assist communities with matching grants under the sewage treatment construction grant program.

Except in isolated cases, we do not have a coordinated program for handling effluent from industrial and municipal sources in river basins. The increased cost of waste treatment for industries is a threat to their economic vitality.

Finally, present waste treatment systems too frequently are based on concepts developed 40 years ago.

Because of the interrelationship of these needs, no one part can be ignored without jeopardizing our success with the others.

During the coast-to-coast hearings last year, the subcommittee learned firsthand of the nature and scope of these inadequacies. To succeed, the subcommitte has made six recommendations. We should consider them carefully.

First. Do away with the dollar ceiling limits on treatment construction grants, and instead provide a 30-percent grant for each project, regardless of its cost.

Second. Provide a bonus of 10 percent of the Federal grant when the State matches at least 30 percent of the project cost. In addition, cities should be authorized to apply directly for Federal grants when States fail to match the Federal grant. A revolving fund should be established for long-term, low-interest loans to help cities meet local matching requirements when the State fails to match the Federal share.

Third. Authorize $6 billion for Federal treatment construction grants through fiscal year 1972.

Fourth. Double the authorization for grants to States and interstate agencies for program support to $10 million a year for 5 years, providing the States increase their share.

Fifth. Authorize $25 million annually for 5 years for research, development, and demonstration of advanced waste treatment and purification methods, and for development and demonstration of new or improved methods for treating compatible municipal and industrial wastes.

Sixth. Provide for collection and publication of information on treatment practices in industrial, manufacturing, and processing establishments. Use the contract authority more extensively in the conduct of research, training, and demonstrations. In connection with such authority, start a program of training operators of municipal and industrial or other private treatment plants.

These six recommendations are a bold but necessary program to meet the realities of the water pollution crisis.

By eliminating the dollar ceiling on individual project grants, we could bring meaningful support and encouragement to the Nation's cities. Their problems are at the heart of the national problem.

Presently, the maximum Federal grant to a single project is $1.2 million and the maximum for a joint project undertaken by two or more communities is $4.8 million.

For maior cities, these amounts are woefully inadequate. New York City alone faces the expenditure of $780 million for needed facilities.

In Atlanta, the price tag is $100 million. In Los Angeles, it is $75 million. In Detroit, it is $151 million. In Pittsburgh, it is $32 million. In Houston, it is $43 million. Even in the Portland, Maine, area, the cost has been estimated at more than $20 million.

For the last decade, Federal construction grants have stimulated local abatement and control projects. Municipal response to the grants was immediate and encouraging even at its initial modest and totally inadequate level.

However, because of the grant limits, the resulting activity has barely kept pace with the needs of growing populations and urbanization. The tremendous backlog of needed facilities, now totaling at least $20 billion, remains unmet. The lifting of ceilings and the stepping up of authorizations, as recommended by the subcommittee, would permit and stimulate the necessary attack on the backlog.

Since the national pollution abatement program began in 1948, the basic legislative policy has been that the control of pollution is a State responsibility. Regrettably, most States have failed to help communities meet the costs of abatement and control. Presently, only six States have authority to apply State funds for this purpose.

Our job, then, is to provide more incentive to the States. A 10-percent Federal bonus for State matching funds, and the opportunity for doubled Federal appropriations for program support will stimulate State participation.

A challenge to our technology is the development of efficient methods of treating combined municipal and industrial effluent. An appropriation of $125 million over 5 years would foster the depth of research needed to find and demonstrate the answers. In the long run, these answers would save countless

dollars and help us achieve the water quality we will need.

Industry, like municipalities, will increasingly feel the financial burden of treatment. In many instances, this burden can adversely affect an industry's growth and prosperity. Many companies already face this problem. It calls for a reevaluation of our policy on financial assistance to industry for treatment works.

Summing up, there are three basic elements in the Federal Government's water pollution control effort: Treatment, enforcement, and research.

The Water Quality Act of 1965 gave us the means for developing and establishing meaningful water quality standards.

But if communities do not have the resources to achieve adequate treatment, standards and enforcement will mean little.

And without research to find more efficient methods of treatment, the costs could overwhelm us in the decades ahead.

Our next legislative attack on dirty water should begin where the Water Quality Act left off. The subcommittee's recommendations are guidelines for our work in the months ahead.

I urge my colleagues to read the subcommittee's report.

JOB CORPS GIRLS START TO WORK

Mr. MONTOYA. Mr. President, I am pleased to bring to the attention of the Senate an article about a young lady from my State who is a recent graduate of the Los Angeles Women's Job Corps Training Center.

The story was written by Mrs. Elizabeth Shelton, staff writer for the Washington Post. The story is about Juana Marie Waquiu of Jemez Pueblo, N. Mex.

It is of paramount importance that industry scrutinize the graduates of the Job Corps for potential job placement. This point of view is well expressed by W. C. Hobbs, senior vice-president of Consolidated American Services, Inc., and chief executive of its Management and Engineering Services Division. This company was the first to hire male Job Corps graduates and now blazes a new trail by being the first in private industry to hire female graduates of the Job Corps.

Mr. Hobbs feels certain of the abilities of the Job Corps graduates. His quotation is worth repeating:

I feel very strongly that in the Job Corps, industry has a natural young mine of flexibility and a pool of labor. Just because these are poor kids who have dropped out of school doesn't mean they are not good workers. Once industry realizes they have a pool, and can direct the skills and technical training they need, they are going to come to Job Corps and say, "I need so many of this type of skill."

This is an inspiring and impressive story. It should be of interest—of great interest—to all Americans.

Mr. President, I ask unanimous consent that the article, written by Elizabeth Shelton, be printed in the RECORD at this point of my remarks.

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

[From the Washington (D.C.) Post, Nov. 30, 1965]

JOBS CORPS GIRLS START TO WORK

(By Elizabeth Shelton)

The first two career girls to come to the Capital with Job Corps diplomas as their credentials are happly at work in the downtown office of a management consultant firm.

Juana Marie Waquiu, a 21-year-old from Jemez Pueblo, N. Mex., arrived here yesterday to double as a PBX switchboard operator and receptionist with the Management and Engineering Services Division of Consolidated American Services, Inc. She was the first graduate of the Los Angeles Women's Job Corps Training Center.

The second graduate, Willye L. Evans, 20, of Oklahoma City, Okla., has been on duty in the same office for a week as a clerk-typist. "It's just like home," Willye says. "Everybody is so friendly."

Both live on Buchanan Street NE., with the family of a member of the MES staff.

Neither has had a chance yet to sightsee around the city, but Willye went on a motor trip in Maryland on Sunday and thought it "very nice."

Her mother is a domestic worker in Idabel, Okla. Willye tried working her way through Langston University in Oklahoma but had to leave in her second year because her salary as an assistant to the adviser of the New Homemakers of America was applied only to tuition and left her no money for expenses or to send home.

She plans to go to business college at night with an eventual goal of teaching business subjects. She attended the Metropolitan Junior College in Los Angeles and graduated in 5 months.

Juana, daughter of a carpenter, attended Albuquerque Business College, in New Mexico, for a year, but couldn't find a job in that city. She learned switchboard operation at the Los Angeles Trade Technical College while enrolled at the Los Angeles Job Corps Center.

Back at home are five brothers and two sisters. The older sister is married and the oldest of her brothers helps his father, but the others are still of school age and Juana helps to support them.

The brand new white-collar girls make $2 an hour at their new jobs. They will receive in-grade promotions and the chance to rise, through training, to new grades.

W. C. Hobbs, senior vice president of Con-Am and executive chief of its MES division, is confident the Job Corps is producing a competent employment pool for industry.

The organization was the first to hire male Job Corps graduates as employees and found their work so satisfactory that two are being given additional pay and responsibilities. The third was assisted to return to high school so he will have a base for higher education.

One of the reasons that Hobbs feels so assured is that the 24-hour-a-day living experience at a Job Corps center gets everything about the enrollee's abilities and habits down on the record.

"This provides a great deal more information than a series of interviews, or even a job trial," he said.

"I feel very strongly that in the Job Corps, industry has a natural young mine of flexibility and a pool of labor," he said. "Just because these are poor kids who have dropped out of school doesn't mean they are not good workers.

"Once industry realizes they have a pool and can direct the skills and technical training they need, they are going to come to Job Corps, and say, 'I need so many of this type of skill.'

"This is one place where the Government is spending money that is an investment. The kids will put money back into the country."

AMERICAN PEOPLE SUPPORT RESUMPTION OF BOMBING OF NORTH VIETNAM

Mr. DODD. Mr. President, in this mornings New York Times there are two items which, on the surface, appear to contradict each other.

On page 16 of the New York Times there is an article headed "Senate Mail Hits War Escalation." According to this article, the mail in most Senate offices is running 2 or 3 to 1 against escalation or a resumption of bombing, and in some Senate offices the ratio is running as high as 100 to 1.

On the other hand, an article on page 1 of the New York Times reported that there is wide national support for the President's decision to resume bombing of North Vietnam. The article, which ran more than 1 page in length, was based on the reports of 10 staff correspondents who interviewed State and local officials, professional and business men, editors, students, and others.

The remarkable discrepancy between the true state of American public opinion and the heavily weighted public opinion estimates gleaned from congressional correspondence can, I believe, be explained in very simple terms.

The great majority of the American public who support the President's policy are unorganized and do not consider it necessary to manifest their support by repeated letters and telegrams addressed to the President and to their Congressmen.

But the relatively small minority who are opposed to the President's policy are highly organized, and the several major organizations which have been playing a leading role in the anti-Vietnam agitation repeatedly remind their followers and correspondents of their duty to write and to wire—not once, but repeatedly—to the President and to Congressmen.

For example, yesterday a constituent sent me a printed card which he had received from the National Committee for a Sane Nuclear Policy. The card urged the recipient to wire the President and wire his Senator and Congressman protesting against the resumed bombing of the North—and if he had already done so once, the card urged the recipient to do so again.

I have been advised that similar communications have been sent out by the Students for a Democratic Society, by the National Emergency Committee To End the War in Vietnam and by other organizations involved in the anti-Vietnam agitation.

I would therefore urge my colleagues to take these facts into consideration in

evaluating the correspondence they receive on the Vietnam war.

A much surer gage of the state of public opinion than the highly organized correspondence which has been deluging our offices is the repeated public opinion polls demonstrating overwhelming support for the President's policy.

For example, the same New York Times from which I have quoted points out that:

A nationwide poll by Louis Harris before the end of the pause reported that 61 percent favored and 17 percent opposed all-out bombing of every part of North Vietnam if the Communists refused to sit down and talk peace.

Remarkably enough, there was very little difference in opinion on this point between those who had voted the Goldwater ticket in 1964 and those who had voted the Democratic ticket.

Of those who had supported Goldwater, 65 percent favored all-out U.S. bombing if the Communists refused to talk peace, and 14 percent were opposed.

Of those who had voted Democratic, 59 percent supported all-out bombing and only 17 percent were opposed.

Mr. President, I ask unanimous consent to insert into the CONGRESSIONAL RECORD at this point the following three items:

First. The article, captioned "Senate Mail Hits War Escalation," which appeared on page 16 of the New York Times, today, Thursday, February 3.

Second. The article, captioned "Wide Support Found in Nation for Renewed Vietnam Bombing," which appeared on page 1 of the New York Times for the same date.

Third. The Harris survey, captioned "Public Would Back More Troops, Bombing if Negotiation Move Fails," the full text of which appeared on page 2 of the Washington Post on Monday, January 31.

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

SENATE MAIL HITS WAR ESCALATION—OPPOSITION LED BY MIDWEST AND MOUNTAIN STATES

(By E. W. Kenworthy)

WASHINGTON, February 2.—Many Senators reported today that their mail was heavily against escalation of the war in Vietnam.

A sampling of Senate offices indicated that the strongest opposition, as reflected in mail and telegrams, was in the Midwest and Mountain States.

However, Senators from the eastern seaboard reported that their mail also was "substantially" or "predominantly" against escalation.

In the House, most Members interviewed said their mail on Vietnam was light. The reason, they believed, is that constituents are more likely to write their Senators on foreign affairs issues. The Senate alone has the constitutional authority to advise and consent on treaties and has therefore become the dominant legislative body on foreign policy questions.

A White House spokesman said no tabulation was being made on its mail concerning Vietnam.

Most of the Senators interviewed said the mail gave little appearance of being organized.

As might be expected, those Senators who have been critical of the administration's policy for some time or who were among the 15 that wrote to the President last week urging a continuation of the pause in the bombing of North Vietnam reported the largest percentage of mail against escalation.

For example, Senator MIKE MANSFIELD, of Montana, the Democratic leader, is receiving mail and telegrams from all over the country that is more than 100 to 1 against escalation.

EDWARD KENNEDY REPORTS

Senator GAYLORD NELSON, Democrat, of Wisconsin, who signed the letter to the President, said his mail had been 10 to 1 against stepping up the war.

But the office of Senator EDWARD M. KENNEDY, Democrat, of Massachusetts, who did not sign the letter, said he had been receiving 80 to 100 letters a day and that the trend was "substantially" in opposition to escalation.

Several Senators said the heavy mail began during the last 2 weeks of the bombing pause, a large proportion of which urged a continuation of the lull. The Senators said, however, that there had been no decline since the President's decision last Monday to resume bombing.

In fact, some Senators have experienced an increase. Senator EUGENE J. MCCARTHY, Democrat, of Minnesota, who made a speech Monday urging the Senate Foreign Relations Committee to undertake a critical review of Vietnam policy, received 450 telegrams yesterday supporting his position and one dissenting phone call.

However, Senator WALTER F. MONDALE, Democrat, of Minnesota, who, unlike Mr. MCCARTHY, did not sign the letter to the President or speak out against resumption of the bombing, reported that he was getting about 150 letters and telegrams a week. He said the telegrams were running 6 or 7 to 1 and the letters 2 or 3 to 1 against escalation.

In a private poll taken for the administration in Minnesota just before Christmas and the beginning of the bombing pause, 21 percent of those asked wanted "the United States to go all out for victory in Vietnam even if it means war with the Chinese"; 29 percent believed "the United States should bomb Hanoi and any other targets that will increase U.S. effectiveness," and 27 percent thought "the United States should continue the present policy" of limited bombing. Only 9 perecnt thought "the United States should stop bombing North Vietnam, even if it decreases U.S. effectiveness."

POLLS FAVOR BOMBING

A nationwide poll by Louis Harris before the end of the pause reported that 61 percent favored and 17 percent opposed all-out bombing of every part of North Vietnam "if the Communists refused to sit down and talk peace."

The Minnesota and Harris polls would seem to indicate that a large majority of those who do not write letters to their Senators are "hard-liners."

The White House places much more reliance on polls than on mail. Shortly before he ordered the pause, the President was impressed by a poll showing 73 percent of the country in favor of the pause.

WIDE SUPPORT FOUND IN NATION FOR RENEWED VIETNAM BOMBING

A spot check of the New York Times indicates widespread support in the nation for President Johnson's decision to resume the bombing of North Vietnam.

Mixed with this support, however, is fear of a possible nuclear conflict and confusion over U.S. strategy.

Opinion across the nation appeared to be in general agreement, with the exception of the South. There the view that the United States should press the war harder seemed to predominate.

The prevailing national mood was summed up by a Methodist minister in Madison, Wis.

"I think the people as a whole support the resumption of bombing, but with a troubled conscience," he said. "Most of the people feel a loyalty to the Government and support for the elected officials that require them to rely on their judgments. But I feel more people are sicker of war now than at any time in our history."

Ten staff correspondents interviewed State and local officials, professional and business men, editors, students and others on opinion in their communities. The results reflect a broad trend, though they do not purport to be scientific.

Many of those questioned seemed to feel that while the President had all the facts and probably knew what was best, there still was the "nagging possibility," as one Californian put it, "that perhaps, just perhaps, the minority is correct after all."

"It's hard to fit all these different elements together so they make sense," a Michigan university president said. "The loyal citizen has a little sense of distress and uneasiness because it doesn't quite come clear cut."

For some, anxiety over nuclear war has become intense. The wife of a New Mexico scientist called for disengagement in Vietnam no matter what the cost. "I'd rather be Red than dead," she said.

The feeling of militancy in the South was generally attributed to the region's long-standing tradition of military distinction, as well as to the large number of troops stationed there.

But one Mississippian explained it in part as a reaction to frustration over civil rights advances. "They don't see much that they can do to stop civil rights activity," he said, "so this seems to make them want to stop the Communists just that much more."

An indication that some segments of the public may be poorly informed on Vietnam emerged from a recent poll of undergraduates at a college in Pittsburgh. Half of the students, many of whom may soon be drafted, could not answer such basic questions as "who is Ho Chi Minh" and "where is Dienbienphu."

One Texas newsdealer found, however, that interest in the war had picked up lately. In the last week, he said, he has sold a number of maps of Vietnam.

PACIFIC MOUNTAIN STATES

Perplexity in California

(By Gladwin Hill)

LOS ANGELES, February 2.—"Confusion" and "perplexity" are two words that crop up repeatedly in any sounding of public sentiment on the Vietnam situation in this area.

There is no doubt among well placed observers of collective opinion—political leaders, businessmen, professional people, educators, clergymen, editors—about why people are confused.

"It's because they sense that the administration is confused," one said. "President Johnson and Secretary Rusk have kept reiterating the ultimate goal of our Vietnam involvement: to stop communism. No body can challenge that. But there's a vast gap between that goal and the inconclusive military operations we see from day to day. The necessary connection between the two is obscure, questionable. That gap is where people are floundering—along with the administration."

"If President Johnson had said we'll escalate and smash through to victory at whatever cost, it would have been accepted by the average citizen," said Julius Leetham, who

as county chairman heads the largest bloc of Republicans in California.

"The fact that there have been apparent misgivings in the Democratic leadership about whether we should be in there at all has pushed the average citizen into intellectual perplexity."

Poll of Students

A recent poll of students at the University of California, Los Angeles, on proper course in Vietnam yielded these responses:

For pursuance of present operations, 2,164.

For "escalation," even into Communist China, 498.

For immediate withdrawal, 553.

For stopping bombing in hopes of peace, 763.

For withdrawal to a "neutral" position, 690.

While most of the respondents in this poll presumably were not of voting age, the shading of sentiment encountered in a canvass of adult opinion leaders suggested that feelings generally in the Pacific Southwest might divide in about the same ratio.

Opinion has not yet generally crystalized into aggressive points of view. But indications are that it would not take many radical developments, either favorable or adverse, to polarize it.

"People are supporting the President on Vietnam—and at this juncture they'd support him if he chose to withdraw," said Philip Kerby, editor of the liberal magazine Frontier.

"Opinion is becoming more definite on both sides of the question—mostly, I think, because of the growing intensity of public discussion," commented Leonard Mandel, a shoe manufacturer.

The Surface Facts

The consensus is that the public is well informed about the surface facts of the Vietnam situation, but hazy about the rationale and the administration's approach to it.

"People generally just don't know the reason for our Vietnam involvement," said Dr. Neil Jacoby, dean of the UCLA Business School.

"I think there is understanding that our aim is to prevent the spread of communism," said Dr. Robert G. Neumann, UCLA political science professor. "But things come out, like the Fanfani peace overture that give even the President's strong supporters the feeling that things are not being told."

The persistance of uncertainty about the Nation's course seems to be bringing closer a critical juncture in public opinion.

"It's now become a question of get out or get tougher," commented Conrad Jamison, a vice president of one of California's largest banks. "We're doing nothing decisive. If nothing decisive continues to be done, dissatisfaction will grow."

Reflecting this trend, a prominent Beverly Hills dentist, Dr. Fern Petty, the normally jovial former president of Optimists International declared impatiently: "I'm sick and tired of our kissing everybody's foot. We ought to go in there and blast the hell out of Hanoi. We're seeking peace, and that's the quickest way to get it. We're actually impairing our position internationally. People abroad say: 'There's that great big power—and it can't even hold South Vietnam.'"

Heads a Large Temple

More mildly, but no less pointedly, Rabbi Edgar Magnin of the Wilshire Boulevard Temple, one of the world's largest Jewish congregations, commented:

"I get around a lot and I haven't met anybody who liked this venture—Jew, Christian, Chinaman or atheist. I don't think anybody with half a brain wants to be in this thing, because it can't solve anything. If we did win militarily, 6 months later there'd be another government in there. But if it's going to be a war, it should be an all-out war. If it isn't, we ought to get out."

Simon Cassidy, a newspaper publisher and president of the California Democratic Council, a liberal rank-and-file party organization, commented:

"The kind of people I talk to—mostly people in the CDC—are disappointed to see the bombing resume. Right now they're willing to take the President's appraisal as long as they don't see a lot of coffins coming back, or it isn't costing too much money, or there isn't any rationing. But as the going gets tougher, people's questions will get tougher. They're going to ask: 'What the hell are we doing over there?—What can bloodying up some jungle do to defend our freedom?'"

There is little evidence that opinion on Vietnam follows economic or class lines. The dominant considerations, cross-sectional in nature, are such things as the draft and, subtly, the national economy.

Mrs. Robert Neumann, a member of the McCone Commission that investigated the Watts riots, said, "I have gotten a feeling that really disadvantaged people don't think much about international affairs—but that's just an impression. But you do get other divisions of opinion. In my United Nations group, which is principally middle class, there are idealists who believe the war is dreadful and should be stopped immediately—but there are those who think it's necessary."

Resignation in Northwest

(By Lawrence E. Davies)

SAN FRANCISCO, February 2.—Deep-seated regret that bombing of North Vietnam was renewed has gripped the Pacific and bordering States. But the mood of a substantial majority, as suggested by inquiries in a cross-section of opinion leaders, is one of resignation to the belief that perhaps there was no practicable alternative.

Even among the clergy, where the bombing renewal was widely deplored, some in high places subscribed to this belief. And some of the "noisy minority" of opponents of bombing, on and off college campuses, acknowledged that they were outnumbered by supporters of President Johnson's action.

Repeatedly, in northern California, the Pacific Northwest, Alaska, and neighboring States, questioners met substantially with this reply:

"I find a lot of people, probably a majority, saying the President and his advisers have the information and we have to trust them to make the decisions."

Coupled with this were similar predictions from a prominent San Francisco businessman and civic leader, a Democrat:

"As surtaxes and other taxes are added to support the war in Vietnam there will be an increasing demand from voters that we pull out. People are selfish; when their own pocketbooks are affected it makes a difference."

A California State senator, also a Democrat, saw a change in mood as already taking place, away from one guided partly by economic status. The country club set, he said, originally demanded, "Go in and knock hell out of them (the North Vietnamese)."

"Now," he said, "as their kids in college are being reclassified, they are beginning to say, 'maybe we ought to try harder to get to the negotiating table.' But what do you do if the other side won't negotiate?"

In Alaska where the general reaction was "the President had no choice," and where Gov. William A. Egan, a Democrat, said "if principles mean anything, then we must follow through," Robert J. McNealy, senate president, a Democrat, thought that President Johnson should "order nuclear bombs dropped on both Hanoi and Peiping."

"By such action," he said, "the lives of many thousands of American boys could be saved and this country entrenched as a world power for peace during the next 50 years."

And illustrating a point widely made that personal involvement often dictates the attitude toward bombing renewal, a Portland newspaper advertising executive commented:

"The idea of using the bomb again is horrible. But I wouldn't be here today if they hadn't used the bomb in Japan." He was in the South Pacific during World War II.

Demonstrations in several States by college students against renewal of the bombing against North Vietnam drew relatively small numbers of participants.

Students Support United States

Jerry Baker, president of his fraternity at Montana State University, reported that his house members were "definitely in favor of the bombing policy."

Gov. Tim Babcock of Montana, a Republican, thought "we may have waited too long."

And the Right Reverend Chandler W. Sterling, Episcopal Bishop of Montana, said that he was saddened by the step but added, "I don't see where we have any alternative at the moment."

There was conflicting opinion on whether voters were well informed on issues. Ross Cunningham, political editor of the Seattle Times, doubted "if the average guy in the street worries about any misinformation."

Joe Frisno, executive news editor of the Seattle Post-Intelligencer, said everybody he talked with "has a good idea what is going on and they believe either we should be there or not be there."

Nevadans had mixed reactions on the resumption of bombing and Idahoans, including Gov. Robert E. Smylie, were described by opinion leaders as generally believing that "the Nation was obliged to support the President's decision."

Whereas many felt the public was getting all the information it needed, Governor Smylie, a Republican, called for "a good deal more candor on the part of the administration." And Gov. Mark O. Hatfield of Oregon, a candidate for the Senate, voiced "deep regrets" over the resumption of bombing.

THE MIDDLE WEST

Upper Midwest puzzled

(By Austin C. Wehrwein)

CHICAGO, February 2.—Acceptance without enthusiasm is the general attitude toward the Vietnam war in the upper eastern Middle West despite President Johnson's quest for a United Nations peacemaking role.

The mood seems to be weighted on the side of frustration, puzzlement, and an absence of martial fervor except among some ultraconservatives. The basic reason appears to be that it is difficult to understand how the United States got into the Vietnam war and even more difficult to understand how the United States can get out, an assessment of leading opinion indicated.

Nevertheless, a survey of opinion leaders in Illinois, Minnesota, Wisconsin, and Indiana found almost universal backing for Mr. Johnson.

"We support him completely in Vietnam," said Ruben Sonderstrom, president of the Illinois Federation of Labor.

The hard core of "get out now" advocates appeared to be a small minority—not even 1 in 10, a South Bend, Ind., editor speculated. But support for the President often seemed forced by absence of any popularly acceptable substitute, or explained with, "I

don't know what to think," as in the words of the Springfield, Ill., Chamber of Commerce president.

Mood of Confusion

Charles H. McLaughlin, chairman of the University of Minnesota political science department, said:

"The current mood is one of confusion and frustration. I think people are very uncertain that the Government has worked out a policy that holds any promise of settling the affair. On the other hand, I suppose the majority do feel that we have some obligations in that area and that it would be a mistake to abandon them."

In Milwaukee, Robert Dineen, president of the Northwestern Mutual Life Insurance Co., said:

"I think there are quite a few people that are concerned about it but are supporting the President because he does not have any alternative. I am surprised at how many people have misgivings. If there is an increase in casualties the concern will grow."

State and local officials, businessmen, clergymen, editors, civic-minded women, farm leaders, and civil rights workers were interviewed and generally agreed that people were informed on the issue, but often these opinion leaders doubted that the people had all the facts.

Economic stratification appeared to have little influence on the range of opinion, and there was no single overriding chief concern other than fear of a larger war and "how it will affect me and my family."

How Can We Get Out

Said Mrs. William Whiting, president of the Minnesota League of Women Voters:

"I think you have this feeling when you talk with people of not really understanding how we got into this and how we can get out of it."

Opinion, it appears in the Middle West, would harden in favor of a tougher "get it over with" policy if casualties rose and draft calls increased.

At the same time politicians look for anger about "taking our boys." This is not to say, however, that opinion leaders look for a "quit the war" wave.

In Indianapolis, a top Indiana Democrat said that if Johnson "goes sour" politically it will be because of mothers rather than draft card burners.

In Duluth, Minn., the Rev. Frederick Fowler of the First Presbyterian Church, who is chairman of the national right-to-work committee, said that the Republican campaign in 1966 must demand total victory, not stalemate.

Charles B. Schuman, president of the American Farm Bureau Federation, said farmers were "strong behind" administration moves to act with determination. But he added:

"Out in the country there is not much enthusiasm for the United Nations. They think it is quite ineffective and diluted by the African nations."

Gov. Warren P. Knowles of Wisconsin, a Republican said:

"I understand the President's predicament. He's the Commander in Chief and he has the facts at his command. We do not have. I am inclined to rely on his judgment on the resumption of bombing. I only hope we can get out of this mess with our skins. People feel far away from Washington and farther away from Vietnam.

"I think most of the mothers and fathers I have talked to have grave doubts about the conditions in Vietnam. Parents are apprehensive that their sons will be called up. Students are concerned that their educations will be interrupted. There is a general air of real concern on the part of most of the citizens of Wisconsin."

Michigan apprehensive

(By Walter Rugaber)

DETROIT, Feb. 2.—Public figures in Michigan and Ohio feel a vague, nagging apprehension over the American commitment in Vietnam but generally believe that it should be honored, nonetheless.

A series of interviews this week turned up all shades of opinion on the United States involvement. But virtually everyone said that the public lacked information on which to base a really firm view.

The average man, it was agreed, is even more in the dark. "The typical person is more interested in baseball than what's going on in Vietnam." One source said.

Harlan Hatcher, president of the University of Michigan, voiced the frustration of an informed observer: He said he has "tremendous faith" in the administration.

But "it's hard to fit all these different elements together so that they make sense," he complained. "The loyal citizen has a little sense of distress and uneasiness because it doesn't quite come clear-cut."

Most people see "no alternative" to the present course, Dr. Hatcher continued. "A kind of reluctant going along is about where we are. Also, he said, there is a feeling of responsibility "for the men we have ferried out there to fight.

A Hawk Speaks Out

Willis H. Hall, president of the Greater Detroit Board of Commerce, said he takes the "hawk" position on Vietnam and urged the administration to "get in and get it over with."

"It's pretty difficult to carry an olive branch in one hand and a hatchet in the other," Mr. Hall said. "If we pull out, all the Far East is gone."

Emil Mazey, secretary-treasurer of the United Automobile Workers, expressed a different view. The resumption of bombing in North Vietnam was "a mistake" the union leader said.

The President should have attempted to bring about peace negotiations through the United Nations before resuming the attacks, Mr. Mazey suggested.

The officers of both local and State political leaders said there had been a minimum of mail on the war. John M. McElroy, an assistant to Gov. James A. Rhodes, of Ohio, a Republican, said 20 of the men in Vietnam have requested State flags.

An aid to Gov. George Romney of Michigan, a Republican, said that telephoned questions on Vietnam led all others during a mid-December telethon broadcast on a Detroit television station.

There is respect for the war as a political issue, William L. Coleman, the Democratic chairman in Ohio, said that American involvement should "definitely" have a damaging political effect in his State this fall.

A substantial number of the leaders questioned would agree with Zolton A. Ferency, the Democratic State chairman in Michigan and an unannounced candidate for Governor.

"The majority of people that I've talked to support Johnson," Mr. Ferency said. "But they're uneasy about where it might lead us. Their main concern is a worsening of the military situation."

People "aren't sure that they're acquainted enough with the issue," the Democratic leader said. "And they're afraid that talking about it in critical terms might be unpatriotic."

Administration handling of the war is a potential that could hurt the Democrats, Mr. Ferency said. "It's one of those issues that could turn as late as election day."

Support in farm belt

(By Donald Janson)

KANSAS CITY, MO., February 2.—The Nation's midsection has accepted President Johnson's resumption of bombing in North Vietnam as logical, expected, and proper.

A sampling of views from Dubuque to Denver and Fargo to Wichita makes it clear that the Farm Belt is solidly behind the President's decision.

This does not mean that anybody in the region is happy about United States involvement in Vietnam. The consensus is that the situation is a "mess" that cries out for an "honorable" exit before American casualties mount much further.

The principal basis for support for the President's move is not an overriding desire to halt communism in a remote corner of the world but to save American servicemen ordered to Vietnam and end the entire unwanted involvement.

A feeling that cuts across all economic and political lines is that more aggressive military action is the quickest way to win the war and halt the need of risking more and more American lives.

The mood is to accept any Presidential decision on Vietnam so long as it gives promise of eliminating the "mess."

Few voices are being raised against the President's course, though there are indications that more might have been had the resumption of bombing not been accompanied by efforts to move toward peace through the United Nations.

Should the latest efforts continue to leave American troops mired in a frustrating and unpopular war, the President could find himself with plenty of voter trouble in the Central States.

The electorate has set no deadline, but murmurings indicate that it could be 1968 if the change in the situation most noticeable on the home front by then is simply a mounting toll of American casualties.

Politics Not Stressed

The survey showed considerably more concern about "getting the boys back" than in the political considerations behind the war.

The majority feeling throughout the region seems to be that a much stronger military effort is justified to see whether this will do the job.

If it does not, the mood could change radically in favor of a negotiated settlement.

War-front pictures showing injured American soldiers trapped by enemy fire and awaiting helicopter rescue have alarmed Midwesterners already concerned about casualties.

"We are asking our boys to fight with one hand tied behind their backs if we don't bomb the enemy's sources of supply," said Clarence Rupp, of the Kansas Farm Bureau.

His comment was typical. But also typical was his comment that he finds "growing wonderment about just what we are involved in there and why."

MIDDLE ATLANTIC

Little anxiety in area

(By Ben A. Franklin)

PITTSBURGH, February 2.—Evidence of public concern about the course of the war and the resumption of American bombing in Vietnam all but vanished in the Middle Atlantic States this week under a record snowfall.

However, indications that the heavy weather had significantly distracted public attention from the war were scant; there fighting before the weekend storm brought unusual local hardships to the area.

Observers in five States—Pennsylvania, Maryland, Delaware, West Virginia, and Kentucky—said today that there was "more concern about interrupted deliveries of fuel oil for furnaces and of milk for children" than about the resumed deliveries of American bombs on the other side of the world.

The prevailing mood was said to be one of quiet support for the President as the Commander in Chief.

A dearth of public comment about Vietnam—or even of private conversation at office coffee breaks and at home gatherings—was widely interpreted by observers in all five States as constituting "strong but passive support" for President Johnson's decision, announced Monday, to resume the bombing of North Vietnam after a 37-day pause.

They Can Turn It Off

Here in Pittsburgh, one ardent critic of that decision, Richard A. Rieker, managing editor of the Carnegie Review at Carnegie Institute of Technology, described the prevailing attitude of "many if not most" of the scores of persons he said he had talked to in recent days as "about equal to their interest in the Sunday pro football game—they can turn it on or they can turn it off about Vietnam and it is all right because the President, who has the facts, is expertly calling the plays whether they pay attention or not."

"I guess you have to call that public support," Mr. Rieker said. "But the war is not touching the country, in my opinion."

"People are saying, 'What do I know about it? What is it to me? The people in Washington have the facts,'" the 38-year-old editor said.

Mr. Rieker is chairman of an informal group here called the Pittsburgh Committee Against the War in Vietnam. He said there were 25 persons at the last meeting in December.

Gov. William W. Scranton, in a monthly televised news conference that was broadcast statewide last Sunday, appeared to have expressed a broadly held consensus about the resumption of bombing by observing, just before the decision was announced in Washington on Monday, that "in the very near future we are going to have to fish or cut bait, as we did in Korea."

"If you can't come to some peaceful solution," the Governor said, "you apparently are going to have to start it (bombing) again in order to stop the North Vietnamese effort from being successful in South Vietnam."

Students Poorly Informed

A poll on Vietnam among 188 undergraduates at Carnegie Tech, published 2 weeks ago in the Tartan, the student newspaper, disclosed that half the students queried were unable to answer correctly even one of nine rudimentary questions about the war, such as: "Identify Dienbienphu, Ho Chi Minh, Danang, Diem, and Pleime." Only six of the students correctly identified all nine.

Those who did well on the identifications held "widely divergent opinions" on the war, the Tartan reported. "On the other hand, 80 percent of those who knew virtually nothing about Vietnam disagreed with protest demonstrations and supported the Government. Most students fall in this category."

In Kentucky, Wilson W. Wyatt, a former mayor of Louisville, former Federal Housing Administrator, and manager of Adlai E. Stevenson's 1952 presidential campaign, during the height of the Korean war, commented that "the Commander in Chief has made a difficult decision and the only thing to do now is to support him fully. But I have not heard any exultation over the bombing."

Mr. Wyatt said that "in the present mood of national uncertainty" about Vietnam, a sharp rise in American casualties and draft cali would be received "with a good deal of anguish" and with "the probability of a strong Republican attempt to exploit the issue."

Should the war lead to a direct military confrontation with Communist China, he said, "as much as I would regret such a development there would be total unity in the country to win."

THE SOUTHERN STATES

No critics in Mississippi

(By Gene Roberts)

GREENVILLE, MISS., February 2.—After working hours in Raleigh, N.C., State Treasurer Edwin Gill plops himself into an easy chair in the Sir Walter Hotel, where he lives, and "feels the pulse" of the public as it strides from the hotel entrance to the elevators.

This week, the talk has turned to President Johnson's decision to resume the bombing of North Vietnam, and Mr. Gill is yet to find anyone who criticizes the President for his action.

"The general feeling I get," said Mr. Gill, who at 66 has survived nearly four decades of political activity in the State, "is that he knows a great deal we do not know. We are all trusting him to do what he thinks best."

Across the South, pulse samplers were reading it much the same as Mr. Gill, except for Mississippi and Alabama where there are rumblings that the war should be escalated still further, and at the Atlanta headquarters of the Student Nonviolent Coordinating Committee and the Southern Christian Leadership Conference where the general view is that the Nation should withdraw its troops from Vietnam.

In Birmingham, Ala., more than 80 social, business, and labor organizations have adopted an entire division—the Big Red One—and are peppering the troops and friendly Vietnamese with mail and gifts.

Quietly Accepted

Al Stanton, city editor of the Birmingham News, believes that the city had accepted the President's decision quietly, as one that was inevitable. Had he not taken it, Mr. Stanton said, the criticism would probably have been widespread.

A week ago, before President Johnson announced his decision to resume the bombings, Senator JOHN STENNIS appeared before the legislature and produced rafter-ringing applause by calling for intensified efforts in Vietnam even if this were to lead to full-scale Red Chinese involvement. In this event, Senator STENNIS favored stopping the hordes of Red Chinese coolies with every weapon we have.

"One reason the legislators applauded Senator STENNIS' speech was that they do not see much that they can do to stop civil rights activity," said a veteran Mississippi reporter today. "So this seems to make them want to stop the Communists just that much more."

While there is disenchantment with the war among student committee and leadership conference workers, Negroes in general appear to share the prevailing white view. A Little Rock dentist, Dr. Garman Freeman, said he thought that most Negroes—whether middle class or poor—were not greatly informed on Vietnam issues, but were supporting the war because "it is something Uncle Sam is doing."

Tendency Toward Suspicion

In Columbia, S.C., Jim McAden, executive director of the South Carolina Textile Manufacturers Association, said that although the State "tends to be suspicious of anything Lyndon Johnson does," it is accepting his judgment on Vietnam because it has a "patriotic heritage and will fight over something and is glad to do it."

The general view appears to bear out a recent study of old public opinion polls by Alfred O. Hero, Jr., in a recent book, "The Southerner in World Affairs."

Mr. Hero said that in the period before World War II and in periods of tension with Communist countries since then, Southerners were quicker to give their support to military objectives than were residents of other regions.

They were less likely, too, than residents of other regions to withdraw their support because of increased drafting and taxation.

"To be perfectly frank, the average person is not really informed on the issues," said Barney Weeks, president of the Alabama Labor Council, "but he is for winning the doggone thing."

Bombing is backed

(By Martin Waldron)

HOUSTON, Feb. 2.—President Johnson's decision to resume bombing of North Vietnam has the overwhelming approval of residents of Texas and Oklahoma. But the war itself has much less support.

Opinion leaders in the two States agree that the average citizen believes that bombing of military targets in North Vietnam will bring the war to an end sooner, and this is what they want, but if the war intensifies, residents of both States will give full backing to it.

Both Texas and Oklahoma have strong military traditions and regularly furnish large numbers of volunteers for the armed services.

"The whole Southwest is somewhat militarily oriented," said Charles L. Bennett, managing editor of the Daily Oklahoman in Oklahoma City. "Military service to many people still is the most honorable profession."

Mr. Bennett said that Oklahomans had been showing "a growing impatience at the lull in the bombing" when peace moves by this country were frustrated.

Community leaders in a dozen cities in the two States agreed that the Vietnam war is the most misunderstood war in the Nation's history. Julius Carter, editor of a Houston weekly newspaper, the Forward Times, which says it is the "key to Houston's Negro market, said: "Not only do not the average citizens not understand this war, a lot of Ph. D.'s don't. I don't myself. Most people don't even know where the front is."

Pickets in Houston

A group of students picketed in downtown Houston yesterday in protest of the resumption of bombing. They carried signs outside the Tenneco Building for several hours, and took a lot of verbal abuse from passersby, some of them stopped automobiles to curse them. The pickets said they chose the Tenneco Building because two subsidiaries of the company which owns the building manufacture napalm.

This was the only organized protest against the resumption of bombing in the two States.

The Texas and Oklahoma daily newspapers had generally called for a resumption of bombing, and labeled it afterward as the only choice President Johnson had. Some editorials have said that the United States had not gone far enough. The Daily Oklahoman called for bombing of Hanoi.

In Austin, a leader of the Texas liberal community, Ronnie Dugger, said he frankly did not know what the majority of people in his area thought. "Among those I know, there is a sense of melancholy."

In central Texas, and in the area around El Paso, both of which are centers of retired military personnel, the support of the resumption of bombing is very strong. Where Senator JOHN G. TOWER made a speech in Braunfels calling for even more widespread bombing that President Johnson had ordered, he received a standing ovation.

Most of those who were themselves against the resumption of bombing said they did not discuss it with persons outside their own circles.

"I don't know what the people think about the bombing," said the Reverend James McNamee, a Roman Catholic priest in Tulsa. "I know I think we should settle this war, and

some people tell me they agree with me. But others tell me they are for intensifying the war."

The editorial page editor of the Tulsa Daily World, Walter Biscup, said, "Everybody I have talked to privately, publicly, officially, unofficially, on and off the record, has been overwhelmingly in favor of the resumption of bombing. It is the only way of shortening the war."

NEW ENGLAND STATES

Grudging response

(By John H. Fenton)

BOSTON, February 2.—President Johnson has stirred firm but grudging response in New England to his decision to resume bombing of North Vietnam.

The support has many facets. Among them are the normal chins-up response to the Commander in Chief and a reflection of integrity in a matter of national commitment. But they also include a growing disillusionment with the entire military operation and a gnawing concern of the possibility of escalation into a general war with Communist China.

One editor in Maine said that he was chiefly concerned with the shaky condition of the Government of South Vietnam.

Those in higher income and educational levels appear to be better informed about developments and aims, though they shared with the out-and-out hawks a confusion over the moral aspects of the situation. One man said, "Just because we don't like the war doesn't mean we aren't concerned about our boys over there fighting."

Those are some of the conclusions of conversations with a representative cross section of leaders in positions dealing with public opinion in communications, religion and business. And they include inferences made from the disinclination of some persons representing education, religion and business to discuss the situation even off the record.

Little Visual Protest

So far, there has been little visual protest. A thin line of pickets ringed the Federal Building here yesterday. The group was organized by the Committee for Nonviolent Action which is based in Connecticut. But some of the marchers came from local groups that had been opposed to the Vietnam conflict from the outset.

On Boston Common students handing out leaflets to passers-by reported half of those who accepted them kept them or at least put them in the pockets. They said the others tossed them aside.

Jerome Grossman, chairman of the Massachusetts Political Action for Peace, or PAX, said that the picketing gesture was intended to be a 24-hour vigil. He expressed doubt that it was worth the effort and that the energy could have been spent in other ways. Mr. Grossman is a Boston businessman.

[From the Washington Post]

THE HARRIS SURVEY—PUBLIC WOULD BACK MORE TROOPS, BOMBING IF NEGOTIATION MOVE FAILS

(By Louis Harris)

If the efforts of President Johnson and his emissaries fail to get the Communists to the negotiation table in Vietnam, the vast majority of Americans would support an immediate escalation of the war—including all-out bombings of North Vietnam and increasing U.S. troop commitments to 500,000 men.

The temper of American public opinion might be described as hesitantly but determinedly militant if an acceptable peace cannot be negotiated.

Before the pause, 39 percent of the public said it thought air raids on North Vietnam ought to be intensified. But when asked what their reaction would be if the Communists fail to respond to recent peace overtures, the number who would support all-out bombings rose to 61 percent.

A carefully drawn cross section of the public asked:

"Despite the pause in bombings of North Vietnam and the cease-fire, suppose the Communists refuse to sit down and talk peace. Would you then favor or oppose all-out U.S. bombings of every part of North Vietnam?"

[In percent]

	Favor	Oppose	Not sure
Nationwide	61	17	22
By politics:			
Voted Goldwater in 1964	65	14	21
Voted Johnson in 1964	59	17	24
By region:			
East	58	23	19
Midwest	63	17	20
South	77	2	21
West	48	25	27

The question on increased U.S. troops was put this way: "We now have 250,000 U.S. troops in Vietnam, and about 100 Americans are now being killed here every week. Would you favor our increasing the number of U.S. troops to 500,000—with higher losses of life—if that meant the war might be shortened or would you be against such a big increase in U.S. troops?"

[In percent]

	Favor	Oppose	Not sure
Nationwide	60	25	15
By politics:			
Voted Goldwater in 1964	65	21	14
Voted Johnson in 1964	58	27	15
By region:			
East	55	36	9
Midwest	68	19	13
South	57	21	22
West	60	20	20

Thus a clear majority of the American public is prepared to accept either all-out bombings of North Vietnam or a doubling of U.S. troops in Vietnam or both if there appears to be no other alternative to a Communist takeover. As previously reported, the U.S. public is deeply committed to the search for peace in Vietnam—but not for peace at any price.

IN A DEAD-END STREET

Mr. HARTKE. Mr. President, as the dean of American political columnists, Walter Lippmann, always speaks out of long experience and with the kind of wisdom which has recently, following Senator AIKEN'S use of the term here in the Senate, given rise to the characterization "owl" in contrast to the other birds of frequent mention, the hawks and the doves.

In today's column, which appeared in the Washington Post this morning, the judicious and well-phrased comment of Mr. Lippmann is turned toward the Tonkin Bay resolution and its use as a "blank check," and toward the vital question of public debate on the questions surrounding our action in Vietnam.

As Mr. Lippmann points out, there are difficulties in holding a debate on this question, since expressions of dissent undoubtedly give comfort to the enemy. But, as he notes, "the remedy for this disadvantage cannot be to silence dissent. For the dissent cannot be silenced."

Mr. President, I ask unanimous consent that the Lippmann column, "In a Dead-End Street," be printed in the RECORD.

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

IN A DEAD-END STREET

(By Walter Lippmann)

In saying that under the joint resolution of August 7, 1964, he has full authority from Congress "to take all necessary steps" in Vietnam, the President left himself in the position of a man relying on the letter of the bond, regardless of what it meant at the time it was written. There is no doubt that the language of the resolution gives him a blank check. But there is no doubt also that when the blank check was voted in August 1964, it was voted to a man engaged in a campaign for the Presidency against Senator Goldwater, who was advocating substantially the same military policy that President Johnson is now following. Therefore if laws are to be interpreted in the light of their legislative history, the President is without legal and moral authority to fill in the blank check of August 1964 with whatever he thinks he ought to do in 1966.

It is, of course, impossible to rescind the resolution of August 1964. But as a matter of fact the actions of the administration go far beyond the original meaning of the resolution of 1964. This is the positive reason why the objections and the conduct of the greatly enlarged war should be examined and debated before we are led into a still greater war.

It ought not to be necessary to press this point in a country dedicated to government by due process of law. A President who finds that his powers are challenged by responsible leaders of his own party and of the opposition would not refuse debate. He would not pretend that briefings are a substitute for debate. He would insist upon debate and welcome it. For only by refusing to rely upon the letter of the law would he be acting according to its spirit.

It is wrong to keep using the blank check while many of those who voted for it in 1964 now say—and historically they are indubitably right—that the resolution does not mean what the President is making it mean in 1966. It is also unwise to stretch the letter of the law this way. For the country is deeply and dangerously divided about the war in Vietnam, and in the trying days to come this division will grow deeper if the President rejects the only method by which a free nation can heal such a division—responsible and informed debate.

There are two principal difficulties in holding such a debate. About one of these we hear a great deal, namely, that our adversary will take heart from the speeches and newspaper articles and be confirmed in his view that the United States will not stay the course but will pack up and go home. Undoubtedly the dissent here at home does give comfort to the enemy abroad.

But the remedy for this disadvantage cannot be to silence dissent. For the dissent cannot be silenced. It would be a delusion to suppose that this dissent has its source in the minds of a few Senators and of some publicists. It has its source among a great mass of the American people who simply are not persuaded that the war in Vietnam is in fact the defense of a vital interest of the United States.

Nations do not fight indefinitely if they are not convinced that their own vital interests are at stake. Although the Korean war began under much better legal and moral auspices than did our entanglement in Vietnam, the American people came to hate the

Korean war. The reason for that was that they did not believe that the interests of America in Korea on the Asian mainland were great enough to justify the casualties that were being suffered.

The other principal difficulty in uniting the country behind a national purpose in Indochina is that the President's diplomatic advisers have never defined our national purpose except in the vaguest, most ambiguous generalities about aggression and freedom. The country could be united—in the preponderant mass—on a policy which rested on a limited strategy and on limited political objectives. It cannot be united on a policy of trading American lives for Asian lives on the mainland of Asia in order to make General Ky or his successor the ruler of all of South Vietnam. The division of the country will simply grow worse as the casualties and the costs increase and the attainment of our aims and the end of the fighting continue to elude us.

The revision of our policy in Vietnam—the revision of our strategy and our political purposes and plans—is the indispensable condition of a really united country and of an eventual truce abroad. Gestures, propaganda, public relations, and bombing and more bombing will not work. Without a revision of the policy—of our war aims as stated by Secretary Rusk of our military strategy as approved by Secretary McNamara—the President will find that he is in a dead end street.

WARREN M. BLOOMBERG, MAN OF THE YEAR

Mr. BREWSTER. Mr. President, organizations throughout the 50 States have named outstanding men for their deeds and dedication during the year 1965, as "Man of the Year."

Assistant Postmaster Warren M. Bloomberg, of Baltimore, received such an award from the Maryland Society of Training Directors at their first annual awards dinner last week. Mr. Bloomberg has not only labored tirelessly to get the mail through, but has also logged many hours to improve labor-management relations in the post office system. His initiation of the impact training program has added a human relations attitude to labor-management discussions.

Mr. Warren M. Bloomberg, a respected Marylander, a responsible public servant, and a resourceful leader is truly a "Man of the Year."

Mr. President, I ask unanimous consent that this article from the Baltimore News-American be printed in the RECORD.

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

POSTAL ASSISTANT "MAN OF YEAR"

(By Janelee Keidel)

Baltimore Assistant Postmaster Warren M. Bloomberg was named "Man of the Year" at the Maryland Society of Training Directors' first annual awards night last evening at the Stafford Hotel.

Bloomberg was chosen for the award because he most exemplified "outstanding leadership and support of training while not being primarily engaged in the training field," explained MSTD President Lou Clemens before the meeting.

He added that Bloomberg's initiation of the post office's impact training program was the factor most responsible for the assistant postmaster being selected for the honor.

"The impact program," Clemens explained, "is intended to inject a human relations attitude into labor-management discussions and is a landmark in labor-management dealings within the post office system."

Other training awards presented last night went to Dwight P. Jacobus, supervisor of education service to industry, State Department of Education, and to Clyde S. Hartlove, vice president of public relations and employee development, Esskay Quality Meat Co.

Clemens noted that although the MSTD's three-man awards committee was composed of members of industry, two of the three awards were presented to Government employees—one Federal and one State.

If a certain element of pride can be detected there, it's probably pardonable. Clemens himself is a Government man, assistant training officer at the post office here.

Awards committee members were John Ennis, of Proctor & Gamble Co.; Gustave Semesky, FMC Corp.; and Mrs. Mildred Baxter, of the C. & P. Telephone Co.

Sixty percent of the persons in the Maryland Society of Training Directors represent industry, Clemens said, while 20 percent come from service industries. The remaining 20 percent represent various levels of government.

The post office here will accept applications for garageman, PFS L-3, $2.37 an hour, until February 28.

Residents of Baltimore City, Anne Arundel, Baltimore, Carroll, Hartford, and Howard Counties are eligible to apply.

Because existing registers for the job will be superseded by results of the new examination, all persons with eligibility on present registers should reapply.

Full information and application forms may be obtained from the Post Office Board, U.S. Civil Service Examiners, Room 601, McCawley Building, 37 Commerce Street, Baltimore 21202 or from first-, second-, and third-class post offices in the counties affected.

THE CHURCHES AND VIETNAM

Mr. McGOVERN. Mr. President, one of the most thoughtful articles that has come to my attention on the Vietnam issue is one written by Dr. Georgia Harkness, entitled "The Churches and Vietnam," which was published in the January 26, 1966, issue of the Christian Century.

Dr. Harkness is one of the Nation's most respected theologians. For many years she has inspired seminary students with her lectures and her probing mind. I had the privilege of studying with her briefly in 1946. At the present time, she is professor emeritus of applied theology at the Pacific School of Religion in Berkeley, Calif.

I ask unanimous consent to have her article printed in the RECORD.

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

THE CHURCHES AND VIETNAM—NO MATTER HOW AMBIGUOUS ARE THE ISSUES INVOLVED IN THE CONFLICT, THE CHRISTIAN GOSPEL MAKES CERTAIN ATTITUDES TOWARD THEM CLEAR

(By Georgia Harkness)

In the face of the escalating war in Vietnam the churches have been conspicuously failing to direct the thinking of their members on the portentous issues involved. At its meeting in December the National Council of Churches' General Board adopted an admirable policy statement and message, but so far as local congregations are concerned a question uppermost in the minds and hearts of millions of Americans is being bypassed in American Protestantism.

There is no denying the complexity of the situation, a complexity that leaves one uncertain what to say unless he accepts or rejects outright the administration's position. Yet our first obligation as Christians is clear: to maintain our ethical sensitivity to the demands of the Gospel. Obviously, the Gospel gives us no blueprint for the precise forms of action to be taken amid the complexities of the modern world; that is why Christian pacifists and nonpacifists can sincerely differ. Yet we have firm common ground on which to stand in the Gospel's imperatives on love and reconciliation, on respect for human life, and the need to relieve suffering wherever it is found, on the recognition that every person, whatever his race, nation, social status, or political coloration, is of infinite worth to God and should be viewed as bound to us by ties of brotherhood. These imperatives have been affirmed again and again by great representative bodies of churchmen. Whether we are pacifists or nonpacifists, supporters of the administration's foreign policy or dissenters, we ought to take them seriously.

UNWARRANTED INSENSITIVITY

Yet what is happening to our inner attitudes? The Vietcong are human beings, made in God's image like ourselves, perhaps less culturally advanced but as precious in God's sight as any American. When we hear a news report of 240 American boys killed in 1 week, we rightly wince. When we hear in the same report of 2,400 Vietcong killed, are we not inclined to rejoice as if something good had happened? Do we think God rejoices?

Insensitivity to the taking of human life when it is on the other side creeps up on us in every war. We rationalize by saying that thus the end of the war is brought nearer. Perhaps, and perhaps not. In the present conflict the escalation of the war seems to have stiffened Hanoi's opposition to negotiation, as is likely to be the case in any conflict when resources with which to go on fighting remain. Be that as it may, for the Christian to view with composure and even with rejoicing the large-scale death of other human beings is an indication that somewhere along the way our Christian sensitivity has slipped.

Another angle of insensitivity appears in the dulling of our reaction to the slaughter of innocent noncombatants—old men and women, mothers and their babies, terrified villagers who may have been warned but who have no place to go when the napalm begins to fall. It is to the credit of our soldiers that many of them, though trained in the stern realities of war, shrink from such slaughter. If we have let our sensibilities be lulled to sleep, a look at such photographs as those of "the blunt reality of war in Vietnam" in Life's November 26, 1965, issue should help to awaken us.

Though new in form, this is the old question of the legitimacy of obliteration bombing. Those whose memories reach back to World War II may recall that the protest against the wholesale bombing of civilian populations issued by a small group of religious leaders—there were only 28 of us—was generally greeted with opposition and derision. But after the war was over the report of the commission appointed by the Federal Council of Churches on "The Relation of the Church to the War in the Light of the Christian Faith" (often called the Calhoun Commission) almost unanimously condemned the practice of obliteration bombing. What the judgment of history will be on the conduct of the war in Vietnam remains an open question.

A closely related issue for which the churches must be concerned if they are to remain Christian is the need for a vastly accelerated program of relief. The efforts of our Government to care for refugees and wounded villagers are commendable. Yet in view of the enormity of the problem and the continuing destruction they are inadequate. The longer the war continues the greater the need will become. Here is clearly something the churches can support—a service to which the Christian conscience can respond.

More than 600,000 persons in South Vietnam have fled from their homes to escape the violence from both sides. And in the north there are unknown numbers of victims of our bombing, for while an attempt has been made to limit that bombing to military and other strategic targets, persons are inevitably caught in the destruction. To minister to the suffering, whether in the south or north, both Church World Service and the American Friends Service Committee are appealing for funds to carry on a greatly increased program of relief. Though many of us feel helpless in this crisis, helping relieve desperate human need is certainly one thing we can do.

Let us look ahead a little. We should welcome our Government's offer to give economic aid to Vietnam and other countries of southeast Asia. Will we be as willing when the war finally terminates with all Vietnam such a shambles that nothing but a long and very expensive program will rebuild it? National honor will hardly let us leave the area in that condition, yet one can anticipate the outcries at the expense involved, at its impingement on the cost of domestic programs. Christians must then insist that if we can pour out vast sums of money as well as human life to win the war in Vietnam, we must be as willing to expend our tax funds to create conditions for decent human living in the shattered area.

THE RIGHT AND DUTY TO PROTEST

I must speak now of a more disputed issue. What about the demonstrations, marches, and other forms of protest against Government policy? Shall we defend them, or shall we oppose them as unpatriotic and as a means of giving aid and comfort to the enemy while other young Americans suffer and die for us in Vietnam? There is clearly no justification for dishonesty or for draft dodging. The burning of a draft card is both a defiant and a futile form of protest. And though we may sympathize with the deep concern that has prompted self-immolation, we must agree that suicide is not the Christian answer.

When conducted in an orderly manner demonstrations are within the American tradition of the right to free expression of opinion. To forbid them is to stifle democracy at home under the guise of preserving it abroad. Certainly they should be permitted when the safety and welfare of the public are not infringed upon. Yet in most cases, certainly in the much publicized Berkeley demonstrations, it is a very diverse group that marches. There are probably some Communists; there are committed pacifists; there are many who for various reasons do not approve the Government's policy in Vietnam. Some of these reasons are carefully thought out and held with deep conviction; others appear to be less laudably grounded. It is impossible to form one common judgment about all who participate.

At present it is only those clergymen and pacifists who ask for exemption on religious grounds who are legally excused from military service. Of late the question has arisen as to whether this provision should be extended to cover those who conscientiously believe that all war—or one particular war—is unjust. Again, some past history may help to answer the question.

At the Oxford Conference on Life and Work in 1937 there was a clear condemnation of war as "a particular demonstration of the power of sin in this world and a defiance of the righteousness of God as revealed in Jesus Christ and him crucified." Yet three positions were stated as conscientiously held by Christians: absolute pacifism, the support of "just wars," and response to the call of the state unless one is absolutely certain that his country is fighting for a wrong cause (report, sec. V, 7). By the time of the Amsterdam Conference of 1948 the atomic age had intervened and the position had shifted somewhat to another triad: denial that modern war can be an act of justice, the duty of citizens to defend the law by force if necessary, and the Christian pacifist position (report, sec. IV, 1). In later assemblies of the World Council of Churches the matter was approached from other angles with less specific statements.

In view of such affirmations by representatives of the world Christian community it would seem that there ought to be standing ground both in the law and in the attitudes of the local community for the person who protests against participation in a war which he conscientiously believes to be unjust. Such a provision if enacted into law would doubtless impose problems for draft boards, but perhaps not more than in the case of Christian pacifists. Judgments would need to be made on the basis of the individual's wider spectrum of life and thought; ministers might be called on to defend deserving persons and refuse support to others. Yet I do not see on what other basis genuine freedom of conscience can be preserved.

A further service the churches can render is to educate their members, as objectively as possible, on the background of the present war. The best brief statement in response to this obligation that I have seen was that in the Church Woman for November 1965. It is true, of course, that there are ambiguous elements in the background which, because they are ambiguous, can be cited on either side of the issue. For example, are all of the Vietcong Communists, as is commonly assumed? The original Vietminh, which became the Vietcong, was anti-French rather than pro-Communist. Most of those now fighting against the South Vietnam Government are peasant lads innocent of ideology, yet there seems little doubt that their leaders are Communist-trained, responsive to the bidding of Hanoi.

Are we in Vietnam to honor the commitments of three Presidents? There is no doubt about the Johnson commitment, but the original Eisenhower offer of aid was conditional upon needed reforms and the establishment of a strong government responsive to the people. (President Eisenhower's letter of Oct. 23, 1954, to Ngo Dinh Diem, printed in the CONGRESSIONAL RECORD of July 27, 1965, merits perusal (vol. 111, Part 13).)

Is our presence in Vietnam a violation of the Geneva accords of 1954? By these agreements the Communists were to withdraw to the north and the French and non-Communists to the south; both sides were to end hostilities and neither zone was to be used as a base for military activities; elections were to be held within 2 years under an international control commission to determine the nation's political future. It is clear that North Vietnam has violated this agreement. It is less well understood that the Geneva accords were mainly between the French and the Vietminh and that both the non-Communist Vietnamese representatives at the conference and the United States refused to sign them.

Such items do not per se settle the rightness or wrongness of the present conflict. They do indicate that we ought to know the facts, including such nuances as these, and state them with as much light and as little heat as possible.

ONE VIEW OF THE WAY AHEAD

I certainly claim no superior wisdom as to what should now be done, but the reader is entitled to know my position. I do not advocate immediate withdrawal, but neither do I think we should continue the present bombing and jungle warfare. The most sensible solution I have seen is that advanced by Senator GEORGE MCGOVERN in an address to the Senate which appears in the CONGRESSIONAL RECORD previously mentioned. The gist of his suggestions is that we should continue to hold the cities and coast, which can be done without great destruction of life or property, stop the bombing and sit it out until an honorable peace can be negotiated.

In the meantime effort should be made through the United Nations or other agencies to bring about a cease-fire. Negotiations which our Government has proposed, however unconditional, are not likely to come about so long as bombing of North Vietnam continues—hence the hope inspired by the cessation at the beginning of the new year. The United States has sufficiently demonstrated that it is not a "paper tiger" and need not fear loss of prestige should the cessation continue. Negotiations when entered into should certainly include participation by representatives of the National Liberation Front in Vietnam. Eventually there should be a phased withdrawal of all foreign troops except a United Nations or other international peacekeeping force. And free elections by which the people may determine their own political future should be provided for.

A further requirement, as suggested above, is that until economic self-subsistence and rebuilding are attained there must be both the promise and the actuality of massive economic aid, with the provision of hospitals, orphanages, schools, and varied forms of technical assistance. If we make all this possible we will validate our claim that we are in South Vietnam to protect the people from aggression. At the same time such response to human need will form the best insurance against the spread of communism.

Finally, we should be praying for those who suffer in this deeply troubled land, whether friend or enemy, whether Christian, Buddhist, atheist—men, women, and children with stricken bodies and souls, caught in the grip of forces they did not create and do not understand. That, at least, any Christian can do if he shares somewhat the love of God for every suffering one among his human children.

TRIBUTE TO OREN HARRIS, A FORMER REPRESENTATIVE FROM ARKANSAS, NOW A FEDERAL JUDGE

Mr. FULBRIGHT. Mr. President, few Americans have the opportunity to serve their country in both the legislative and judicial branches of the Government. Few men have the chance to bring to the judiciary a quarter century of lawmaking experience, but such a man is Oren Harris, a close, personal friend of mine and the former Representative of the Fourth Congressional District of Arkansas. He has been sworn in earlier today at El Dorado, Ark., as Federal judge for both the eastern and western districts of Arkansas, after having been nominated by President Johnson last year.

Judge Harris resigned his seat in the House of Representatives effective February 2, 1966, after 25 years' service in that body and after 9 years as chairman of the House Interstate and Foreign Commerce Committee.

Oren Harris was in Congress when I came as the Representative of the Third Congressional District of Arkansas in 1942. His service to Arkansas has been exceptional, his fairness as a committee chairman irreproachable, and his judgment wise and mature. I have a very deep admiration for him and have enjoyed working in the Congress with him these many years. Arkansas will miss his services as a legislator, but his intimate knowledge of the law will serve him in good stead and I am thankful that the new judgeship position in Arkansas has been filled by a man of his caliber.

Mr. President, I join the rest of the Arkansas delegation and his colleagues in the House in paying tribute to one of Arkansas' outstanding Representatives. My best wishes to both Judge Harris and his wife, Ruth, in their new life.

ENROLLMENT IN PUBLIC ELEMENTARY AND SECONDARY SCHOOLS

Mr. MORSE. Mr. President, because I know the basic statistics covering enrollment, teachers and high school graduates in full time public elementary and secondary day schools are of continuing interest to my colleagues and because these are the basic statistics which will be cited time and again in connection with education legislation in the second session, I feel it appropriate to set them forth at this point in my remarks for the reference of my colleagues.

Mr. President, I ask unanimous consent to have a news release dated January 16, 1966, from the Office of Education of the U.S. Department of Health, Education and Welfare, together with the accompanying tables, printed in the RECORD.

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

U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, OFFICE OF EDUCATION,
Washington, D.C., January 16, 1966.

Enrollments in public elementary and secondary schools this fall rose to 42.1 million, an increase of 727,000 or 1.8 percent over last year, the U.S. Office of Education announced today.

The 12th annual fall survey, conducted in cooperation with State departments of education, also shows:

Enrollments are continuing to increase more rapidly in secondary schools than in elementary schools. The elementary school enrollment of 26.4 million is up 194,000, or 0.7 percent above a year ago. Secondary school enrollments rose 533,000 to 15.7 million, a gain of 3.5 percent.

The estimated average annual expenditure per pupil in average daily attendance in 1965–66 is $532. Based on average daily membership—counting students both present and absent—the estimated average annual expenditure is $503.

The survey also showed:

Approximately 1,716,000 full-time and part-time public schoolteachers, an increase of 68,100, or 4.1 percent over 1964.

The estimated average annual salary of all instructional personnel, including principals, teachers, librarians, and others is $6,700 in 1965–66. The average annual salary for classroom teachers is $6,500.

About 81,700 full-time public schoolteachers—4.8 percent of the total—do not meet State certification standards. The proportion of teachers with less than standard certificates has been declining slowly in recent years.

Total expenditures for public schools in the current school year will amount to about $25.8 billion.

In the 1964–65 school year, 16,400 classrooms were abandoned because of school or school district consolidations, population shifts, destruction of buildings, and other factors. The completion of 65,200 classrooms during the same period brought the number of classrooms currently in use to 1,595,000.

(NOTE TO EDITORS.—Further details, giving current year figures by region and State as well as national totals for a 5-year period are contained in the attached tables.)

TABLE 1.—*Fall 1965 statistics on local school districts, enrollment, teachers, and high school graduates in full-time public elementary and secondary day schools, by State*

Region and State	Number of local basic administrative units (school districts)	Number of pupils enrolled			Number of full-time and part-time classroom teachers			Number of full-time classroom teachers with less than standard certificates [1]			High school graduates, 1964–65
		Total	Elementary [2]	Secondary [2]	Total	Elementary [2]	Secondary [2]	Total	Elementary [2]	Secondary [2]	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
United States	[3] 26,982	42,143,504	26,415,834	15,727,670	1,716,285	967,635	748,650	81,748	51,632	30,116	2,362,100
North Atlantic	4,006	9,867,110	5,863,535	4,003,575	430,754	229,323	201,431	31,862	17,993	13,869	584,666
Connecticut	178	574,798	367,801	206,997	24,970	14,575	10,395	1,600	900	700	31,729
Delaware	59	108,357	62,182	46,175	4,802	2,434	2,368	241	159	82	5,987
Maine	397	222,506	148,631	73,875	9,133	5,717	3,416	314	197	117	12,661
Maryland	24	762,647	442,025	320,622	[4] 31,094	[4] 16,342	[4] 14,752	7,070	4,814	2,256	41,405
Massachusetts	392	1,020,500	616,000	404,500	45,004	24,550	20,454	1,472	708	764	63,364
New Hampshire	199	128,857	83,007	45,850	5,529	3,239	2,290	244	147	97	7,775
New Jersey	594	1,286,000	847,000	439,000	59,000	35,000	24,000	7,300	5,600	1,700	78,000
New York [5]	997	3,190,845	1,833,184	1,357,661	146,083	74,885	71,198	9,684	3,473	6,211	182,227
Pennsylvania	863	2,189,829	1,226,421	963,408	[4] 89,009	[4] 43,716	[4] 45,293	802	268	534	143,200
Rhode Island [5]	40	154,501	88,980	65,521	6,630	3,374	3,256	421	256	165	9,157
Vermont	262	84,254	55,639	28,615	3,883	2,278	1,605	189	71	118	4,452
District of Columbia	1	144,016	92,665	51,351	5,617	3,213	2,404	2,525	1,400	1,125	4,709
Great Lakes and Plains	14,744	11,854,748	7,506,854	4,347,894	492,418	278,986	213,432	18,734	13,061	5,673	688,585
Illinois	1,354	2,087,689	1,366,223	721,466	89,470	53,753	35,717	3,131	2,456	675	115,006
Indiana	442	1,124,724	693,100	431,624	45,084	24,541	20,543	770	627	143	66,348
Iowa	984	625,358	445,460	179,898	29,082	16,254	12,828	857	683	174	40,590
Kansas [6]	1,500	506,958	365,501	141,457	26,719	14,802	11,917				28,000
Michigan	1,150	1,975,000	1,165,000	810,000	72,782	39,541	33,241	4,000	2,600	1,400	103,175
Minnesota	1,439	808,207	452,358	355,849	34,605	17,248	17,357	450	378	72	53,443
Missouri [6]	1,028	964,351	703,635	260,716	37,040	24,668	12,372	977	863	114	51,261
Nebraska	2,546	318,746	194,844	123,902	15,431	8,790	6,641	130	80	50	19,886
North Dakota	603	148,871	97,577	51,294	7,275	4,174	3,101				9,536
Ohio	738	2,270,108	1,395,481	874,627	88,027	49,440	38,587	8,000	5,000	3,000	132,613
South Dakota	2,388	165,635	107,977	57,658	8,420	5,318	3,102	50	50		9,898
Wisconsin [7]	572	859,101	519,698	339,403	38,483	20,457	18,026	369	324	45	58,829
Southeast	1,821	9,717,078	6,074,617	3,642,461	366,286	214,653	151,633	11,816	8,632	3,184	508,573
Alabama	119	831,701	480,327	351,374	29,575	15,597	13,978	1,910	1,320	590	45,424
Arkansas	410	451,231	250,884	200,347	17,200	8,714	8,486	260	161	99	25,394
Florida	67	1,220,581	687,806	532,775	47,850	25,382	22,468	276	204	72	61,190
Georgia [8]	195	1,055,086	693,179	361,907	37,973	23,791	14,182	232	118	114	51,708
Kentucky	200	665,046	436,599	228,447	26,061	16,293	9,768	1,139	880	259	35,233
Louisiana	67	802,592	505,113	297,479	31,388	18,252	13,136	1,812	1,155	657	39,269
Mississippi	149	584,629	356,111	228,518	20,375	11,288	9,087	853	493	360	26,690
North Carolina [6]	169	1,181,558	850,985	330,573	44,819	30,959	13,860	1,534	1,213	321	67,520
South Carolina	108	637,990	386,649	251,341	24,116	13,446	10,670	48	21	27	33,192
Tennessee	152	871,998	566,998	305,000	31,200	19,500	11,700	900	775	125	46,541
Virginia	130	986,123	620,103	366,020	39,464	22,666	16,798	1,703	1,418	285	49,438
West Virginia	55	428,543	239,863	188,680	16,265	8,765	7,500	1,149	874	275	26,974

See footnotes at end of table.

TABLE 1.—*Fall 1965 statistics on local school districts, enrollment, teachers, and high school graduates in full-time public elementary and secondary day schools, by State*—Continued

Region and State	Number of local basic administrative units (school districts)	Number of pupils enrolled			Number of full-time and part-time classroom teachers			Number of full-time classroom teachers with less than standard certificates [1]			High school graduates, 1964–65
		Total	Elementary [2]	Secondary [2]	Total	Elementary [2]	Secondary [2]	Total	Elementary [2]	Secondary [2]	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
West and Southwest	6,411	10,704,568	6,970,828	3,733,740	426,827	244,673	182,154	19,336	11,946	7,390	580,276
Alaska	29	59,727	41,800	17,927	2,681	1,554	1,127	3	1	2	2,258
Arizona	307	373,659	270,117	103,542	15,704	11,121	4,583	42	19	23	18,920
California	1,357	4,262,000	2,754,500	1,507,500	159,800	94,500	65,300	7,500	5,000	2,500	226,500
Colorado	184	486,784	287,999	198,758	21,816	11,297	10,519	173	114	59	26,749
Hawaii [3]	1	162,200	94,192	68,008	5,452	3,298	2,154	305	137	168	9,200
Idaho [3]	117	173,696	92,215	81,481	7,261	3,560	3,701	1,386	1,013	373	11,518
Montana	906	166,765	109,292	57,473	7,655	4,950	2,705	132	124	8	9,941
Nevada	17	105,952	66,269	39,683	4,329	2,515	1,814				4,751
New Mexico	91	267,700	153,780	113,920	10,990	5,916	5,074	29	29		13,453
Oklahoma	1,049	584,106	341,116	242,990	24,399	12,688	11,711				35,668
Oregon	409	448,527	274,830	173,697	20,844	11,968	8,876	1,180	1,050	130	29,988
Texas [6]	1,336	2,517,342	1,866,356	650,986	101,000	57,600	43,400	7,700	3,800	3,900	121,759
Utah	40	286,404	166,267	120,137	10,796	5,761	5,035	125	72	53	16,694
Washington [3]	378	723,398	402,152	321,246	29,852	15,656	14,196	500	450	50	47,651
Wyoming	190	86,308	49,943	36,365	4,248	2,289	1,959	261	137	124	5,226
Outlying areas:											
American Samoa [6]	1	7,021	5,402	1,619	303	249	54	15		15	333
Canal Zone [3]	1	13,505	7,941	5,564							840
Guam [3]	1	17,086	10,088	6,998	594	322	272	68	42	26	685
Puerto Rico [3]	1	631,358	414,983	216,375	17,268	10,338	6,930	1,901	362	1,539	20,379
Virgin Islands	1	9,555	6,256	3,299	561	313	248	64	59	5	262

[1] Because of the variation in State requirements for a regular teaching certificate at both the elementary and secondary levels, comparisons between States cannot readily be made.

[2] Unless otherwise noted, data for elementary and secondary schools are classified by type of organization rather than by grade group.

[3] Includes 2,537 districts which did not operate any schools.

[4] Includes full-time equivalence of part-time teachers.

[5] Data for elementary and secondary schools are reported by specific grade group: kindergarten through grade 6 for elementary schools and grades 7 through 12 for secondary.

[6] Data for elementary and secondary schools are reported by specific grade group: kindergarten through grade 8 for elementary schools and grades 9 through 12 for secondary.

[7] Excludes vocational schools not operating as part of the regular public school system.

[8] Data for elementary and secondary schools are reported by specific grade group: kindergarten through grade 7 for elementary schools and grades 8 through 12 for secondary.

TABLE 2.—*Selected statistics on school housing in full-time public elementary and secondary day schools, by State*

Region and State	Number of pupils on curtailed sessions, fall 1965			Number of instruction rooms		
	Total	Elementary	Secondary	Completed during 1964–65	Abandoned during 1964–65	Available and in use, beginning 1965–66
United States	[1] 332,215	[1] 171,917	[1] 160,298	[2] 65,200	[2] 16,400	1,595,150
North Atlantic	187,766	85,428	102,338	13,657	3,163	366,986
Connecticut	6,710	881	5,829	868	121	23,056
Delaware	1,819	649	1,170	198	27	4,555
Maine	4,564	2,562	2,002	728	428	8,802
Maryland	17,466	5,545	11,921	1,530	272	25,672
Massachusetts	24,500	7,000	17,500	650	100	38,400
New Hampshire				306	44	5,209
New Jersey	40,000	26,160	13,840	2,200	500	48,700
New York	85,510	38,450	47,060	4,300	750	119,490
Pennsylvania	3,124	1,860	1,264	2,381	835	79,155
Rhode Island	1,717		1,717	255	54	5,957
Vermont	222	187	35	152	28	3,529
District of Columbia	2,134	2,134		89	4	4,461
Great Lakes and Plains	[1] 59,549	[1] 38,010	[1] 21,539	18,388	[3]	458,041
Illinois	15,978	13,062	2,916	1,954	[3]	78,078
Indiana	1,723	1,514	209	1,856	557	41,950
Iowa	[3]	[3]	[3]	565	200	27,921
Kansas	[3]	[3]	[3]	783	144	24,873
Michigan	27,450	11,700	15,750	3,241	583	69,267
Minnesota	6,537	6,096	441	1,601	324	33,357
Missouri				1,451	236	36,079
Nebraska	270	247	23	1,059	275	15,354
North Dakota				310	223	7,021
Ohio	7,000	5,000	2,000	2,500	600	83,775
South Dakota	591	391	200	258	295	8,019
Wisconsin [4]	[3]	[3]	[3]	2,810	702	32,347
Southeast	65,350	37,853	27,497	12,971	5,744	357,538
Alabama	895	714	181	1,217	655	28,757
Arkansas				545	205	16,794
Florida	21,177	11,474	9,703	1,836	393	42,243
Georgia	14,140	6,258	7,882	970	539	38,860
Kentucky	1,977	1,937	40	864	787	24,691
Louisiana	[5] 16,498	[5] 11,383	[5] 5,115	1,092	370	31,596
Mississippi	2,556	2,506	50	855	350	20,380
North Carolina	1,751	751	1,000	1,693	853	46,622
South Carolina				305	269	22,382
Tennessee				1,160	466	32,237
Virginia	6,295	2,814	3,481	2,169	518	36,602
West Virginia	61	16	45	265	339	16,374

See footnotes at end of table.

TABLE 2.—*Selected statistics on school housing in full-time public elementary and secondary day schools, by State*—Continued

Region and State	Number of pupils on curtailed sessions, fall 1965			Number of instruction rooms		
	Total	Elementary	Secondary	Completed during 1964–65	Abandoned during 1964–65	Available and in use, beginning 1965–66
West and Southwest	[1] 19,550	[1] 10,626	[1] 8,924	[2]	3,188	412,585
Alaska				116	9	2,339
Arizona	1,720	1,641	79	1,086	132	15,014
California	[3]	[3]	[3]	7,500	400	156,100
Colorado	3,409	3,359	50	1,044	234	18,698
Hawaii				[3]	101	6,096
Idaho	[3]	[3]	[3]	194	159	6,981
Montana	4,762	264	4,498	407	121	7,877
Nevada				644	47	4,234
New Mexico	3,514	263	3,251	621	113	10,718
Oklahoma	413	189	224	1,057	308	24,951
Oregon	353	43	310	831	170	18,890
Texas	1,360	1,360		4,981	785	97,656
Utah	3,322	3,322		785	206	10,078
Washington	697	185	512	410	350	28,940
Wyoming				180	53	4,013
Outlying areas:						
American Samoa				77	[3]	218
Canal Zone				78	7	596
Guam				25	4	539
Puerto Rico	306,693	230,045	76,648	453		14,068
Virgin Islands				[3]	[3]	302

[1] Incomplete; total for States reporting.
[2] Includes estimate for nonreporting States.
[3] Data not available.
[4] Excludes vocational schools not operated as part of the regular public school system.
[5] Temporary increase in pupils on double sessions due to dislocation caused by hurricane in Orleans Parish.

TABLE 3.—*Historical summary of fall survey statistics of school districts, pupils, teachers, and instruction rooms in full-time public elementary and secondary day schools, 50 States and District of Columbia, 1961 to 1965*

Item	Fall 1961	Fall 1962	Fall 1963	Fall 1964	Fall 1965
A. LOCAL SCHOOL DISTRICTS					
Total districts	35,676	33,086	31,705	29,391	26,982
Operating	31,197	28,859	27,763	25,991	24,445
Nonoperating	4,479	4,227	3,942	3,400	2,537
B. ENROLLMENT					
Total enrollment	37,464,074	38,748,907	40,186,751	41,416,289	42,143,504
Elementary schools	24,603,352	25,263,661	25,774,289	26,221,705	26,415,834
Secondary schools	12,860,722	13,485,246	14,412,462	15,194,584	15,727,670
Percent of total enrollment in elementary schools	65.7	65.2	64.1	63.3	62.7
Percent of total enrollment in secondary schools	34.3	34.8	35.9	36.7	37.3
C. CLASSROOM TEACHERS					
Total teachers, full time and part time	1,461,055	1,507,552	1,577,777	1,651,310	1,716,285
Elementary schools	869,072	886,161	908,353	942,189	967,635
Secondary schools	591,983	621,391	669,424	709,121	748,650
Percent of total teachers in elementary schools	59.5	58.8	57.6	57.1	56.4
Percent of total teachers in secondary schools	40.5	41.2	42.4	42.9	43.6
D. PUPIL-TEACHER RATIO					
Pupil-teacher ratio (total elementary and secondary schools)	25.6	25.7	25.5	25.1	24.6
Elementary schools	28.3	28.5	28.4	27.8	27.3
Secondary schools	21.7	21.7	21.5	21.4	21.0
E. TEACHERS WITH SUBSTANDARD CERTIFICATES					
Total full-time teachers with substandard certificates	91,643	82,655	83,200	82,700	81,748
Elementary schools	65,654	55,960	55,000	53,500	51,632
Secondary schools	25,989	26,695	28,200	29,200	30,116
Percent of total teachers with substandard certificates in elementary schools	71.6	67.7	66.1	64.7	63.2
Percent of total teachers with substandard certificates in secondary schools	28.4	32.3	33.9	35.3	36.8
Total teachers with substandard certificates as percent of total teachers	6.3	5.5	5.3	5.0	4.8
Teachers with substandard certificates in elementary schools as percent of total ememtary teachers	7.6	6.3	6.1	5.7	5.3
Teachers with substandard certificates in secondary schools as percent ot total secondary teachers	4.4	4.3	4.2	4.1	4.0
F. PUPILS ON CURTAILED SESSIONS					
Total number of pupils attending school for less than a full or normal school day	570,870	484,136	481,054	369,220	332,215
Elementary schools	375,355	332,529	312,997	214,799	171,917
Secondary schools	195,515	151,607	168,507	154,421	160,298
	1961–62	1962–63	1963–64	1964–65	1965–66
G. PUBLIC HIGH SCHOOL GRADUATES					
Total graduates	1,678,024	1,710,556	2,020,680	2,362,100	[1]
Boys	826,295	844,323	993,414	1,167,438	[1]
Girls	851,729	866,233	1,027,266	1,194,662	[1]

See footnotes at end of table.

TABLE 3.—*Historical summary of fall survey statistics on school districts, pupils, teachers, and instruction rooms in full-time public elementary and secondary day schools, 50 States and District of Columbia, 1961 to 1965*—Continued

Item	Fall 1961	Fall 1962	Fall 1963	Fall 1964	Fall 1965
H. INSTRUCTION ROOMS					
Number of publicly owned instruction rooms at beginning of school year [2]	1,385,211	1,438,384	1,496,950	1,549,000	1,595,150
Number of instruction rooms completed during school year	72,089	65,300	69,300	65,200	(1)
Number of rooms abandoned for instructional purposes during school year	18,134	17,000	17,100	16,400	(1)

[1] Data to become available in fall 1966 survey.
[2] Because of changes in school plant inventories, the number of instruction rooms at the beginning of a particular school year is not always the sum of the number of rooms available at the beginning of the previous year, plus rooms completed, and minus rooms abandoned during the previous school year.

TABLE 4.—*Estimated expenditures by major purpose, current expenditure per pupil, and average salary of instructional staff and classroom teachers, by State, 1965–66*

Region and State	Expenditures (in thousands)				Annual current expenditure per pupil in—			Average annual salary	
	Total expenditures	Current expenditures		Capital outlay	Interest on school debt	Average daily membership	Average daily attendance	Total instructional staff [2]	Classroom teachers
		Elementary and secondary schools	Other programs [1]						
United States	$25,801,995	20,909,489	$619,829	$3,449,859	$822,818	$503	$532	$6,700	$6,500
North Atlantic	7,274,235	6,137,508	80,099	808,639	247,989				
Connecticut	379,000	334,000	2,500	30,000	12,500	593	637	7,550	7,200
Delaware	80,140	56,000	140	20,000	4,000	538	580	7,300	7,150
Maine	108,300	87,800	5,000	13,000	2,500	397	410	5,600	5,550
Maryland	526,925	387,639	11,688	107,995	19,603	512	552	7,298	6,878
Massachusetts	575,000	517,000	6,000	52,000		502	530	7,350	7,100
New Hampshire	78,120	[3] 57,702	225	18,000	2,193	453	479	5,765	5,650
New Jersey	953,500	787,000	8,000	125,000	33,500	612	662	7,233	6,968
New York	3,070,000	2,560,000	30,000	375,000	105,000	804	876	8,400	7,700
Pennsylvania	1,261,000	1,151,000	12,000	[4] 33,000	65,000	533	565	6,650	6,410
Rhode Island	98,843	81,450	425	14,075	2,893	533	576	6,750	6,325
Vermont	45,498	41,593	105	3,000	800	499	507	5,750	5,640
District of Columbia	97,909	76,324	4,016	17,569		534	578	7,800	7,500
Great Lakes and Plains	7,147,508	5,793,369	105,205	1,011,894	237,040				
Illinois	1,366,000	1,125,000	35,000	160,000	46,000	549	591	7,235	7,123
Indiana	626,614	532,614	8,000	[4] 80,000	6,000	[5]	512	7,300	7,050
Iowa	397,309	326,072	4,237	58,000	9,000	540	549	6,150	6,050
Kansas	287,703	245,384	3,738	30,581	8,000	[5]	511	5,957	5,785
Michigan	1,257,000	950,000	25,000	225,000	57,000	[5]	523	7,200	6,850
Minnesota	547,515	433,458	5,530	84,243	24,284	553	577	6,862	6,641
Missouri	482,402	399,402	8,500	60,000	14,500	[5]	485	6,003	5,857
Nebraska	163,000	130,000	2,000	26,000	5,000	402	419	5,350	5,225
North Dakota	81,500	63,500	1,000	14,150	2,850	440	460	5,275	5,120
Ohio	1,306,000	1,070,000	10,000	180,000	46,000	473	503	6,550	6,350
South Dakota	89,585	79,259		8,920	1,405	484	504	4,850	4,650
Wisconsin	542,880	438,680	2,200	85,000	17,000	550	575	6,600	6,425
Southeast	4,287,389	3,534,110	99,848	544,905	108,526				
Alabama	320,500	283,000	1,500	[4] 26,000	10,000	343	355	5,350	5,150
Arkansas	192,036	154,763	1,305	30,900	5,068	357	376	4,925	4,740
Florida	723,449	506,348	40,743	162,700	13,658	415	439	6,577	6,435
Georgia	429,368	369,368	8,000	[4] 40,000	12,000	356	384	5,500	5,350
Kentucky	272,500	234,500	3,000	26,000	9,000	353	375	5,100	4,930
Louisiana	414,109	358,609	500	40,000	15,000	448	481	6,676	6,039
Mississippi	204,627	169,322	8,600	22,705	4,000	294	317	4,300	4,190
North Carolina	497,200	419,000	8,000	60,000	10,200	359	379	5,484	5,373
South Carolina	241,900	206,500	4,300	25,600	5,500	325	349	4,767	4,675
Tennessee	355,500	299,700	4,800	39,000	12,000	344	361	5,255	5,100
Virginia	473,500	[6] 386,000	15,000	62,000	10,500	394	424	5,800	5,650
West Virginia	162,700	147,000	4,100	10,000	1,600	348	367	5,200	4,990
West and Southwest	7,092,863	5,444,502	334,677	1,084,421	229,263				
Alaska	47,408	41,827	1,439	2,225	1,917	735	775	8,481	8,240
Arizona	207,455	181,308	2,136	18,409	5,602	491	514	7,165	7,025
California	3,455,000	2,475,000	280,000	580,000	120,000	569	582	8,500	8,150
Colorado	303,000	232,000	7,500	50,000	13,500	482	513	6,643	6,391
Hawaii	101,801	78,107	7,632	13,880	2,182	482	515	7,073	6,929
Idaho	77,787	66,987		9,000	1,800	[5]	400	5,850	5,685
Montana	103,500	88,500	500	10,500	4,000	527	567	5,850	5,800
Nevada	60,645	55,222	544	1,179	3,700	[5]	528	7,200	7,025
New Mexico	174,342	[3] 147,560	554	24,652	1,576	561	578	6,545	6,356
Oklahoma	305,999	265,799	1,800	34,000	4,400	463	481	5,921	5,650
Oregon	310,476	252,500	4,400	47,690	5,886	577	612	6,850	6,650
Texas	1,226,000	1,011,000	5,000	165,000	45,000	[7] 423	[7] 449	[7] 6,100	[7] 5,950
Utah	175,890	124,132	2,172	46,186	3,400	437	459	6,525	6,250
Washington	491,000	380,000	21,000	75,000	15,000	[5]	556	7,100	6,825
Wyoming	52,560	44,560		6,700	1,300	526	551	6,293	6,119
Outlying areas:									
American Samoa	3,334	3,092	242			440	467	3,291	2,826
Canal Zone	14,239	8,638	601	5,000		642	652	8,400	8,050
Guam [8]	4,567	4,230	337	1,132		250	263	7,000	5,000
Puerto Rico	137,303	120,468	4,750	11,885		198	212	3,654	3,467
Virgin Islands	5,525	4,185	1,340			438	452	6,070	5,748

[1] Includes expenditures for summer schools, adult education, community services (such as public libraries operated by school districts, expenditures for nonpublic schools where authorized by law, community centers, and recreational activities), and community colleges and technical institutes under the jurisdiction of local boards of education.
[2] Includes supervisors, principals, classroom teachers, and other instructional staff.
[3] Partially estimated by Office of Education.
[4] Excludes capital outlay by nonschool agencies such as State and local school-housing authorities and governmental units whose financial transactions are not included in school district accounts; such expenditures in 4 States amounted to an estimated total of $332,000,000 ($220,000,000 in Pennsylvania; $67,000,000 in Indiana; $30,000,000 in Alabama; and $15,000,000 in Georgia).
[5] Not available.
[6] Includes an estimated $30,000,000 to reflect impact of recent Federal aid legislation.
[7] Excludes kindergarten and nursery schools.
[8] Figures understated because certain educational expenditures incurred by agencies other than the Department of Education are excluded.

"GOODBY TO GUTENBERG"

Mr. MORSE. Mr. President, in the January 24, 1966, issue of Newsweek there was published an article entitled, "Goodby to Gutenberg," which I feel will be of great interest to many of my colleagues, particularly those who are interested in legislation to expand and improve our library services.

This special science report relates the impact of our technological development to the age-old problem of information location and retrieval.

I ask unanimous consent to have the article printed in the RECORD.

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

GOODBY TO GUTENBERG

At the Polaroid Corp., in Cambridge, Mass., a scientist has conceived a photosensitive crystal about as big as a lump of sugar that is capable of containing the images of no fewer than 100,000 pages. Two engineers at the University of Michigan have perfected a lensless photographic system which could lead to three-dimensional home television. And in San Francisco a shrewd entrepreneur expects to make his fortune with a no-contact, no-pressure printing technique that can write on sand, print a message on a pizza and put a trademark on raw egg yolk.

As these concepts or any of the dozens of others now incubating in industrial laboratories are translated into hardware, the $10 billion communications industry in the United States will enter the final and most frenetic phase of its transformation from the old Gutenberg ways. "Books and newspapers will no longer exist," predicts Marshall McLuhan, the new savant of the new technology. "Publishing will become an active servicing of the human mind. Instead of a book, people will get a research package done to suit their own needs."

A survey of both existing hardware and of research now in progress, reports Newsweek's Jonathan Piel, confirms Professor McLuhan's bold vision. Xerography and other copying techniques have already turned every office mailroom into a publishing house. The Communications Satellite Corp. (Comsat) reports that only costs prevent transmission of entire magazine and newspaper pages via communications satellite for reproduction on other continents—and these are ground charges not orbit economics. At MIT a research team grapples with the problems of developing a nationwide computer network that will make every bit of knowledge—whether stored in old books or just obtained in a laboratory—instantly available. And an IBM scientific-literature service now serving NASA presages the day when a livingroom photocopier linked to a computer instantly produces an individually selected group of stories and editorials from any publication the armchair reader wants to see.

FAR-OFF?

Together, these innovations make up an industry so new and so inchoate that it does not even have a name. The closest descriptive term might be "information display." But even Wall Street, whose seismographs are supposed to be attuned to such far-off tremors, has heard none of the rumblings from the new information display field. Yet the display revolution will affect not only the traditional printed word and graphic arts fields but radio, television, and the new photocopying and datamation industries as well.

Who is killing Gutenberg? No one thing or person can be blamed, but a combination of forces is responsible—rising costs, multiplying knowledge, new techniques for conveying information and an exploding population.

JUNKED

More than any other factor, rising production costs are responsible for pushing type toward the junk heap. To cut costs in the composing room, some 50 U.S. dailies now use computers to help set type—among them the Miami Herald, the Los Angeles Times, and the Washington Post. The computers produce a yellow perforated tape; the tape, in turn, is fed into a linecasting machine that sets 12 lines a minute compared with 3 or 4 by the average Linotype operator. But, increasingly, composing-room computers also do other tasks—billing advertisers, counting circulation, and handling payroll.

A computer could carry the revolution to the editorial office by turning copy and manuscript editing into an efficient, rapid procedure. In the words of Nathaniel Korman, chief engineer at RCA's Graphic Systems Division, a future computer system will "automate the dull routine tasks and free the people using it so they can exercise to the fullest their esthetic and artistic abilities."

In these second-generation computers, copy typed into the computer will be hyphenated, justified and fit to a layout. Then each complete page will be presented to the editor in the form of a high-quality TV image of 500 or more lines to the inch. Using a light pencil (an electronic pointer capable of directing an image from one part of the screen to another) and keyboard, the editor rewrites and changes the order of paragraphs and the arrangement of stories on the page that will be stored in the computer memory. Such a system would even permit him to make up a page with any type, and set whole stories at the flick of a switch.

TV EDITING

Computerized copy flow is far more than a gleam in an electronic engineer's—or editor's—eye. RCA plans to market a system for $1 million or less in 1967. Copy will be displayed on a TV screen and a facsimile for editing will be produced from the image. After the editing is completed, the screen will expose a negative to the edited copy that will be used to make a photo-offset plate. In later models an editor will be able to work directly on the TV screen.

The first sale of such a computer system has already been made by IBM. The purchaser, Time Inc. (employing a high-speed printer instead of TV), will use it in its book division and three magazines. To be delivered late this year, the system will consist of two $350,000 IBM 360 computers each served by three 512,000-word auxiliary memories. The original article, all editorial changes and rewrites, as well as researchers' corrections, will be recorded in the computers' memories for later teletype transmission.

According to Korman, such systems will generate more publishing business by simplifying the updating of catalog, textbooks, almanacs and even encyclopedias. "It will be so much easier to put something into type," predicts the University of Pittsburgh's Joseph Naughton, "that we will probably have another information explosion."

The computerized editing system could add to profits by cutting costs. Because the system would not commit copy to type until it is judged perfect, resetting of lead would vanish. Coupled with facsimile transmission of pages and offset printing, computerized copy flow could give the newspapers and magazines a running start in their race against time. Images of completed pages could be transmitted via TV to a regional plant, saving at least 8 hours. There the page would be displayed on a TV screen or reproduced by a facsimile machine for later photo etching. For regional editions offset printing could save an additional 8 or 10 hours.

WEATHER DELAYS

At the same time, transmission of facsimile pages through communications satellites could solve one of the biggest magazine production headaches: how to put on an international edition when weather delays the arrival of the aircraft carrying the plates and films. But the trouble starts when the signals reach the European terminals. Because Europe offers no group cable services like A.T. & T.'s Telpak, a customer would have to pay very high rates for individual circuits. Eventually, the expected huge growth of international data traffic may bring rates down.

To be sure, computerized editorial and production systems and other new devices will not spring up overnight. "We plan to eat the whole elephant," said one printing industry executive, "but only a bite at a time—the guy who tries to get the whole thing down is likely to die trying."

Yet the changes must come, for modern society seems in danger of drowning in a sea of white paper. The traditional methods of storing and retrieving information—in books, journals and library stacks—no longer work in an era when 90 percent of all the scientists who have ever existed are currently alive and publishing at a furious rate. According to one study, these researchers are doubling the world's store of recorded knowledge every 15 years.

PIPEDREAMS

As the enthusiasts see it, the answer to this explosion is a vast information network capable of storing, retrieving and moving all kinds of data at high speeds all over the country or even the world. Instead of having books, newspapers and magazines printed, publishers may some day pipe their material into the system, which would then produce it on demand at high speed—or so the pipedream goes.

Progress toward this dial-a-thought world has already been made at MIT by the Interex (for information transfer experiments) staff. Under the direction of physicist Carl F. J. Overhage, Interex is setting up an experimental laboratory to test ways of giving a student instant access to information. Some of the possible tools contemplated include xerography, film projection and even telephone communication between computer and user. Interex will also work on a method for "editing" the man-machine conversation, that is, controlling the input to avoid glutting the computer with superfluous material.

Pittsburgh's Naughton, a mathematician who has pioneered the application of computers to editing, suggests a refinement to the Interex idea: a computer that could compare a reader's "profile"—the punchcard record of his vocation and interests—with the output of at least some of the newspapers and magazines published each day. The readers would then be alerted to interesting stories instead of having to burrow through unwanted material.

For further convenience, Naughton speculates, the reader-profile system could be connected to an electrostatic copier that would reproduce the selections in the living room. The idea is not so farfetched. The Mainichi newspapers of Tokyo, Japan, have explored the possibility of setting up a radio newspaper. (So far, the scheme has been stalled by costs.)

The concept of the reader profile has already gotten a thorough and to date successful testing at NASA. Since January 1964, an IBM 7090 computer has been matching the professional literature profiles of 700 NASA and Air Force scientists with key words from

technical abstracts and sending out punchcards notifying the reader what is available. The program called selective dissemination of information, is still on an experimental basis. It now includes a few scientists at NASA research centers and installations throughout the Nation. Eventually NASA hopes to extend the service to all its technical personnel.

Even the most modern network would require a vast computer memory. The Polaroid Corp. has been investigating an idea to solve that problem—and even others that have not yet been invented—using a photosensitive, alkali halide crystal. The material contains ions that change when struck by light; given the myriad number of these tiny atomic particles in matter, a halide crystal with a volume of one cubic centimeter could, in theory, store 100,000 pages. In principle each page would be illuminated with a different wave length of light, or "read" into the crystal at a different angle. To get the image out it would be only necessary to illuminate it with light of the same frequency (color) or with light traveling in the same direction. As attractive as the scheme sounds, Polaroid cautions it is still theoretical.

Not even the source of the Gutenberg revolution, printing technology, is beyond the reach of the new technology. At Stanford Research Institute, an independent outfit affiliated with Stanford University, a process has been developed that will print on anything. Not just egg yolks, but eggs in any form. "I mean anything," declares dark-haired Jerome Flax, who has introduced the technique to the commercial world, "rocks, apples, textiles, plastics, glass, ball bearings, a pile of sand."

ROUGH SURFACE

Flax, the president of Electrostatic Printing Corp. of America, explains that such electrostatic printing has been used commercially to mark avocados, potatoes, welding rods and plywood. Certainly, it promises to be relatively cheap since the equipment needed is straightforward. Electrostatic printing requires a fine screen which defines the image. When an electrostatic field (the kind of force between opposite electrical charges that holds atoms together) has been established, an "electroscopic" powder sifts through the image openings. It is held on the surface by the field until heat or chemicals fix it. Flax explains that since the screen does not touch the surface no harm is done to the quality of the printing—even on a four-color job—no matter how rough the surface material.

Will electrostatic presses produce daily newspapers and regional editions of magazines? For the moment, Flax says he is much more interested in decorating the 30 billion glass bottles sold annually than in invading the high-speed printing field. But EPC is experimenting with a web press—the kind used in high-speed printing. RCA's Korman says that the technique could bring a new flexibility to the publishing industry by permitting the text of a story to be changed in the middle of a press run without stopping the presses—a feat which an experimental RCA copier can already perform. And another industry engineer adds: "It's relatively slow, but then with the increasing trend toward regional and local editions speed is becoming less important."

CONSOLING

Another pressure to replace the Gutenberg way comes from the classroom. U.S. high schools and grade schools are educating more students—48 million by recent count and 4 million more expected by 1970—than ever before, and they are trying to educate each one better. Electronics men, who regard the problems of mass, quality education as in some respects nothing more than a challenge in information handling, think they know the solution. "In most classrooms," says Louis Bright, former head of Westinghouse Research Laboratories' computerized classroom program, "the poor students are lost and the good ones are bored." Traditional teaching ties up the teacher, says Bright, "by forcing her to present information when she should be helping the students understand it."

Computer-assisted learning has advantages: the program can adjust itself to the individual's speed of learning (it doesn't begin to teach until the student asks it to) and, in the words of IBM's Ralph Grubb, "it can recognize where he falters and break the material down into remedial sequences." Bright adds, "The performance of the student on the console gives you instantaneous evaluation of the program's effectiveness, but there is no earthly way of finding out if a book is good." Some book publishers remain unimpressed. Lee Deighton, a director of Crowell Collier & Macmillan, asserts, "There is no adequate proof that computer-assisted instruction works," and, he asks: "If it does work will the costs really come down?"

MERGING

The industry says it does work and the costs will come down. And in any case educators may decide that computer-assisted learning is worth the price they will have to pay. When that happens many publishing firms will find themselves in a state of reluctant symbiosis, surviving as the programs-material subdivision of the datamation industry. Datamation and communications firms are already seeking out symbiotic partners. Xerox has acquired Basic Systems, Inc., and American Education Publications; IBM bought Science Research Associates. Time and General Electric have joined to create and market educational materials and last week RCA and Random House said they intend to merge.

If publishing and journalism do not buy automation, it seems, automation will buy them. 'Someday," says Intrex's Charles H. Stevens, "computer costs will virtually vanish. Faculty members here were once charged for personal telephone calls. Then the telephone became like the drinking fountain—just part of the normal operating expenses of the place. The same thing will happen with the computer." If publishers experiment now with computers and advanced technology, they will be an important part of the future instead of its victim.

THE BUDGET: SPECIAL ANALYSIS G

Mr. MORSE. Mr. President, in connection with the budget recommendations of the President, Senators have received a number of publications, one of which is entitled, "Special Analyses: Budget of the United States."

Part V of the special analysis publication, which is known as "Special Analysis G," is entitled, "Federal Education, Training, and Related Programs."

It is the first comprehensive analysis of the Federal education training and related programs based on data in the annual budget. It covers the fiscal years 1965 to 1967.

Because of the widespread interest which I know will be felt on the part of many educators in this analysis and, also, in order that senatorial offices may have it available for ready reference, I ask unanimous consent to have "Special Analysis G" to which I have referred printed in the RECORD, eliminating therefrom the graphic but not the tabular materials.

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

SPECIAL ANALYSIS G—FEDERAL EDUCATION, TRAINING, AND RELATED PROGRAMS

This analysis provides information on all programs of the Federal Government which contribute to the support of education, training, and related activities, regardless of the agency which administers them or their primary purpose. It is the first comprehensive analysis of Federal education, training, and related programs based on data in the annual U.S. budget. The data cover fiscal years 1965–67.

The Government will spend an estimated $8.4 billion in 1967 for all education, training, and allied programs broadly defined. This total encompasses all programs classified in the budget functional category 700, "education" for which expenditures in 1967 are estimated to be $2.8 billion. In addition, it includes $5.6 billion for education and training activities classified in other functional categories, including training, conduct of research at universities, national libraries and library aid programs, military professional and occupational training with transfer value to the civilian economy, and aid for international educational activities. Funds for facilities, aid for students, and institutional support all are included.

Almost all of these education, training, and related expenditures of $8.4 billion will be from administrative budget funds. They comprise 7.4 percent of all regular budget expenditures. Trust fund expenditures will total $15 million. Together budget and trust expenditures for these programs account for 5.8 percent of Federal cash payments to the public.

The $8.4 billion in estimated expenditures in this analysis is an increase of $1.3 billion over 1966, and $3.2 billion over 1965. The rise from 1966 is dampened by the effect of estimated receipts from sales of participations in college facility loan pools and offsets due to greater reliance on private credit for student loans under proposed legislation. Expenditures for programs under existing legislation are projected to total $9.3 billion in 1967, an increase of $2.2 billion from 1966 and $4 billion from 1965.

New obligational authority in 1967 for all the education, training, and related programs will total $10.2 billion, $0.5 billion more than in 1966 and $3 billion over 1965. The gross amount of aid under Federal programs in 1967 will actually be about $1 billion higher, because of the proposed greater reliance on private credit. Although no new obligational authority will be provided for college housing in 1967, commitments for loans from available funds and receipts from loan participation pool sales will continue at about the present level of $300 million. It is also proposed that academic facility loans of $100 million be financed from proceeds of loan participation pool sales. Likewise, an estimated 829,000 student loans, totaling about $800 million will be made for college and vocational training by private institutions with Government interest subsidies through guaranteed programs authorized by the Higher Education Act of 1965 or other laws.

The development of Federal education, training, and related programs: The high value placed on education by the American people is reflected in the substantial and increasing proportion of public, as well as private, resources which are devoted to the support of education. In the last decade, particularly, total outlays for education from all sources have increased 50 percent in relation to the GNP, and in absolute terms have risen 2½ times. Federal aid to education has grown rapidly during this period—as illustrated by the nearly fivefold increase in the programs in the functional category "edu-

cation." The accompanying trend chart shows the contribution of new laws since 1958 on the expansion of Federal aid for the segment of funds normally classified in the budget as "education."

Although historically the financing of education has been preponderantly a State and local concern, Federal assistance for education dates back to the allocation of public lands for support of schools in 1785. It has been marked by such milestones as the Morrill Act of 1862 which authorized grants of land or scrip for the establishment of land-grant colleges, the Smith-Lever Act of 1914 relating to cooperative extension work by colleges, and the Smith-Hughes Act of 1917 and the George-Barden Act of 1946 which provided support for vocational and technical education.

The rapid expansion of national defense and war-related programs during and following World War II has resulted in enlarging the Federal role in support of education and training:

Millions of military personnel and civilians were trained in crash programs during the war.

The GI bills—the Servicemen's Readjustment Act of 1944 and the Veterans' Readjustment Assistance Act of 1952—while primarily veterans' benefits programs, nevertheless resulted in about $19 billion of Federal expenditures for college and below-college education, and for on-job and on-farm training.

Federal construction and operating assistance for schools in districts affected by Federal activities, authorized in 1950 on a greatly enlarged basis, remained for more than a decade the largest source of Federal aid to elementary and secondary education.

Science activities and training, which received a considerable impetus during World War II, have also had increasing Federal attention in recent years:

Major expansion of the National Institutes of Health during the 1950's and the 1960's provided an effective focus for Federal support of health and training and has resulted in increasing the flow of research funds to universities.

Establishment in 1950 of the National Science Foundation added a new source of funds to promote basic science research and science education.

Concern over the large shortages in manpower trained in mathematics, science, and modern foreign languages following the first Sputnik in 1957 led to the enactment of the National Defense Education Act in 1958 which authorized a variety of support programs for elementary, secondary, and college level education.

Shortages of highly trained professional personnel and technicians have likewise led to the enactment of many training programs related to specific fields or missions. A good example is the Health Professions Educational Assistance Act of 1963, more recently augmented by amendments in 1965. The Vocational Education Act of 1963 was designed to reorient earlier Federal-State vocational education programs to meet current day needs for technicians. Growing awareness of the necessity for retraining unemployed persons and for updating skills in a rapidly changing economy similarly led to the Manpower Development and Training Act of 1962.

The major effort launched by President Johnson in calendar 1964 to attack the causes of poverty has placed a heavy reliance on education and training. The Economic Opportunity Act of 1964 authorized 10 major action programs, including the Job Corps, Neighborhood Youth Corps, adult literacy, work experience, college work-study, and community action programs, which in 1967 will provide more than $1 billion for basic adult education, work-training, preschool, and other educational and training activities. The strengthening of education through other programs is also a major part of the antipoverty effort.

The Government has made great strides in recent years in providing direct Federal support for education at all levels. The Higher Education Facilities Act of 1963 authorized major Federal assistance through grants and loans for construction of undergraduate and graduate academic facilities. Previously, Federal aid for facilities was essentially restricted to college housing loans, first authorized by the Housing Act of 1950, and special-purpose grants, largely in the science area.

The largest advances of all in Federal aid for education were made by the 89th Congress. The Elementary and Secondary Education Act of 1965 authorized more than $1 billion of Federal funds for 1966 alone to strengthen elementary and secondary education for children from low-income families. It also authorized funds for supplementary educational centers and services; for school library resources, textbooks, and other instructional materials; for regional education laboratories designed to bring innovation to the classrooms; and for strengthening State departments of education.

The Higher Education Act of 1965 authorized a major broadening of Federal support of higher education including assistance for (1) community service and continuing education programs; (2) college library resources, library training and research; (3) strengthening of developing colleges; (4) student assistance on a greatly enlarged scale through educational opportunity grants up to $1,000, federally subsidized, guaranteed student loans, and an expansion and liberalization of the college work-study program enacted in 1964; (5) instructional equipment; and (6) liberalization of grants for higher educational facilities. It also authorized new programs for graduate training of schoolteachers and for establishment of a National Teacher Corps which would serve some schools with large concentrations of the poor. The National Foundation on the Arts and the Humanities Act, also enacted in 1965, initiated Federal support of the humanities and the arts.

Federal funds for education, training, and related programs by agency: Ten Cabinet departments and more than 15 other agencies support or conduct education, training, and related programs as an integral part of their agency's mission. Table G–1 summarizes the funds for each agency.

Of the $8.4 billion in budget and trust fund expenditures estimated for education, training, and related programs in 1967, $3.8 billion or 45 percent will be made by the Department of Health, Education, and Welfare. Within this Department, in turn, the Office of Education will spend 72 percent of the funds; the Public Health Service, including the National Institutes of Health, about 23 percent. Expenditures for HEW programs, especially in the Office of Education, are increasing sharply, 2½-fold from 1965 to 1967. Most of the HEW expenditures take the form of grants-in-aid or loans.

The Department of Defense ranks as the next largest agency, responsible for $2.1 billion or 25 percent of all the expenditures in 1967, even though specialized military training such as recruit and pilot training have been excluded from this analysis. More than $1.5 billion of the Defense expenditures are for training for skills and occupations which have value in civilian life. In addition, the service academies, which account for expenditures of $134 million in 1967, have been included as higher education.

All of the remaining agencies of the Federal Government will account for net expenditures of about $2.5 billion for education, training, and related programs in 1967, or 30 percent of the total, and a decline of $152 million from 1966. Exclusive of the net receipts under proposed legislation mentioned earlier, the expenditures by all agencies other than HEW and Defense will total $3.2 billion, or about $600 million more than for 1966.

These other agencies cover a wide range of activities:

The National Science Foundation's programs have the objective of strengthening basic research and education in the sciences.

The Department of Labor finances programs for occupational training and manpower research.

The Veterans' Administration supports the education of disabled veterans, or those of recent service, children of disabled or deceased veterans, and training in medicine and dentistry.

The Department of Agriculture shares with State and local governments the support of the Cooperative Extension Service, the principal public service organization of the land-grant universities.

The National Aeronautics and Space Administration has grants and contracts with academic institutions for research, assists graduate students in the sciences, and supports the construction of academic science facilities.

The Department of the Interior provides elementary, secondary, and college level education for Indians.

The Agency for International Development finances both formal and informal education and training of individuals in the developing countries.

The forward thrust of Federal education, training, and related programs is indicated by the 43-percent increase of new obligational authority from 1965 to 1967. Of the $10.2 billion total for 1967, nearly $4.8 billion is for the Department of Health, Education, and Welfare—a growth of over 90 percent in 2 years. The Department of Defense's share in the new obligational authority for 1967 is $2.1 billion, or 21 percent. All other agencies will receive $3.3 billion, or 32 percent of total new obligational authority for 1967.

Federal funds for education, training, and related programs by category or type of aid: Table G–2 shows the distribution of total new obligational authority and expenditures for the programs in this special analysis for the 3 fiscal years 1965–67, showing the level of education aided or the type of assistance provided.

The promotion of higher education will amount to $3.8 billion in 1967, 37 percent of total new obligational authority requested for 1967. In this total, support of facilities, equipment, and institutional development, largely by the Office of Education and the National Science Foundation, comprise over $1 billion. Support of undergraduate, graduate, and professional training, in which many agencies participate, will account for nearly $1.3 billion. University-based research, exclusive of educational research, which is financed largely by agencies such as the National Institutes of Health, the National Science Foundation, and the Department of Defense totals $1.3 billion. Because substantial receipts under proposed legislation from sales of loan participations and because direct student loans will be replaced by subsidized non-Federal loans, net expenditures in the higher education category will total $2.4 billion, 28 percent of total expenditures.

The second largest category, $2.6 billion of new obligational authority, or 25 percent will be for aid to preschool, elementary, and secondary education. In this category, more than $1.3 billion will be for programs authorized by the Elementary and Secondary Education Act of 1965, mostly for educationally deprived children from low-income families. On an expenditure basis this category comprises $2.4 billion, 29 percent of total estimated outlays.

The third largest category, $1.6 billion in new obligational authority, is for training of Federal governmental personnel. More than 90 percent of these funds are for technical and professional training of military personnel in skills which are usable in civilian occupations. The amounts for the service academies and off-duty training are included as higher education.

The fourth largest category, $1.4 billion of new obligational authority in 1967, is for vocational education, work training, and adult or continuing education programs. It encompasses the vocational education programs of the Office of Education, the manpower development and training program of the Department of Labor, and training components of numerous programs financed by the Office of Economic Opportunity.

Federal funds for education, training, and related programs by budget functional category: Table G–4 lists the major Federal programs covered in this analysis under the functional categories in which they are regularly classified in the Federal budget. In each category the programs are in turn listed by the agencies which administer them.

Programs classified in the "education" function of the budget, comprise only $2.8 billion—one-third—of the total expenditures for education, training, and related programs from the Federal Government. These are the programs which have as their end purpose the promotion of education. They include all the activities carried on by the Office of Education and by the National Science Foundation, and these two agencies are the largest components. They also include the college housing loan program of the new Department of Housing and Urban Development, and certain other smaller programs, such as education of Indians by the Department of the Interior, activities of the Smithsonian Institution, and the Library of Congress.

Expenditures of $5.4 billion in 1967 are included for programs which have as their primary purpose objectives other than the promotion of education and training, but which, nevertheless, contribute significantly to advancing the search for knowledge and education broadly defined. They are administered by a wide variety of other agencies and are classified in other functional categories. A review of this second group of programs indicates the extent to which the Federal Government supports mission-related education and training which contributes to the overall development of our human resources. In 1967, such expenditures are estimated as follows:

Some $2.3 billions in "health, labor, and welfare," encompassing the economic opportunity programs of $1 billion, the health research and training programs of $900 million, the activities of the Welfare Administration, Vocational Rehabilitation Administration, the manpower development programs, and various other smaller programs.

About $2.2 billion in "national defense," including $1.5 billion for training of military and civilian personnel, nearly $.3 billion for research support by the Department of Defense, and more than $.1 billion by the Atomic Energy Commission, mostly for research.

Two hundred and eighty million dollars for the expanded education aid programs in the "international affairs" category, mostly through the Agency for International Development and the Department of State.

One hundred and seventy-six million dollars in "veterans benefits and services" for vocational rehabilitation of disabled ex-servicemen, educational benefits for children of deceased servicemen, proposed new readjustment benefits, and training of VA medical personnel.

One hundred and fifty-eight million dollars in "agriculture and agricultural resources," primarily for cooperative research and extension services.

One hundred and thirty-six million dollars for "space research and technology" for both mission related research grants and contracts and graduate education in science and technology through the NASA sustaining university program.

Two hundred and thirty-three million dollars in all other categories of the administrative budget, including "natural resources," "commerce and transportation," and "housing and community development."

Support of graduate and undergraduate students: The Federal Government is playing an increasing role in the support of graduate and professional training (1) directly, through fellowship and traineeship programs included in this analysis, and (2) indirectly, through research contracts and grants which support thousands of research assistants, principally graduate students. Table G–3 presents preliminary estimates of the number of individuals assisted, including rough estimates of the number of assistantships. While the totals include some undergraduates, the great majority of the individuals are engaged in postgraduate training or study.

In addition to support for the individuals reported in table G–3, several programs also finance training for large numbers of teachers through institutes, generally held in the summer. National Defense Education Act institutes financed by the Office of Education are estimated to aid 28,000 teachers in 1967, 4,000 more than 1966 and about 7,600 more than 1965. Likewise, the science institutes financed by the National Science Foundation are expected to assist nearly 39,000 high school teachers in 1967, about the same number as in 1966, and 2,700 less than in 1965.

The Higher Education Act of 1965 authorized a major expansion in aid to undergraduate and graduate college students which is also not reflected in table G–3. In 1967 well over 1 million students, mostly undergraduates, will be assisted under this act, more than three times as many as in 1965 when 317,000 were aided through NDEA student loans. In 1967, 220,000 students will be awarded scholarships, an increase of 105,000 over 1966; about 210,000 will be helped through work study programs, a 60,000 increase; and 775,000 will receive federally subsidized loans, a 475,000 increase. The NDEA student direct loans, estimated at 400,000 in 1966, are expected to be entirely replaced in 1967 by the new subsidized guaranteed loans.

Proposed legislation: The budget contains several legislative proposals which significantly affect 1967 budget expenditures for education. Proposed legislation to authorize pool participation sales of loans, with authority for supplementary funds necessary to assure payments on certificates where loans have been made at interest rates below current market levels, is estimated to result in net proceeds from sales of $85 million in the HEW academic facilities program and $823 million in the college housing program of the Department of Housing and Urban Development. In addition, the legislation would cancel $300 million of new obligational authority otherwise becoming available in 1967 for college housing loans, since existing funds and expected receipts from participation sales will be sufficient to continue during 1967 the present rate of $300 million in new loan reservations.

Legislation to shift the National Defense Education Act student loan program to the newly authorized subsidized loan guarantee program under the Higher Education Act, retaining the special assistance to students who subsequently teach, is anticipated to reduce new obligational authority and expenditures, respectively, by $34 million in 1967. Similar legislation for students in the health professions will reduce new obligational authority and expenditures by $21 million. A proposal to expand programs to ease the readjustment of veterans of recent service by providing education and training assistance would require new obligational authority of $100 million and estimated expenditures of $90 million in 1967.

Altogether the above legislative proposals would result in a net reduction of $255 million in new obligational authority for 1967 and a net decrease in expenditures of $873 million.

The 1967 budget also includes (1) funds for new and expanded programs to be proposed in the field of international education, (2) a proposed reduction in aid for schools in areas affected by Federal activities, and (3) recommendations by the President that the Elementary and Secondary Education Act of 1965 should be extended beyond June 30, 1966, and improved, including an increase in the income criterion for allocating funds for fiscal year 1968 from $2,000 to $3,000, repeal of the incentive grant provision for 1967, and changes relating to grants for education of Indian children. The expenditure effects of these latter proposals are not separately identified in the budget.

Programs not covered by this special analysis: Although the scope of this analysis is broad, it does not include a number of activities which are closely allied and which are sometimes included in estimates of expenditures for education. Examples of activities excluded are as follows: Basic recruit training of military personnel and other strictly military training, such as flight training, are excluded because of limited transfer value to the civilian economy. Scientific research conducted outside of academic institutions, or carried on in university-managed research centers under Federal contracts, is also omitted, because the portion of their efforts devoted to training is generally limited. The school lunch and special milk programs are omitted because they are largely of a welfare character and their effect on transmission of knowledge is indirect. University service contracts, for example, for operating mental health centers, are excluded. Technical assistance programs between governments or levels of governments which do not involve educational institutions are not included. Finally, many small inservice training programs for Federal civilian employees are not included because it was not readily feasible to obtain the data.

Relationship of Federal aid to total national outlays for education: The significance of the Federal expenditures for education reported in this analysis may in part be appraised in the context of total national expenditures for education from all sources, public and private. Preliminary estimates consistent with those published by the Department of Health, Education, and Welfare in "Health, Education, and Welfare Trends" indicate that the total national expenditures for education covering current expenditures, capital outlay, and interest, but not debt retirement, for both public and nonpublic schools and colleges reached $39 billion during the school year ending 1965, approximately 6 percent of the gross national product. Nearly $27 billion was spent for elementary and secondary education and slightly more than $12 billion for higher education.

The HEW series, however, includes only funds obligated by educational institutions. It thus omits major federally operated programs such as training of military personnel, the great bulk of on-the-job and similar training activities outside regular schools, as well as the student assistance which is paid to individuals rather than to the colleges. On the other hand, the HEW series includes several major programs which are omitted from the present special analysis,

including the school lunch program and about $560 million in funds for research and development in university-managed off-campus research centers for 1965.

If the figures for the expenditures in this special analysis for fiscal year 1965 are adjusted to correspond with those in the series prepared by HEW, the Federal funds for elementary and secondary education total approximately $1.3 billion, or about 5 percent of all public and private outlays in the corresponding category; and funds for higher education would total about $3 billion or about 25 percent of the national outlay in this category reported by HEW. Overall, the Federal contribution to the direct financing of the Nation's educational institutions would be about 11 percent.

TABLE G–1.—*Federal funds for education, training, and related activities by agency*

[In millions of dollars]

Agency	New obligational authority			Expenditures		
	1965 actual	1966 estimate	1967 estimate	1965 actual	1966 estimate	1967 estimate
ADMINISTRATIVE BUDGET						
Department of Health, Education, and Welfare:						
Office of Education	1,508	3,305	3,479	842	1,511	2,718
Public Health Service:						
National Institutes of Health	677	748	753	487	626	681
Other Public Health Service	186	234	347	71	143	192
Vocational Rehabilitation Administration	61	88	113	57	86	111
Welfare Administration	33	46	55	30	43	51
Other Health, Education, and Welfare	31	32	31	23	32	35
Total, Department of Health, Education, and Welfare	2,495	4,452	4,777	1,510	2,441	3,789
Department of Defense:						
Military activities:						
Army	459	492	498	443	480	498
Navy	692	735	785	684	726	772
Air Force	624	654	681	616	648	666
Other	123	135	150	120	133	143
Civil activities	15	20	23	15	19	27
Total, Department of Defense	1,913	2,036	2,136	1,877	2,006	2,106
Office of Economic Opportunity [1]	457	835	929	92	637	1,010
National Science Foundation	420	480	525	309	365	425
Department of Labor	413	410	415	242	291	293
Department of Housing and Urban Development	300	300	5	221	240	−531
Economic assistance [1]	183	174	248	95	119	160
Department of the Interior	206	193	229	176	180	204
Veterans' Administration	84	82	186	84	82	176
Department of Agriculture	168	183	171	164	180	178
National Aeronautics and Space Administration	138	134	125	100	144	136
Atomic Energy Commission	84	101	102	79	94	103
Department of State	56	66	66	57	58	63
Peace Corps [1]	45	58	58	41	44	46
Smithsonian Institution	37	27	36	28	41	43
District of Columbia	19	29	30	11	27	37
Library of Congress	24	26	30	24	26	30
Military assistance [1]	36	39	27	36	39	27
General Services Administration	4	7	18	4	6	5
Federal Aviation Agency	18	19	17	18	19	17
National Foundation on the Arts and the Humanities [2]	(3)	7	16	(3)	2	8
Department of Commerce	8	9	12	7	9	11
Treasury Department	10	10	11	8	11	11
U.S. Information Agency	8	9	10	8	9	10
Department of Justice	6	7	10	4	6	9
Tennessee Valley Authority	2	2	2	2	2	2
U.S. Government Printing Office	1	1	2	1	1	2
U.S. Arms Control and Disarmament Agency	1	1	1	(3)	1	1
National Capital Planning Commission	2			2	(3)	
Transitional grants to Alaska [1]	1	(3)	0	1	(3)	0
Total net budget funds for education, training, and related activities	7,141	9,697	10,192	5,202	7,077	8,371
TRUST FUNDS						
Department of Labor	9	10	11	9	10	11
General Services Administration	2	(3)	(3)	(3)	(3)	(3)
Library of Congress	2	2	2	2	2	2
National Foundation on the Arts and the Humanities		1	2		1	2
Smithsonian Institution	(3)	(3)	(3)	(3)	(3)	(3)
Total, trust funds, for education, training and related activities	13	13	15	12	13	15
Total budget and trust funds for education, training, and related programs	7,154	9,710	10,207	5,214	7,090	8,386

[1] Funds appropriated to the President.
[2] Combined with National Council on the Arts.
[3] Less than $500,000.

TABLE G–2.—*Federal funds for education, training, and related programs by category*

[In millions of dollars]

Category or type of aid	New obligational authority			Expenditures		
	1965 actual	1966 estimate	1967 estimate	1965 actual	1966 estimate	1967 estimate
1. Preschool, elementary, and secondary:						
(a) General support:						
(1) Operations	522	752	685	497	549	643
(2) Facilities	206	194	160	127	158	169
(b) Education of special groups:						
Existing programs	197	1,318	1,539	94	540	1,446
Proposed legislation			6			6
(c) Teacher training	111	106	210	75	110	172
Subtotal, preschool, elementary, and secondary	1,036	2,370	2,600	793	1,357	2,436

TABLE G–2.—*Federal funds for education, training, and related programs by category*—Continued

[In millions of dollars]

Category or type of aid	New obligational authority			Expenditures		
	1965 actual	1966 estimate	1967 estimate	1965 actual	1966 estimate	1967 estimate
2. Higher education:						
(a) Facilities, equipment, and institutional development of physical facilities:						
Existing programs	1,041	1,245	1,344	331	557	899
Proposed legislation			−300			−908
(b) Support of undergraduate students:						
(1) Support of individuals:						
Existing programs	337	555	551	315	405	446
Proposed legislation			18			13
(2) Institutional support	21	25	28	14	19	25
(c) Support of graduate and professional training:						
(1) Support of individuals:						
Existing programs	252	315	370	177	255	310
Proposed legislation			−13			−14
(2) Institutional support	197	260	314	117	185	248
(d) Research, except educational research	1,100	1,241	1,311	934	1,117	1,205
(e) Other	106	142	190	105	124	158
Subtotal, higher education	3,054	3,783	3,813	1,993	2,662	2,382
3. Vocational education, work-training and other adult or continuing education:						
Existing programs	1,213	1,382	1,393	635	1,055	1,303
Proposed legislation			34			30
4. Educational research, curriculum development, etc	61	134	155	39	74	125
5. Training of Federal governmental personnel:						
(a) Military personnel	1,366	1,451	1,511	1,358	1,434	1,496
(b) Civilian personnel	68	87	96	72	82	86
6. International educational activities	276	291	346	195	219	255
7. Other	173	208	261	133	207	272
Subtotal, existing programs	7,154	9,710	10,462	5,214	7,090	9,259
Subtotal, proposed legislation			−255			−873
Total, budget and trust funds for education, training, and related programs	7,154	9,710	10,207	5,214	7,090	8,386

TABLE G–3.—*Estimated numbers of individuals in graduate and professional training aided by Federal funds*

[In thousands]

Agency	Fellowship			Research assistantships			Traineeships			Total		
	1965	1966	1967	1965	1966	1967	1965	1966	1967	1965	1966	1967
Department of Defense (military)				14.5	14.5	15.1				14.5	14.5	15.1
Department of Health, Education, and Welfare:												
Office of Education	7.6	14.8	24.0		1.8	1.5	6.9	8.3	10.8	14.5	24.9	36.3
Public Health Service:												
National Institutes of Health	5.0	5.4	5.6	7.0	7.8	8.0	19.2	22.1	22.2	31.2	35.3	35.8
Other Public Health Service	.2	.3	.4	.3	.4	.5				.6	.7	.9
Other	.1	.3	.9				4.5	5.5	6.9	4.7	5.8	7.7
Atomic Energy Commission	.3	.4	.4	3.9	4.0	4.1	.1	.1	.1	4.3	4.4	4.5
National Aeronautics and Space Administration	.1	.2	.2	(1)	(1)	(1)	1.3	1.3	1.0	1.4	1.5	1.2
National Science Foundation	4.8	4.0	3.8	4.0	5.1	6.0	2.8	4.2	5.0	11.5	13.3	14.8
Other	(2)	(2)	(2)	.1	(2)	(2)	5.4	5.4	5.4	5.5	5.5	5.5
Total	18.2	25.5	35.3	29.8	33.6	35.2	40.1	46.9	51.5	88.2	105.9	121.7

[1] Figures not available.

[2] Less than 50.

TABLE G–4.—*Federal funds for education, training, and related programs by budget function*

[In millions of dollars]

Functional category, agency, and program	Functional code	New obligational authority			Expenditures		
		1965 actual	1966 estimate	1967 estimate	1965 actual	1966 estimate	1967 estimate
ADMINISTRATIVE BUDGET FUNDS							
National defense:							
Department of Defense:							
Support of oversea schools for dependents	051	74	79	90	73	78	87
Service academies, construction, equipment, and operation	051	133	138	128	117	138	134
Research grants and contracts with educational institutions	051	264	277	305	255	270	285
Professional, technical, and related training:							
Military personnel	051	1,362	1,447	1,507	1,354	1,431	1,492
Civilian personnel	051	10	14	16	10	13	16
Civil defense research and training	051	13	14	16	11	13	16
Other, mostly support for undergraduate students	051	42	46	50	42	45	50
Military assistance: Training of military and civilian personnel administered by Department of Defense from funds appropriated to the President	057	36	39	27	36	39	27
Atomic Energy Commission:							
Research, including conduct and facilities	058	72	88	87	67	80	88
Graduate and professional training and related support for higher education	058	7	8	8	7	8	8
Other	058	5	6	6	5	6	6
Total, national defense		2,018	2,155	2,242	1,977	2,120	2,209
International affairs and finance:							
Peace Corps: Training activities	152	45	58	58	41	44	46
U.S. Information Agency: Information center and library activities, Foreign Service Institute, etc	153	8	9	10	8	9	10

TABLE G–4.—*Federal funds for education, training, and related programs by budget function*—Continued

[In millions of dollars]

Functional category, agency, and program	Functional code	New obligational authority			Expenditures		
		1965 actual	1966 estimate	1967 estimate	1965 actual	1966 estimate	1967 estimate
ADMINISTRATIVE BUDGET FUNDS							
International affairs and finance—Continued							
Department of State:							
Salaries and expenses: Foreign Service Institute, etc	151	6	7	10	6	7	9
Mutual educational and cultural activities: Largely American and foreign student, teacher, professor, specialist, and leader exchange programs	153	45	53	50	47	46	49
Educational and cultural affairs: Center for Cultural and Technical Interchange Between East and West	153	5	6	6	4	5	5
Agency for International Development (funds appropriated to the President for economic assistance): Educational and training phases of technical cooperation, aid to educational institutions, and training of foreign nationals	152	183	174	248	95	119	160
U.S. Arms Control and Disarmament Agency: Research	151	1	1	1	(1)	1	1
Total, international affairs and finance		294	307	382	202	231	28
Space research and technology: National Aeronautics and Space Administration, research and training	251	138	134	125	100	144	136
Agriculture and agricultural resources:							
Department of Agriculture:							
Agricultural research service: Training and research	355	13	11	9	11	12	13
Cooperative State research service: Payments to State agriculture experiment stations for research	355	49	53	46	49	53	46
Federal extension service for cooperative extension work	355	86	90	93	85	91	93
Other, including National Agricultural Library	355	2	9	3	2	4	6
Total, agriculture and agricultural resources		149	163	151	146	160	158
Natural resources:							
Department of Agriculture: Forest Service: Largely payments of shared revenues to States and counties for schools	402	18	20	20	18	20	20
Department of Defense—Civil: Corps of Engineers: Research and training	401	(1)	1	1	(1)	1	1
Department of the Interior:							
Shared revenue payments to States and counties under miscellaneous permanent appropriations, largely mineral leasing and grant lands (estimated portion for school support)	400	28	30	31	28	29	31
Bureau of Indian Affairs: School construction, alteration, repair, and maintenance	401	54	36	61	35	21	35
Water and saline water research	401	6	9	9	4	8	8
Fisheries and wildlife research and shared revenue payments to States	404	1	2	2	1	2	2
Tennessee Valley Authority: Mainly in-lieu-of-tax payments and cooperative research	401	2	2	2	2	2	2
Total, natural resources		109	98	127	88	81	100
Commerce and transportation:							
Department of Commerce:							
Maritime Administration: State schools and other maritime training	502	6	6	6	5	6	6
Research and technical services	506	2	3	6	2	3	5
Treasury Department: U.S. Coast Guard, principally Coast Guard Academy, education of uniformed personnel and oversea dependents	502	10	10	11	8	11	11
Federal Aviation Agency: Principally training of civilian Federal personnel	501	18	19	17	18	19	17
Total, commerce and transportation		36	38	40	34	38	39
Housing and community development:							
Department of Housing and Urban Development: Grants for training in community development skills	553			5			2
District of Columbia: Prorated school portion of general Federal contribution	555	19	29	30	11	27	37
Total, housing and community development		19	29	35	11	27	39
Health, labor, and welfare:							
Office of Economic Opportunity (funds appropriated to the President):							
Community Action program:							
Head Start	655	97	180	270	5	147	255
Adult training, remedial education, research, etc	655	44	180	255	10	112	225
Job Corps—Urban and rural centers	655	154	262	172	34	186	293
Neighborhood Youth Corps:							
In-school and summer	655	104	140	145	30	120	160
Out-of-school	655	2	6	6	1	4	6
Work experience—Adult training, including remedial education	655	36	48	47	7	44	45
Adult basic education	655	18	16	30	3	20	21
VISTA—Training of volunteers	655	1	4	5	1	4	5
Department of Health, Education, and Welfare:							
Public Health Service:							
Community health:							
Construction of medical schools and other health education facilities	651	100	90	160		25	45
Construction of mental health facilities	651	8	10	10	1	2	2
Health professions training	651	34	65	117	33	54	95
Proposed legislation to convert loans to medical students to private subsidized guaranteed loans	651			−21			−21
Research grants	651	16	31	25	14	29	22
Other	651	3	3	3	3	3	3
Environmental health:							
Research grants	651	16	21	25	13	19	20
Other	651	6	9	13	4	8	10
National Institutes of Health:							
National Institute of General Medical Sciences:							
Training	651	52	60	62	37	43	46
Research	651	29	31	34	22	24	26
National Institute of Mental Health:							
Training	651	81	94	99	54	64	71
Research	651	47	51	51	38	46	48
Other National Institutes of Health:							
Training	651	127	146	155	80	118	137
Research grants	651	295	321	335	229	301	321
Research facilities	651	46	45	17	27	31	33
Other Public Health Service	651	3	4	16	3	4	16
Welfare Administration:							
Maternal and child welfare grants	651	15	23	29	13	21	25
Public assistance grants to States and assistance to refugees	653	15	21	24	15	20	23
Juvenile delinquency and youth offenses research and other activities	659	2	2	3	2	2	3
Vocational Rehabilitation Administration: Research and training	659	61	88	113	57	86	113
Other health, education, and welfare:							
Water Pollution Control Administration: Fellowships and training grants	651	3	3	4	2	3	3
Freedmen's Hospital and St. Elizabeths: Medical training and other	651	1	2	2	1	2	2
Department of the Interior—Bureau of Mines, Health and safety training	652	1	2	2	1	1	1

See footnote at end of table.

TABLE G–4.—*Federal funds for education, training, and related programs by budget function*—Continued

[In millions of dollars]

Functional category, agency, and program	Functional code	New obligational authority			Expenditures		
		1965 actual	1966 estimate	1967 estimate	1965 actual	1966 estimate	1967 estimate
ADMINISTRATIVE BUDGET FUNDS							
Health, labor, and welfare—Continued							
Department of Labor:							
Manpower Development and Training Act: Institutional and on-the-job training	652	397	400	400	230	279	282
Apprenticeship, area redevelopment, and research activities	652	16	11	15	12	12	11
Total, health, labor, and welfare		1,831	2,368	2,619	983	1,831	2,344
Education:							
Legislative branch: Library of Congress	704	24	26	30	24	26	30
Department of Health, Education, and Welfare:							
Office of Education:							
Elementary and Secondary Education Act of 1965:							
Education of the disadvantaged (grants to school districts with families under $2,000)	701		959	1,070		230	970
Supplementary centers, schoolbooks, and strengthening State educational agencies	701		192	272		65	230
Aid to federally impacted school districts:							
Operation	701	332	347	183	311	307	222
Construction	701	58	50	23	38	47	45
National Defense Education Act activities for elementary and secondary education: Primarily school equipment, guidance, testing	701	97	113	88	68	81	79
Aid for undergraduate and graduate college students:							
Scholarships	702		60	122			60
Work-study	702		99	134		64	101
National Defense Education Act loans	702	147	182	34	131	179	64
Proposed legislation to convert National Defense Education Act loans to subsidized loan guarantees	702			−34			−34
Other, including loan guarantee program	702	43	77	141	27	40	89
Higher education academic facilities:							
Grants for college, junior college, and graduate facilities	702	294	523	523	2	87	261
Loans	702	169	110	200	2	60	135
Proposed legislation for pool participation sales of loan obligations	702						−85
Other aids to higher education institutions, including aid to developing colleges	702	28	62	104	30	41	83
Expansion and improvement of vocational education	704	162	243	240	132	173	205
Grants for public libraries	704	55	55	58	26	35	51
Teacher training:							
Institutes	704	30	35	40	19	10	33
Fellowships	704		20	43			20
National Teacher Corps	704		13	31		1	27
Educational research and development:							
National Defense Education Act	704	4	5	6	3	4	5
Cooperative research	704	16	70	80	13	21	58
Other	704	14	25	25	1	20	24
Other aids to education, including salaries and expenses of Office of Education	704	58	65	96	38	45	76
Special institutions and miscellaneous including American Printing House for the Blind, Gallaudet College, Howard University, and educational TV	704	28	27	24	20	28	30
Department of Housing and Urban Development:							
College housing loans	702	300	300	300	221	240	289
Proposed legislation for pool participation sales of loan obligations	702			−300			−823
Department of the Interior—Bureau of Indian Affairs: Indian education	704	98	107	115	99	106	113
National Capital Planning Commission	704	2			2	(1)	
National Council on the Arts and National Foundation on the Arts and the Humanities	704	(1)	7	16	(1)	2	8
National Science Foundation:							
Basic research and specialized research facilities	703	211	246	279	156	184	221
Grants for institutional science programs	703	61	80	85	32	41	60
Science education	703	122	126	133	101	115	118
Other science activities	703	26	28	28	20	25	26
Smithsonian Institution	704	37	27	36	28	41	43
Total, education		2,417	4,278	4,225	1,544	2,318	2,834
Veterans benefits and services:							
Veterans' Administration:							
Compensation and pensions: Subsistence allowances for veterans in vocational rehabilitation	800	9	11	16	9	11	16
Readjustment benefits: Principally aid under War Orphans' Educational Assistance Act and vocational rehabilitation for disabled veterans	803	43	37	36	43	37	36
Proposed legislation: Readjustment benefits for veterans of recent service	803			100			90
Training of medical personnel engaged in VA medical activities	801–805	32	34	34	32	34	34
Total, veterans benefits and services		84	82	186	84	82	176
General government:							
Legislative branch—Government Printing Office: Distribution to depository libraries and library activities	901–910	1	1	2	1	1	2
Department of Defense—Civil:							
Canal Zone Government, contribution to schools	910	11	16	12	12	14	17
Ryukyu Islands administration, schools	910	3	5	9	3	4	9
Department of the Interior: Administration of territories, including Trust Territory of the Pacific, prorated portion for schools	910	18	9	9	8	14	13
Department of Justice: Vocational training in Federal prison industries and grants for training in law enforcement	908	6	7	10	4	6	9
General Services Administration: National Archives services, Presidential library activities, and national historical publications grants	905	4	7	18	4	6	5
Transitional grants to Alaska (funds appropriated to the President)	910	1	(1)	0	1	(1)	0
Total, general government		45	45	59	33	46	55
Total net administrative budget funds for education, training, and related activities		7,141	9,697	10,192	5,202	7,077	8,371
TRUST FUNDS							
Health, education, and welfare—Department of Labor: Grants to States for school counseling and testing by employment service	652	9	10	11	9	10	11
Education:							
Legislative branch: Library of Congress, gift and trust fund income accounts	704	2	2	2	2	2	2
National Foundation on the Arts and Humanities, fund for private contributions	704		1	2		1	2
General government—General Services Administration: National Archives gift fund	905	2	(1)	(1)	(1)	(1)	(1)
Total, trust funds		13	13	15	12	13	15
Total, budget and trust funds for education, training, and related programs		7,154	9,710	10,207	5,214	7,090	8,386

[1] Less than $500,000.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

PROPOSED REPEAL OF SECTION 14(b) OF THE NATIONAL LABOR RELATIONS ACT, AS AMENDED

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.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum; and this will be a live quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

[No. 25 Leg.]

Aiken	Gore	Morse
Anderson	Hayden	Mundt
Bartlett	Holland	Pastore
Bass	Inouye	Pell
Boggs	Jackson	Proxmire
Byrd, W. Va.	Jordan, Idaho	Ribicoff
Cannon	Kuchel	Russell, Ga.
Carlson	Long, La.	Sparkman
Clark	Magnuson	Stennis
Cooper	Mansfield	Williams, Del.
Dirksen	McIntyre	Young, Ohio
Dominick	Metcalf	
Fong	Montoya	

Mr. LONG of Louisiana. I announce that the Senator from Missouri [Mr. LONG], the Senator from Alaska [Mr. GRUENING], the Senator from Arkansas [Mr. MCCLELLAN], and the Senator from New Jersey [Mr. WILLIAMS] are absent on official business.

I also announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Mississippi [Mr. EASTLAND], the Senator from Michigan [Mr. MCNAMARA], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Wisconsin [Mr. NELSON], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Florida [Mr. SMATHERS], and the Senator from Georgia [Mr. TALMADGE] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. MILLER] is necessarily absent.

The Senator from North Dakota [Mr. YOUNG] is absent on official business.

The PRESIDING OFFICER. A quorum is not present.

Mr. LONG of Louisiana. Mr. President, I move that the Sergeant at Arms be instructed to request the presence of absent Senators.

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

The motion was agreed to.

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

After a little delay the following Senators entered the Chamber and answered to their names:

Allott	Bennett	Brewster
Bayh	Bible	Byrd, Va.
Case	Hruska	Prouty
Church	Javits	Randolph
Cotton	Jordan, N.C.	Robertson
Curtis	Kennedy, Mass.	Russell, S.C.
Dodd	Kennedy, N.Y.	Saltonstall
Douglas	Lausche	Scott
Ellender	McCarthy	Simpson
Ervin	McGee	Smith
Fannin	McGovern	Symington
Fulbright	Mondale	Thurmond
Harris	Morton	Tower
Hart	Moss	Tydings
Hartke	Murphy	Yarborough
Hickenlooper	Muskie	
Hill	Pearson	

The PRESIDING OFFICER. A quorum is present.

Mr. DOMINICK. Mr. President, the Senate has been engaged in discussion of section 14(b) of the Taft-Hartley Act for several days. I feel an obligation to actively join in this discussion and state my views on H.R. 77, as clearly and unequivocally as I am capable of doing.

As I view it, my obligation to introduce the discussion today is based, in large part, in my position as a member of the Committee on Labor and Public Welfare. I feel that when a Senate committee has been confronted, as ours has been, over a period of many months by a major subject, the members of that committee have a unique opportunity, perhaps even an obligation, to enter into the floor debate concerning the proposed legislation. This is especially true when the proposed legislation is as controversial as that now under discussion.

As a member of the Committee on Labor and Public Welfare, I may say that the committee studied H.R. 77 for many months and participated in spirited and informative committee discussion of the provisions of the bill. After this study and discussion, I found that I could not in good faith support the proposed legislation. I voted against reporting the bill from committee, and I subsequently wrote my own individual views concerning H.R. 77. It is at this point that I feel that my individual views should be placed in the RECORD, and I will read them, because I believe they cast somewhat of a new light on the proposal which is before the Senate. These are my own individual views. Other Senators wrote their own. I believe the combination of those individual views shows quite clearly not only what has concerned us on the committee, after our study of the matter, but also what is concerning the general public throughout the country about the proposed repeal of section 14(b) of the Taft-Hartley Act.

My own individual views read as follows:

> The question of whether a union shop is good or bad for an individual or for labor-management relations is not the key question, although that debate which has raged so continuously over the country will undoubtedly exert a strong influence on the conclusions of many people. The real issue with which we are faced in this legislation is whether Congress should by law abolish the right of a citizen of a State to reject authority for compulsory union shops in his State.

Put another way, the question is whether, in the interest of uniformity, Congress should by law abolish provisions of labor legislation which have been voted into law by the respective States.

My own State by a vote of the majority of its citizens rejected the right-to-work law in our general election of 1958; and it seems to me that this action of our citizens, who had before them the provisions of Colorado's Labor Peace Act, was probably wise. Nevertheless, each State differs in its philosophy, its working conditions, and its labor climate, and to repeal the right of the citizens of those States to determine this issue for themselves is a preemption of power by the Federal Government so massive in nature that I cannot support it.

Currently, 19 States have right-to-work laws in effect. Right-to-work laws have been adopted by constitutional amendment in the following six States: Arizona, Arkansas, Florida, Kansas, Mississippi, and Nebraska. In addition, Nevada placed its right-to-work statute before the people in a general election, while North Dakota's right-to-work law was passed by the legislature, but did not become effective until approved in a general election.

The following States now have right-to-work laws enacted by the legislature without a popular election: Alabama, Georgia, Iowa, North Carolina, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, and Wyoming.

Republican members of the Labor Committee offered a number of substantive amendments to the proposed legislation—amendments designed to reinforce areas of weakness in union employees' existing bill of rights. Certainly if a person is to be required to join a union in order to work in a specific job, he should also have adequate legislative backing to insure that his rights within the union are protected. Each of these amendments was summarily rejected by the Democratic majority leading to the inevitable conclusion that power, and not individual rights, is the primary aim of this legislation. I cannot acquiesce in such procedures nor in any way accept this conclusion.

THE DEVASTATING EFFECTS OF 14(b) REPEAL

Section 14(b) of the Taft-Hartley Act is not itself a right-to-work law. It grants an entirely different right, the right of the voters of each State to enact the form of right-to-work laws they desire. The reservation of this right to the people of each State is in keeping with the principles of federalism set forth in our Constitution and proven by the passage of time. The Supreme Court has ruled that such a reservation of power is constitutional, and there are many examples in our law of similar reservations. One of the most important and most recent examples is the Civil Rights Act of 1964, which makes specific provisions for widely differing State civil rights statutes.

Mr. President, to interpolate at this point, Senators may recall the formidable debate that occurred in the Senate in connection with the proposed Civil Rights Act of 1964, in order to insure that States which had already passed laws which covered the same factors as the Federal law would have primary jurisdiction over cases arising within their own borders affected by such laws. It was not until the Dirksen amendment was prepared and included in the civil rights bill that we were able, as supporters of civil rights, to cut off the debate and thereby place on the books what, in my opinion, was a much needed law.

So once again we in the Senate found ourselves doing our level best to try to protect States which have been forward-looking enough to pass legislation affecting, controlling, and seeking to manage the different social problems which are involved in the Civil Rights Act.

I stated in the process of that discussion that as early as 1897 my State of Colorado had passed a public accommodations law which was applicable in Colorado, and that its constitutionality had been ruled on as early as 1928. It did not seem right to me that Congress should take over the jurisdiction of the Colorado Civil Rights Commission and place it in the Federal Government without giving our State an opportunity to continue to handle peacefully its minority problems or to solve minority problems in a peaceful way, in the same manner as we have been doing for 69 years.

I also stated that while I was a member of the Legislature of Colorado, we passed a Fair Employment Practice Act and a Fair Housing Act. So the major impact of the civil rights bill of 1964 had already been taken care of by legislation enacted by my State.

Yet, if the original proposal had gone through, as recommended by the administration, the rights our State, which had solved these problems as well as it could, would have been preempted. We would be forced to come back into the Washington milieu to solve the problems which would have arisen in our State.

We have the same situation with regard to section 14(b). We would once again be controlling another field of State government, a field which should be strengthened. If we were to pass this bill, the rights of the States in the labor field would be weakened and relegated to the whim and the will of the people in Washington, and, of course, to the unions themselves, so far as the States were concerned in their labor relations.

I believe that we have a very distinct contrast in what we were permitted to do in the Civil Rights Act of 1964, with what we were not permitted to do here.

In my opinion, this is the reason why we have a very difficult problem with this bill. I believe it is only fair to say in this connection that if the administration, or whoever is attempting to ramrod this bill through Congress—and I presume that a good number of them are union leaders—had had enough judgment or sense to accept some of the amendments which were proposed in committee, we would have passed the bill by this time.

We would be in the process of repealing section 14(b) itself, while still protecting the basic rights not only of the American public, but also of the union worker, who at this point is subjected to so many pressures from his own bosses.

It is surprising to note the number of letters that we have received from union members, or, at least, those who have said that they were union members. The letters say:

> Please do not repeal 14(b). It is the only method by which we, as union members, have any control over our union bosses. Please do not repeal it.

When one receives that kind of letter, he wonders whether this particular bill is intended to really do some good or whether it is intended to merely be a mechanism by which power can be exerted by union bosses.

After seeing the preemptory way in which our own amendments were rejected, amendments that were very carefully drafted, I have reluctantly come to the conclusion that power, and power only, is what is being sought in this particular measure.

Mr. President, I return to my individual views.

> As noted earlier, six States have enacted constitutional amendments prohibiting union shops. Two States have adopted right-to-work laws by vote of their citizens. Eleven States have adopted right-to-work laws through their State legislatures. H.R. 77, however, would automatically strike down these provisions of the State constitutions in those 6 States, laws adopted by the vote of the people in 2 others, and laws adopted by the State legislatures in 11 States.
>
> If we grant such wide ranging powers to Federal Government, what portion of a State constitution can remain inviolate? What State laws may not be preempted by Congress? What safeguards can the citizen construct for his carefully nurtured freedoms and systems of local government?

I interpolate again. We have been urged by labor leaders and this administration to resolve the question concerning 14(b) by repealing it, solely in order to get uniformity into the laws throughout the country. Uniformity is the great cry these days. Everything must be uniform, regardless of ability, regardless of the need for excellence, and regardless of the cry for equality that went up from President Kennedy when he was in office.

It is said: "You cannot have equality or excellence. You must have uniformity." And in every single country in the world in which the goal of uniformity for all citizens has been set, regardless of what they do, regardless of how they work, and regardless of whether they are willing to sacrifice in order to achieve success, that country has gone downhill. Its standard of living has gone downhill. Its initiative, its intellectual level, and its creative ability have all disappeared because of the cry for uniformity.

Mr. President, if we should pass this bill and create a precedent by which State constitutional provisions can be repealed in the interest of uniformity, what safeguard would there be for the ordinary citizen on the street? What safeguard would there be under their own State constitution for peaceful demonstrations, for freedom of speech, or for any other right contained in the Bill of Rights which has been a part of the heritage of this country?

Congress, in effect, could say:

"In the interest of uniformity, we are going to make all these laws alike. We do not happen to like civil demonstrations because they create too many problems. We are going to place a ban on them; and any State constitutional provision to the contrary is wiped out. They will all be made uniform."

I can say with deep feeling that if we go forward and start, by act of Congress, to repeal the provisions of State constitutions, we shall have started on a long tortuous road which would have the inevitable result of wiping out State and local governments in this country and remanding the people to the centralized government based on the philosophy which prevails in Washington.

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

Mr. DOMINICK. I yield without losing my rights to the floor.

Mr. HRUSKA. Mr. President, the point which the Senator makes concerning a desire for uniformity is contained in the President's state of the Union message.

I shall read it and ask the Senator from Colorado if he recalls this sentence when it was delivered to a joint session of Congress. It reads:

> For those who labor I propose to improve unemployment insurance, to expand minimum wage benefits, and by the repeal of section 14(b) of the Taft-Hartley Act to make the labor laws in all our States equal to the laws of the 31 States which do not have tonight right-to-work measures.

That is found on page 4 of the printed copy of the President's state of the Union message. There then appears this statement in the very next paragraph:

> I also intend to ask the Congress to consider measures which without improperly invading State and local authority will enable us effectively to deal with strikes which threaten irreparable damage to the national interest.

The language which I call to the attention of the Senator is: "without improperly invading State and local authority." There is a request for uniformity in one paragraph, and in the next paragraph there is a request for uniformity, modified by reference to interference with State and local authority.

Would it be the judgment of the Senator from Colorado that those statements are compatible and consistent?

Mr. DOMINICK. The Senator has proved conclusively that there is no real feeling about State and local rights in the President's message. He is simply using whatever argument may be most helpful to him at the particular moment, in order to further his own program.

Certainly the two sentences are not compatible. One could not put them together in any way whatsoever. I very much appreciate the Senator's calling attention to the matter. It seems to me that this is a part of the problem that we in the Senate face on a day-by-day basis—the matter of saying one thing one day, and the next day exactly the opposite, as it fits one's mood. I remember that last year, in the process of discussing a tax bill, the threat of inflation was offered by one of the bill's proponents as the reason for enacting it; and the very next day, on an attempted cut in an authorization, the threat of inflation argument was used to support exactly the reverse of what had been argued the previous day. So I say it is merely whatever appeals to one's fancy at the moment which influences the choice of words.

Mr. HRUSKA. In the President's message, the first paragraph I read deals with the desire to repeal 14(b); the second paragraph deals with intentions with respect to things which might be done in the future.

I wonder if the Senator from Colorado would agree with me that it might have

been suitable for the second paragraph to be superimposed on the first, and say, "We will permit section 14(b) to stay on the statute books and in the constitutions of the 19 States to which reference has been made, so as to avoid improperly invading State and local authority."

Mr. DOMINICK. That would have been an excellent amendment to the President's speech, and I only wish he had done it, instead of trying to force repeal down our throats.

I thank the Senator from Nebraska.

Mr. HRUSKA. I thank the Senator from Colorado for yielding.

Mr. DOMINICK. I know how much this means to the Senator's State, which is one of the States with a constitutional provision involved. But to show how far this goes—and I believe it is covered in my minority views—we passed this bill in the so-called interest of uniformity. We will be repealing a provision of our own State labor law which has been in effect, to my recollection, for at least 30 years or more, under which we have had surprisingly good labor-management relations. That provision is not a prohibition against a union shop. It merely provides that 75 percent of the members of the bargaining unit must vote in favor of a union shop before they can get it, instead of 51 percent.

The Secretary of Labor testified very directly, in answer to a question from me, that in his opinion, if 14(b) were repealed, that provision of the Colorado Labor Peace Act would be repealed by preemption. Once again the figure would come down to 51 percent, and workers would find that they would be required, on more and more occasions, without really wanting it, to join a union shop.

To continue with my minority views, I should also point out that the enactment of H.R. 77 would annul one of the most vital provisions of the Colorado Labor Peace Act. This provision permits union shops in Colorado but it requires three-fourths of the affected employees to vote in favor of a union shop contract before it becomes legally operable.

Efforts to change that ratio have been made on many occasions in our State legislature; but whether controlled by the Republican or the Democratic Party, the provision has remained in effect. In other words, my State has refused to adopt a right-to-work law, but it has made provisions to insure that a majority of the employees in a unit favor a union shop before it can be put into effect.

The State of Wisconsin, I am advised, has adopted a similar measure, and it would also be struck down by the passage of H.R. 77.

The Colorado Labor Peace Act requires three-fourths of the affected employees to vote in favor of the union shop before it becomes legally operable. This law has in no way retarded the growth of wages in Colorado. In 1964, Colorado had an average wage, in manufacturing, of $2.74 an hour. It ranked 12th among the 50 States. This represented a 51-percent increase over the past 10 years, as contrasted to a national average increase of 42 percent. The per capita income in my State also exceeds the national average, I am happy to say. So it is clear that the Colorado law has in no way hindered a steady increase in the income of Colorado workers.

Furthermore, the years in which the Labor Peace Act has been in effect in Colorado have been years of labor peace. Congress should not so easily strike down a law which has worked so well to promote labor-management harmony and to protect the rights of all workers.

It has been argued that citizens cannot understand complex legislative issues on a ballot, and hence are not able to determine them by vote. I must interpolate here again, if I may, that this is a point of view which greatly upsets me. The constant reiteration by high people in this administration that the people are too dumb to know what to do burns me up. It distresses me to have union leaders come around and say, "The average worker in our place is too stupid to be able to take care of himself, so we are going to run him." It irritates me to have the administration come around and say, "We are going to have to pass this legislation because the people are too stupid to know how to solve the problem in their own locality."

Mr. President, that is not true. It is an attitude or an aura which has been around too long in this Washington area. It is an attitude and an aura which says, "Only those of us in Government are smart enough to know what to do in order to get the country's economy and growth moving."

Mr. President, deep in my heart is the belief that the creativeness of this country arises from the people throughout the land, in every State, in every municipality, in every hamlet. They are the ones who have the brains, the inventiveness, the ideas, and the drive to follow through. I have great difficulty when someone says, "People are too stupid to understand." In this case, all they have to do is to vote on whether they want a union shop, or whether they do not wish to permit it in their State. Is that so complex?

As we all know, the voters in many cities and towns, in every election, are asked to decide complex questions concerning the funding of public projects, technical amendments to constitutions, and other issues. There is no reason why voters and State legislators cannot themselves decide the question of right to work, which requires only a simple decision as to whether or not to permit a union shop. Though many of my Democratic fellow Senators may disagree, I have enough confidence in the American people to believe that they are competent to decide this question.

Repeal of 14(b) would only result in another right of the people being seized by the power-hungry in Washington. Have we gone full circle in this Great Society, so that now, in order to be part of that philosophy, one must give up his right to vote on his own working conditions and opportunities?

The next subheading in this minority statement is called "The Need for a New Labor Bill of Rights." Under this heading, I shall be discussing some of the amendments that the distinguished Senator from California [Mr. MURPHY], who is present in the Chamber, the Senator from Vermont [Mr. PROUTY], the Senator from New York [Mr. JAVITS], the Senator from Arizona [Mr. FANNIN], and I placed before the committee, to see if we could not do something about solving part of the problems that were referred to very ably by the Senator from Ohio [Mr. LAUSCHE], in a colloquy with the Senator from North Carolina [Mr. ERVIN], 2 or 3 days ago.

I will first of all try to delineate as well as I can the portions of the amendments which we talked about when it was first discussed in committee.

Mr. President, since the enactment of the Taft-Hartley Act in 1947, and the enactment of the Landrum-Griffin Act of 1959, a number of inadequacies in the laws have appeared. Many successful schemes have been developed by which a minority of labor bosses who do not live up to their responsibilities can distort the law and use it in ways inimical to the interests of the workingman. For this reason, members of the Republican minority of the Labor and Public Welfare Committee, as well as other Senators, have proposed amendments to protect the worker from the abuses of union power. I have proposed several amendments of this kind, but all have been rejected by the Democratic majority on the committee. First of all, under the decisions of the National Labor Relations Board, it has become possible for a union to fine its members for the free exercise of rights intended to be protected by the existing Bill of Rights and the Taft-Hartley Act.

A worker, forced to join a union and holding a union shop contract, can be legally fined for exceeding a union-imposed production quota. This means that a man, against his will, can be prevented by a union agreement from working to his full capacity which he may have opposed.

Mr. President, this rings out as a violation of a fundamental concept of freedom, the right to work to the best of one's ability. The amendment to protect this exercise of an employee's rights was rejected by the committee. The reasons were not given. The only reason that was given when the amendments were offered and rejected by the majority, was: "Perhaps there will be problems, and we shall have hearings on them later. We wish to keep this a clean bill, involving only one issue."

Once again, I would say that if some of the amendments had been accepted, it might have made a great difference in the kind of debate which has been carried on in the Senate on this particular issue.

I am sorry, Mr. President, that the Senator from Ohio [Mr. LAUSCHE] is not in the Chamber, because the other day he and the Senator from North Carolina [Mr. ERVIN] had some colloquy on these points. I believe that the name of this particular case where the Board so ruled was brought up. I had intended to try and get some of that into the RECORD, but perhaps I can do so later.

When the nomination of Mr. McCulloch of the National Labor Relations

Board was before the committee for confirmation earlier, it was stated originally that it would be best to take a vote by polling because no one had any objection to Mr. McCulloch. I insisted upon a hearing, because I wished to ask him some questions on the course and trend of the philosophy behind the decisions in the National Labor Relations Board.

Some of the points I asked him read as follows:

Once a union shop contract at least has been entered into, it is my understanding that the Board has upheld the right of the union to levy a fine against a member who exceeds the union's imposed production quota.

Mr. McCULLOCH. We have a Wisconsin Motor decision which I think could be described in this way in a shorthand fashion.

Senator DOMINICK. And you participated in that decision?

Mr. McCULLOCH. Yes, sir; I did.

Senator DOMINICK. And you upheld the right of the union to fine someone for exceeding a production quota?

Mr. McCULLOCH. In the circumstances of that case.

Senator DOMINICK. The circumstances of the case were important in this or the principle was?

Mr. McCULLOCH. Both.

Senator DOMINICK. So, you take the policy, then, that a union has the right to determine how much a union employee can produce in an industrial complex?

Mr. McCULLOCH. Senator, that is not what the case said.

Here we skirt, it seems to me, an area which we explored with the House committee 4 years ago, where I think both you as a Member of Congress, with important duties of overseeing what the Board is doing, and serve as quasi-judicial officials, have to determine into how much detail concerning the Board's decisionmaking, you really wish to go. For at the same time, we both must wish to leave what must be an independent quasi-judicial agency fully free to make those decisions on its best interpretation of the law.

Obviously, one cannot quarrel with that general statement, but the question is: Did this have anything to do with the intent or wording of Congress, to say that a union has the right to prevent a person from working to the best of his ability?

Mr. McCulloch continues:

We were interpreting the proviso to section 8(b)(1)(A) in a context in which the employer in the Wisconsin Motor case had for a period of years virtually acquiesced in what you have described as a union-determined production quota. Indeed, the employer made certain arrangements in its own bookkeeping procedures—I have not looked at this case for about a year and a half—and also made related contract proposals which suggest that their bargaining was done around an acceptance of this kind of a work-sharing plan, to share work somewhat evenly among the employees in the unit. And it is against that background that the Board then interpreted the congressional action in section 8(b)(1)(A).

Mr. President, think of that for a minute. Think of what he is saying. He is saying that the case was decided this way, because the union and the employer had conspired to agree that the union-produced quotas would be upheld within that job, and any employee who wished to exceed such quotas in order to make more money for himself, his family and children, would be fined, and such a fine would be upheld by Federal governmental action.

In what kind of position do we place ourselves with this kind of decision?

We put ourselves in the posi' on of the Federal Government saying that it is trying to get fair employment for the worker, but that he cannot work to the best of his ability.

As I stated a few moments ago, this again is the idea of uniformity overcoming excellence and ability.

Here we have a classic example, in our own labor laws and in the wording of the testimony of the Chairman of the National Labor Relations Board before the committee.

Mr. McCulloch goes on to state:

I would prefer to have you read the Board's decision and not give you an offhand reaction.

I would also say again, as I did a moment ago, that it gets into a doubtful area when you ask a Board member to apply certain principles in futuro that, as you put the question, seem to me to go quite far beyond what the Board did in the actual case.

Senator DOMINICK. Nevertheless, that was the holding in the case, was it not, in which you participated, that they could fine an employee for violating a union-imposed production quota?

Mr. McCULLOCH. I have to repeat this was the finding of the Board in the circumstances of that case.

Senator DOMINICK. So that, if it happened to be—and I don't know the facts of the case that well—an employee who was forced into the union under a union agreement, under union shop, then he is no longer free to exercise his own ability and show what his own ability is within the plant; isn't that correct?

Mr. McCULLOCH. If the union seeks to prejudice his employment status, the Board in another case has held that this is a violation of the statute.

Senator DOMINICK. Do you distinguish between a fine and that——

Mr. McCULLOCH. Yes, sir; I do, and the Board has.

I do not have the foggest idea what he is talking about in the second case, because I do not understand how it can be said that a union is protecting the employee's production rights if he is fined for exceeding a production quota? It seems to me it is so self-evident on its face that it is a really serious situation.

As I said, we offered amendments to correct that situation, but we got nowhere. We were summarily overruled in the interest of having a clean bill. We were told, "Do not offer the amendment to this bill. We may have it in a bill another time, but we are not going to have it in this bill."

Reading further from the minority views:

2. Over the years of operation of the Taft-Hartley Act there has come into being a system by which a union can be designated as representative of the workers in a plant or production unit even though an election by the workers has not been held. This is the notorious "card check" procedure. A union wishing to become the authorized representative of workers circulates cards to be signed by those workers to designate it as the representative. Some of these cards are couched in terms so highly misleading that the workers often sign them thinking that they will thereby get an election. In actuality the workers may lose the right to an election by signing the cards. An amendment was proposed which would correct this situation in two ways. First, it would make an election mandatory in the designation of a bargaining representative in all cases except where an employer had dissipated an existing union majority by means of threats, coercion, or other unfair labor practices. Second, it would guarantee that a union could not prove the existence of such a preexisting majority by misleading or confusing cards.

I do not see how anyone could disagree with what I stated in my views, namely, that this is the least we can do to make sure that no union becomes the bargaining representative of workers who really do not want to be so represented. This amendment was also rejected by a majority of the committee.

Mr. President, I have examples of the card check procedure that I am talking about. Members of the Senate and other persons who read the RECORD should know just how bad these things are. I want to put examples of these procedures in the RECORD because they are of importance and real significance.

Perhaps I can best set forth this point by again reciting from testimony which was given before the committee in the process of recommending the reconfirmation of the Chairman of the National Labor Relations Board. The testimony reads as follows. I asked Mr. McCulloch:

I have one question on the Stonecutters Association case. There you had a card submitted to the employee; you had an application for membership and at the bottom it had "No obligation if no election or if the Stonecutters fail to win the election." Then it also had a signature and below that, "This application to be kept secret except for the union and the NLRB," which is an interesting statement.

It is my understanding that even though there was a contrast on this one, that the words said, "No obligation if no election" did not validate any of the cards, but still this was an authorization to go ahead and determine by cards who was the agent and no election was permitted.

Mr. McCULLOCH. I would have to read the whole card and refer to the Board's decision in more detail to comment on it.

Senator DOMINICK. The card reads as follows: "Application for membership. Journeymen's Association. Full name." Then a blank. Then, "Date signed"; then a blank "Job classification"; then a blank. "Wages"; then a blank. Present address, street, city, zone, and State. Then it says, "No obligation if no election or if the Stonecutters fail to win the election * * *."

Then, applicant's signature, and below that, "This application to be kept secret except for the union and the NLRB."

That was the whole card.

Mr. McCULLOCH. Was there an election in that case?

Senator DOMINICK. There was not.

Mr. McCULLOCH. I would have to look back at the case, and if you hand it to me I might be able to refresh my recollection.

Senator DOMINICK. That was the trial examiner's opinion which the Board approved, as I understand it.

Mr. McCULLOCH. We issued something like 746 unfair labor practice case decisions in the last year, Senator, and if I don't exhibit a familiarity with the details of every one——

Senator DOMINICK. I think you have demonstrated a good recollection of the opinions.

Mr. McCULLOCH. I think you will understand. But the conclusion to which I came

in this case was that I considered, overall, that the trial examiner's findings that the cards did reflect a wish on the part of a majority of the employees to be represented by the union, was a valid one. There is a discussion of that issue on some five or six single-spaced, typewritten pages, and I shall not attempt here to scan those with my eyes and summarize the reasons for the findings now. When we decided this case, we felt that it was correct, and I am sure I would stand by this if I had an opportunity to review it in full.

Senator DOMINICK. The point of my question is not necessarily to try to rehash a case that you heard in depth and which obviously I have not. The point is to say, looking at that card, is this the type of thing that we as the policymaking group in the Government—which we are still supposed to be despite Mr. Brown of the Board—should say is adequate for the purposes of determining whether it is a proper bargaining agent or should we require that there be an election? In other words, should we exercise our policymaking function to make this far more clear in view of this type of situation?

Mr. MCCULLOCH. What you fasten upon is the issue as to whether or not a card is ambiguous. We have problems as to clarity of the authorization on the cards. We have been upset in one of the courts of appeals in a case where we felt that the designation was unambiguous and the court of appeals said to the contrary, that it felt that the Board was incorrect. But, this is a factual question as to what will be found to be clear and what ambiguous. Some say the Board ought to establish a form of card and say in every case "This must be it." But here again, we have hundreds, and with the locals, thousands of unions operating, with varying histories and practices, and we have thrown out a few cards as being unclear and vague and validated most others.

Senator MURPHY. Wouldn't it be simpler if you had a form card?

Mr. MCCULLOCH. This might be, and this is being pressed upon the Board as a matter of Board administration; it is being urged upon us.

Senator MURPHY. May I join in the urging?

Mr. MCCULLOCH. You may. But we have also been upset by the Supreme Court in some cases in which we tried to lay down clear and detailed lines for the lawful operation of hiring halls, for instance, and the Court said, "The Congress did not give the Board this authority, and the Board has taken to itself a little too much power."

May I pick up one thing which you said, Senator DOMINICK, rather glancingly?

Every member of the Board knows that the Congress makes the basic policy. The Board is administering a law which Congress has passed. And those who use Member Brown's speech of 3 years ago to suggest we have a contrary view, are taking one or two sentences out of context and have not read the rest of his speech, in which he made the basic matter of Congress being the policy-setting body quite clear. I feel in fairness to my colleagues that I can't let that stand unchallenged. I am sure you were not advised of that; but others who have quoted him for the 3 years on this matter have not quoted him in the context in which he made his remarks, and I think it is not fair to him to leave it stand without clarifying it.

Senator MURPHY. This was taken from a release from the National Labor Relations Board, itself, quoting Mr. Brown, in which it says, "My view of the Board is it is unquestionably a policymaking tribunal."

Mr. MCCULLOCH. Congress has laid down certain parts of the law in very general terms, and within those general terms the Board is compelled to make more detailed decisions, distinctions, and definitions. Indeed, that is one of the whole reasons for administrative law; that Congress did not want either to trouble itself with or to try to anticipate every single detail of that part of American life which an agency was set up to regulate. And so within a lot of the different areas of Congress general actions, the Board is compelled to draw lines.

The Court has recognized this. Congress has recognized this, and it is within that narrow framework that Mr. Brown was making these remarks. I would be glad to send you a copy of the whole speech so you may examine it and see if my characterization of it is not fairer.

Senator MURPHY. I am happy to hear you say that.

Then, I return to the card situation I was talking about earlier.

Senator DOMINICK. For purposes of the record, I would like to say I have before me two cards signed by employees of Lenz & Co., one of which has in heavy letters at the top, "Petition and authorization for NLRB election."

The other one has in a box in much bigger letters, "Petition and authorization to show that I want an NLRB election now."

Both are signed by employees, and at the bottom it says, "I authorize the AFL–CIO to act as my bargaining agent with the above-named company in regards to wages, hours, and working conditions," and the NLRB held that was not a misleading authorization, that the fact they said, "I want an NLRB election now," in prominent letters, had no effect on the validity of the authorization of cards. And it strikes me, to say the least, that that is an example of how perhaps you can get employees to sign these when they thought that they were signing it for the purposes of an election whereas, in fact, they were signing it, according to the NLRB to determine who the bargaining agent was going to be.

Mr. MCCULLOCH. If we think they were signing the cards for the purpose of an election only, we will not accept the cards as proof of majority in an unfair labor practice complaint case. The fact of the matter is these cards are normally usable by the unions for both purposes and that in 98.8 percent of the cases in the past 4 years they were used for an election. So the cards are normally and overwhelmingly or dominantly used for elections. The cases that then come to us are almost always cases where there is an unfair labor practice which invalidates the election. We then have to determine how the majority which is proven by cards was obtained, and whether this is the basis on which the employer should bargain.

At that point, we examine to see whether the employers were told that this was for an election only, and, if so told, we will not accept those cards in proof of majority.

Senator DOMINICK. Well, the point I am making once again is the question of whether or not Congress or the Board should do something about getting a card which will not be misleading as far as the employee is concerned.

Mr. MCCULLOCH. This is, of course, for you to determine. To this end I think you have to look at the incidents of this problem of ambiguous cards; and what I suggest to you is that some of the critics of the Board have blown up a few cases of misleading cards and then tried to suggest to you that is happening all over the place and that you, with all the obligations that you have on many fronts, have got to legislate on this little item.

Now, if you feel you must, the Board will honor whatever policy declaration you give it. On the other hand, if you look at the Board's administration of the statute in the large, I think you may find that in perspective this is not as widespread a practice as some of our critics say.

Senator DOMINICK. Do I understand that you think the NLRB or the Taft-Hartley Act or whatever you call it is satisfactory the way it is with the exception of the fact that undoubtedly you feel that 14(b) should be repealed?

Mr. MCCULLOCH. In the matter to which you have been addressing yourself, the matter of use or the reliance upon cards in unfair labor practice cases, I think that the powers you have given the Board are adequate to protect against coercion, to protect against improper practices, and to permit an employer who has a good faith doubt to get access to our secret election process. So, in terms of those objectives, I find the statute sufficient as it is.

Let us analyze that for a moment, Mr. President. Suppose a group of people is working for a business, and the union agent comes along and says, "We have some people who would like to have a union. We think we could represent you pretty well. We would like to hold an election to see whether the majority of the employees feel that they would like to have us be their bargaining agent."

Let us assume that there is no monkey business. Let us assume that no one is beating up anybody. Let us assume that no one's wife is being molested by repeated telephone calls and that children are not being threatened. These things have happened during the course of labor battles that have taken place in this country. Let us assume that everything is operating on a normal key.

The agent comes in and says, "We want to have an election. Some of the members want an election. We think we have a majority who will sign cards to give us an election."

Many of the employees may not feel that they want that particular union to be their bargaining agent, but they are willing to have an election. An election is the American way. They decide they can favor an election. Almost all Americans, all over the country, accept this kind of philosophy or theory.

So the employees sign cards. All of a sudden they find that by signing the cards, something else has happened. What does the card say? Let me read it again. In heavy, black print at the top it reads:

Petition for authorization of NLRB elections.

That is in large print. Down at the bottom, in little fine print, which one has a hard time even seeing, much less reading, we find:

I authorize you to be my bargaining agent.

That is about as misleading as anything I have ever seen, so far as it concerns the intent in signing the card.

But the Board says, "We do not care. So long as it also has the word 'authorized' on it, we are not going to say that they are entitled to an election. They have already agreed to that merely by signing the card. They do not have a right to a secret ballot, and they do not have a right to determine what they are going to do. They do not have any right."

So the agent picks up the cards, goes to the employer, and says, "Here are the cards of a majority of the employees who have authorized us to be their bargaining agent. You have no choice in the matter; neither have the workers."

I say, Mr. President, that this is not the right way to proceed.

We tried to offer an amendment which would change this procedure. First of all, we offered an amendment which provided that there would have to be an election to determine who would be the bargaining agent or whether there was to be a change. That failed.

Then we said we would offer an amendment which would provide that wherever the bargaining agent used a card system, a standard form of card would have to be used. We designated the form. If it stated that there had to be an NLRB election, there had to be an NLRB election. That amendment was summarily rejected by members of the Committee on Labor and Public Welfare on the majority side. We were told, in effect, "We cannot waste time with that. We cannot pay any attention to it."

I say once again that the effort to get this bill through committee was an exercise in power, not an exercise in legislating for the good of the people.

Returning to my views on the so-called bill of rights, which we all tried so hard to have adopted in committee:

3. An amendment was also offered and rejected which would make union discrimination on the basis of race, color, religion, or national origin an unfair labor practice. This would bring the enforcement machinery of the National Labor Relations Board to bear on discriminatory practices in unions.

Mr. President, Senators know as well as I do that this practice is occurring day in and day out all over the country. It has been going on for a long time. I myself have personally talked with local leaders, regional leaders, and State leaders of unions. They all say, "We are doing our best to do something about it, but it is a difficult problem. We admit that there is discrimination in our unions. We admit that some of them have been patronized. But it is a difficult problem to solve."

Mr. President, here is one way to solve it. Make it an unfair labor practice. Let the NLRB move in and do something about it. But that proposal also was summarily rejected by a majority of the committee. No; they did not want this in the bill. They said "Heavens, no. Throw it out. It might irritate some of the top labor people. Let us not do that."

Yet today we are trying to provide jobs for people. We are trying to provide employment opportunities. We are trying to give the people of the country the opportunity to earn their own living regardless of their race, creed, or color, as declared in the Fair Employment Practices portion of the 1964 Civil Rights Act. When we tried to implement that portion of the act by including an amendment such as we proposed, it was summarily rejected because it irritated or bothered some of the labor union bosses.

What would the amendment have done? It would have brought the enforcement machinery of the National Labor Relations Board to bear against discriminatory practices in unions. Although the Civil Rights Act of 1964 makes such discrimination illegal, this amendment would bring into play a known and available enforcement procedure to prevent discrimination. Because of their role in training and apprenticeship programs, unions are able to prevent members of minority groups from receiving the training they need to rise out of the condition of abject poverty in which many of them are mired.

Mr. President, I hope that all friends of labor and civil rights will join with me in supporting this simple, yet vitally important, amendment. If by any mischance the proposed repeal of section 14(b) should reach a point where it is available for amendment, each of the amendments to which I have referred will be offered on the floor of the Senate by me and many other Senators. We shall have an open and clear-cut debate on whether the workingman in this country is entitled to protection against labor bosses.

We will keep trying until we get a decision one way or the other. If we do not succeed this year, we will be trying again in the future.

What more simple things could we do than to summarize those points and say: "You are entitled to work to the best of your own ability even in a union shop. If you are going to choose a bargaining agent, you have a right to have an election and a secret ballot. If you are going to use the card system, the cards should be accurate and not misleading. There must be no discrimination."

Mr. JORDAN of Idaho. Mr. President, will the Senator yield?

Mr. DOMINICK. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Idaho without losing my right to the floor.

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

Mr. JORDAN of Idaho. Mr. President, the first point of the amendment which the Senator discussed had to do with the worker who was forced to join a union which had a union shop contract under which the employee could be legally fined for exceeding the union-imposed production quota.

Mr. DOMINICK. The Senator is correct.

Mr. JORDAN of Idaho. That is the first amendment that the Senator submitted in the committee.

Mr. DOMINICK. The Senator is correct.

Mr. JORDAN of Idaho. That amendment was rejected by the committee.

Mr. DOMINICK. The Senator is correct. The Republicans supported it strongly, but we could gain no support from the other side.

Mr. JORDAN of Idaho. On February 1, 1966, there was a colloquy on the floor of the Senate between the Senator from North Carolina [Mr. ERVIN] and the Senator from Ohio [Mr. LAUSCHE] dealing with this subject matter. I would like the Senator's opinion on this question.

Senator ERVIN said:

A while ago I mentioned a statement contained in a circular which compared compulsory union dues to taxes paid by all Americans. I do not know of another single voluntary association in the United States that has a right to punish a man for disobeying its regulations, just as the United States punishes a criminal for violating the criminal laws of the Nation.

Does the Senator from Colorado know of a single other voluntary association in the United States which can punish its members?

Mr. DOMINICK. I know of none. If a person violates every rule of a club, he can be told to get out. However, that is all that can be done. He cannot be fined.

Mr. JORDAN of Idaho. Senator ERVIN went on to say:

In the case to which I have alluded, the person was drafted into the union by the compulsory unionism agreement. Then, after he was drafted into the union, he was forbidden by the union regulations to do more than a certain amount of work, even to earn extra pay; and when he violated the union regulation he was fined by a court established by a court of the union itself—which, to my mind, is a violation of the spirit, if not the letter of the old common law, which holds that no one may be the judge in his own case. In other words, the union itself tries the man for producing more goods than the union regulation permits him to do.

Does the Senator agree with that statement?

Mr. DOMINICK. I agree with the very distinguished Senator from North Carolina on that statement. It is an interesting case. I presume that he is talking about this Wisconsin Motor case. That is the case on which we were questioning McCulloch. The union sets up its own group to hear grievances against its own members and then imposes fines on them when it has laid down the regulations under which it acts.

It does not create any kind of impartial justice.

Mr. JORDAN of Idaho. The Senator from Ohio [Mr. LAUSCHE] asked this question, and I should like to get the view of the Senator on it:

Mr. LAUSCHE. If the union has the right to fix a maximum that a worker may produce, does it not follow, rationally, that the union likewise has the right to fix a minimum?

The Senator from North Carolina had this to say:

Mr. ERVIN. Oh, yes. If the power exists, the power can be exercised either way. The National Labor Relations Board has held that the power to limit the amount that a man may produce does exist.

I believe that the Senator brought that up, and I ask him if that is substantially what he developed.

Mr. DOMINICK. That is very important on the point of the amendment we were talking about, in the colloquy that we had with Mr. McCulloch when he was coming up for hearings on his nomination.

I thank the Senator from Idaho. I had the opportunity of seeing only briefly a portion of that colloquy. I had not noticed that portion before. I am glad that the Senator brought it to my attention. It supports completely what I have been saying today on the particular production quota fine. If a union could say to a man: "You are forced to join this union shop. You are forced to join the union. You are forced to pay dues to the union, otherwise, you cannot hold your job. You are forced to limit

the amount of work that you can do," the union could place all other kinds of impositions on its members.

It could, and probably does in many cases, restrict their freedom of speech. It could, and probably does in many cases, restrict their right to make objections to management, about working conditions without going through the union leaders.

Any one of these things would be an unfair union practice within the union. The union might force a man out, even though his rights were guaranteed by either the State or Federal Constitution.

The minute we start giving these rights to union people and then upholding them by a quasi-judicial agency, we have gone a long way down the road toward saying that a man does not really have these rights, even though we proclaim them.

Mr. JORDAN of Idaho. Is it not true that the union has rights which Congress would not dare to enact into law?

Mr. DOMINICK. There is no doubt about that. The only time that we have ever had a production quota, or price and wage controls, which is what it really is, has been during a time of war or during a time of national emergency when the President asked for that power and Congress gave it to him. That would be at a time when the Nation is in jeopardy. To have that power exist in the course of everybody's life on a day-to-day basis is inconceivable.

Mr. JORDAN of Idaho. Speaking on that point, the Senator from North Carolina said:

I believe that such a law would not only deprive a man of his liberty, but also of his right to accumulate property.

Mr. DOMINICK. I completely concur. I am very glad that the Senator from Idaho brought that point out. It is most important.

Mr. JORDAN of Idaho. I thank the Senator.

Mr. DOMINICK. The fourth bill of rights or amendment that I referred to in my minority views reads as follows:

Direct use of union dues money for supporting presidential, senatorial, or congressional candidates in campaigns is now illegal under title 18, section 610, of the United States Code. However, labor leaders can and do use dues money in State and local elections; and as we all know, it is quite a simple matter to get around the provisions of this statute by setting up a separate committee to support political candidates and other political causes financed by union moneys. Under such circumstances, the only remedy available to a union member is to bring a lawsuit to get his dues back if he does not agree with the candidate or the cause being promoted. This remedy is costly, inadequate, and wholly impractical. Forcing union members to support a political candidate makes no more sense than taxing citizens to support one political party. If labor bosses can force a worker to join a union and then force him to pay for the support of a candidate or a cause chosen by those bosses, we have proceeded to a point nearing dictatorship. An amendment was proposed in committee to provide that the use of union dues for political purposes would be considered an unfair labor practice. A second part of this amendment would have provided that the Secretary of Labor could prosecute a suit on behalf of the aggrieved union member. Unfortunately, this amendment was also voted down.

What does that mean? I believe all our colleagues know well that under a union shop, or when a union is the bargaining agent anywhere, whether it be in a union shop or not, there is a check-off system on dues. Dues continue to pour in, flooding into the union treasury, as long as people are working. Then a portion of the dues is either siphoned directly into State and local elections, which is not illegal in many places, or it is given to the Committee on Political Action, COPE, as it is commonly called, of the AFL–CIO. COPE then uses it in what is probably as detailed and hard hitting, as efficient and deliberate a political campaign on behalf of Federal candidates as any in the country. I compliment them and say that perhaps its organization is better than any other organization in the country. Many are supported by that organization, whom the worker himself would not support by a contribution, and in fact does not even support at the ballot box. So it seems something should be done to give that worker, who is being forced to give up his money and forced to support a political candidate with whom he does not agree, some right to prevent the taking of his money for these purposes. The best way to do it is to make it an unfair labor practice. The proper machinery has already been set up. We can let the NLRB do something about it; and we can get something done under a practical and efficient method to enable the worker to prevent the stealing of his money for a purpose which, as far as he is concerned, is the last thing in the world he wants it to go for.

I will take back the word "stealing," because it is done legally; but it is forcing him to give up his money for this purpose.

We did not get anywhere with that amendment. One would think it would be pretty simple. Looking at it realistically, however, I suppose it probably is not, since I know a number of Senators have been supported by COPE from time to time.

Nevertheless, it would seem that in all equity, although we may not wish to take out after COPE, we should at least give a workingman the right to determine what is going to happen to his own funds. I cannot see that that would have any terrific political implications, but apparently the other side did, because it was rejected summarily.

These are some of the problems that we have had. We have had others. As I have said, we will be bringing these up from time to time, trying to get something done about them, in the event that this measure should come before the Senate in a form where amendments can properly be offered.

To continue with my minority views:

A number of other badly needed amendments to our national labor law have been proposed by Republican Senators. All tend to close some of the loopholes in the existing labor law, and all are designed to reinforce the rights of union members to steer the course and policy of their own unions. All have been rejected and many union members are thus left bogged in the existing power structure.

I find it entertaining, because I used to receive when the AFL–CIO was planning meetings in my State many courteous messages saying, "We will be glad to hear from you or receive a message."

On most such occasions I would reply, "You not only will receive a message; I will come and deliver it in person if I may."

I attended two or three of their meetings, and talked about some of these problems. It may be a surprise to some Senators that it is not very popular with the union bosses to talk about such problems, and I do not receive those invitations any more. I have not heard from the AFL–CIO about their meetings in perhaps a year and a half. It is somewhat disconcerting, when a person who is trying to represent an entire State, regardless of political party, and striving to do a good job, is not even able to communicate with some of the people in his own State.

Returning to my minority views:

The purpose and impact of these amendments should be made crystal clear. They are not intended to hinder legitimate labor goals in any way. They are merely intended to correct the abuses foisted on the American labor movement by the actions of a small minority of irresponsible labor leaders. The amendments will not affect the overwhelming majority of responsible labor organizations which, together with management, move forward toward a brighter tomorrow for all Americans. The amendments should actually make the job of American labor easier by curtailing the abuses of the few which have too often stained the reputation of the many.

Digressing from the minority views again: I do not believe that I should mention the particular union, but it is a big one, a national union, the leader of which has said privately that he hopes that 14(b) is not repealed. He says, "We do not need it. We have a good union. We treat our people fairly. We negotiate fairly. We deal with industry fairly, and we have done a great deal of good for the working people in that industry. We do not need it; we feel that it gives an unfair advantage, in many instances, and it concentrates power."

But he said, "If anyone should ever, say publicly that I said this, I would have to deny it, because, with the power structure within the labor movement as it is, I cannot afford to have this said in public."

It is too bad that the situation is such that an important and very able labor leader should feel that he cannot say publicly what he feels privately. I believe that most of the really responsible labor leaders, have no objection to these amendments. I frankly do not know why they did not throw their weight on the side of the amendments, to try to take care of their own union members and their own working people. They did not—at least, they did not do so publicly.

In the conclusion of my minority views I say:

No one should labor under the misapprehension that the controversy that has arisen over the repeal of section 14(b) is caused by Republicans. This controversy is simply another problem that has stemmed from intramural strife within the Democratic Party. One part of the Democratic Party is attempting to mobilize itself in order to bow with all due pomp and circumstance to the demands of some labor leaders so that an election debt can be repaid. Another part of the Democratic Party is in the meantime presiding over many of the States that have adopted the right-to-work laws so bitterly attacked by their comrades. Thirteen of the States having right-to-work laws are now presided over by Democratic Governors and Democrat-controlled State legislatures. Only 2 of the 19 right-to-work States are run by all-Republican State governments. But a sizable proportion of congressional Democrats, rather than trying to convince their colleagues in their State governments, are trying by congressional edict to end the right of any State to pass a right-to-work law. A similar example of the intraparty warfare that has split the Democratic Party over the right-to-work issue lies in the fact that the Democratic President of the United States has given his endorsement to the repeal of section 14(b) while a vast majority of the Democrat Congressmen from his own State of Texas and its Democrat Governor opposed repeal in the House of Representatives. This is not a struggle between the Republican and Democratic Parties but a struggle within the Democratic Party itself. As has happened on many other occasions, the Republican Party is called on to act as a responsible mediator between the warring wings of the Democratic Party and to act as the responsible activist by protecting the rights of the citizens of this country to safeguard their freedoms.

Mr. President, that is the end of the minority views. I wrote them because I believe it is important that we should continue to emphasize the fundamental issues involved in this fight.

Let me enlarge a little on these issues.

Thirteen out of the nineteen right-to-work States are already controlled by Democratic governors and Democratic State legislatures. The Democratic Party has the power to repeal right-to-work laws in the several State legislatures. Yet one State, when it found itself in that position, did something about it; namely, the State of Indiana. It repealed the right-to-work law. No other State has done so. To the best of my knowledge, not one has tried. If they wish to obtain uniformity that way, all the labor leaders would need to do would be to go to the people of those States and say, "Repeal your right-to-work laws. We will get them all repealed, and then we will have uniformity."

The people of the States, regardless of political party, do not wish that to happen. That is why there has been a nationwide revulsion against the efforts of the administration to force down our throats the repeal of section 14(b).

I repeat my view, that the important and real issue in this great debate tends to become clouded over and diverted, ironically, by an oversimplification of the issues. Unfortunately, the debate which has raged continuously all over the country, and which undoubtedly exerts a strong influence in the conclusions of many persons, has centered around the question of whether a union shop is good or bad for an individual or for labor and management relations.

This issue is deeply felt and often emotionally handled. The emotional heritage derived from those arguments will undoubtedly influence the result of this debate. The real issue with which we are faced is whether Congress should, by law, abolish the right of a citizen of a State to reject compulsory union shops in his State.

It seems to me that we should concentrate on this one thing instead of debating the relative merits—important as they may be—of the right-to-work law itself.

Mr. President, I could go on at considerable length, but instead of doing that, I thought I should show what some of the editorials and articles in newspapers in my State reflect about this particular issue.

In Grand Junction, Colo., there is a very fine newspaper. Grand Junction is the largest city in the western slope of the State of Colorado. The editor is a Democrat. Here is an editorial entitled "Right-To-Work Chances," which he published in August 31, 1965 and which I believe will be of interest to the Senate at this time, as follows:

The repeal of section 14(b) of the Taft-Hartley Act is having hard sledding in the U.S. Senate.

The fact that it is makes it possible that despite President Johnson's efforts there is a chance this legislation will not be passed this year.

What needs to be made crystal clear to all watching this program is that the immediate and serious part of the move to repeal the section is not the issue of the right to work.

The issue is the matter of the right of the people of any State to determine for themselves—now or in the future—whether or not they want to establish the principle that a person does or does not have to pay money to an organization in order to hold a job.

As the law now stands the people themselves make this decision. If it is repealed all laws which have passed giving the people of any State the right to choose will be invalidated.

Just because the debate has quieted down; just because the House has agreed with the President on its passage; just because the headlines have quieted is no reason to abandon the battle.

The people still have a stake in the retention of the Taft-Hartley law intact. If they become disinterested in the fight which they lost in the House of Representatives they will also lose it in the Senate.

Now is the time—when Senators like to wind up their affairs—to let the Senate know how the people feel about the repeal of section 14(b). The battle is not yet lost.

Mr. President, I believe that this editorial puts, as succinctly and as clearly as possible, the very point I was making before, that the real, fundamental issue is whether Congress should override the will of the people.

Mr. President, here is another editorial from the Grand Junction newspaper, entitled "Secret Ballot A Must," dated September 9, 1965:

Whether or not the Congress repeals section 14(b) of the Taft-Hartley Act it must immediately, this year, consider legislation which would require secret ballot voting in all unions on all union affairs.

There is nothing more basic to freedom than the secret ballot election. The workingman has as much right to a secret vote on the management of his union affairs as any American citizen has to the secret ballot for political elections.

The legislation should require a secret ballot in any election to determine what a majority in a union shop favors in a bargaining agent. It should require secret ballots for all elections, all decisions on policy and certainly on all strike questions.

Certification of a union as the bargaining agent for a group of employes should not be made on the basis of signatures to cards. When it is, pressures can be used to obtain any sort of a decision the powers at the top desire.

Safeguards for the rank and file of labor were never more urgently needed than they are now. Repeal of section 14(b), if it comes, will make such safeguards even more necessary.

Ratification of any union shop agreement by secret ballot is the very least that Congress can provide in the way of protection for the workingman and, indirectly, the public.

Mr. President, those are two excellent editorials which come directly to the nub of the question. They bring out the points which we have tried to present in committee, but which were summarily rejected by the majority of the committee. They also bring out the point I have been discussing today, namely, the need for a bill of rights for the working man in labor.

There are many other excellent editorials on this subject. Here is another one from the Grand Junction newspaper which I ask unanimous consent to have printed in the RECORD. It is dated September 13, 1965, and is entitled "Call to Arms."

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Is there objection?

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

[From the Grand Junction (Colo.) Sentinel, Sept. 13, 1965]

CALL TO ARMS

Senator EVERETT DIRKSEN has decided to buck the passage of legislation which would repeal section 14(b) of the Taft-Hartley Act. His announcement was something in the nature of a call to arms. Whether he can rally the senatorial support needed to defeat the legislation will depend largely on how well the American public responds.

There is not yet anything certain about the legislation being passed. Senator DIRKSEN may be just making a last minute gesture to save his own and his party's faces, but it is more likely that he actually sees a chance to stop the repeal.

The legislation is not popular in Congress. Nothing but the general apathy of the public and huge pressures of organized labor have made it possible for the bill to get this far. Mail from the general public has been running more than 5 to 1 against repeal.

People are beginning to see how unfair, unreasonable, and actually dangerous the repeal of section 14(b) would be both to the rank and file of organized labor and to the national economy.

There is little enough control over the hoodlum gangsters in some labor unions today. There is little enough protection for the general public against uncontrolled power-seeking union leaders. Repeal of 14(b) would only increase the lack of control and lessen the protection.

It isn't always possible to wish Senator DIRKSEN luck. In this instance we believe that wishing him luck is not enough. The people who will be vitally affected by the passage of the repeal legislation should strongly—and in writing—back him and his colleagues, including Colorado's Senators, in their battle.

Mr. DOMINICK. Mr. President, going now from the western slope to the eastern slope of Colorado, we look to the great Denver metropolitan area.

Here is an editorial which appeared in July of last year, in the Rocky Mountain News, a very fine member of the Scripps-Howard papers. It is titled "14(b) Safeguards for Workers."

It reads as follows:

It now appears evident the administration has the votes both in House and Senate to repeal section 14(b) of the Taft-Hartley Act.

Before that happens, the leadership should take a look at proposed safeguards for rank-and-file workers who may be forced to join unions once repeal takes effect.

One of these would require ratification by secret ballot of any union shop agreement, in place of the present arrangement under which the union simply shows signed pledge cards representing a majority of workers in a plant.

This makes considerable sense. If a contract is to bind every employee to pay union dues whether he likes it or not, is it too much to ask for a secret ballot to make sure the union at least has majority support?

So does the proposal for tighter restrictions on use of union funds in politics. The Supreme Court has ruled that a union member's dues cannot be used for political purposes against his will. But in practice, without specific legislation, it is almost impossible for an individual worker to get his money back.

Also meriting serious consideration are curbs on union disciplinary powers over "forced" members and a ban on union shop contracts where racial discrimination is practiced.

Proponents of repeal deny it will result in any "enslavement" of workers by union leaders. They should write into the law guarantees to make sure they're right.

The problem is that not only did they not write it into the law; they refused, in committee, to even have it considered as a part of the law.

These particular editorials take up each of the points that I have discussed today. Heavens knows, there are many more of them.

Here is one from the Denver Post, the other great metropolitan newspaper of Denver. This one is dated as early as May. It is headed: "Wrong Time for Section 14(b) Repeal."

It reads:

President Johnson has touched off what is likely to be a bitter fight in Congress with his call for repeal of section 14(b) of the Taft-Hartley Labor Relations Act.

The rather perfunctory way in which he asked for repeal—in one paragraph near the end of his recent labor message—suggests his heart is really not in it. And we think his instinct is quite sound.

For he has created a nationwide consensus on domestic matters which is serving the Nation well, getting through Congress many long-needed measures to improve the quality of the Nation's life.

Now he is endangering his relations with the business segment of that concensus over an issue which probably is not worth the trouble it can cause. Yet he was morally obligated to give it a try, or risk losing much of the labor segment of his concensus.

This is a tough spot for a President to be in, though it's the kind of problem Presidents are paid to solve.

The nub of the situation is that section 14(b) is an anomaly in the law. All the rest of the Taft-Hartley Act spells out rules for labor-management relations which are to be applied uniformly to firms in interstate commerce throughout the Nation.

It bans the closed shop—in which a person must be a union member before he can take a job; but permits the union shop—in which an employer may hire anyone he wishes, but that employee must join the union within a specified time.

But section 14(b) permits any State which so wishes to also ban the union shop, or any other type of agreement requiring an employee to join a union.

In principle, this is not good law. The United States has grown great on uniform laws for interstate commerce. This is what makes the United States one vast open market for goods produced in any part of it. In theory, anything disrupting the uniformity of rules governing that market is bad.

But in practice, no noticeable harm has resulted from bans in some 19 States on union shops. As a result, there also has been no really potent public pressure for a change.

So what we have is a dual system. Industrialized States go along with the basic Taft-Hartley Act. Less developed States in the South and Southwest have tended to enact laws prohibiting the union shop—usually as a lure to get more industry. Some have a compromise, such as Colorado's Labor Peace Act—which requires a 75 percent favorable vote of employees involved before they can negotiate for a union shop.

This dual system, we suspect is a temporary, self-limiting phase. The more industries less-developed, union shop-banning States attract, the more voting pressure is going to develop in those States against the legal ban on union shops. In the not-too-long run, we would expect to see most of those State laws repealed or modified.

Hence, we hate to see this productive Congress disrupted over an emotion-laden issue which time can best resolve. This seems to us a poor time to try for flat repeal of section 14(b).

As we said earlier, Presidents—and Congresses—are paid to solve problems like this. And they usually have to do it by working out some compromise.

We might suggest compromisers take a look at Colorado's Labor Peace Act. It has worked rather well in this State. It might provide a way, short of outright repeal to settle the controversy over section 14(b).

That is an interesting one, because, as time went on, and as the debate continued, the Denver Post became less and less certain that this was something which was not of any particular importance, but that the timing was wrong in bringing it up.

I have here some of its other editorials. Here is one dated July 28, 1965, also from the Denver Post, headed "Strange Bedfellows in 14(b) Repeal."

It starts by saying:

It is too bad the old legislative device of log-rolling has reared its head in the controversial House vote on repeal of section 14(b) of the Taft-Hartley Act. This is a proposal to nullify the right-to-work laws which, in 19 States, bar the union shop.

Then it goes on:

The issue is so charged with emotion—not only by some employers but by people who believe they should not be forced to join a union under any circumstance—that repeal would be more palatable if it were considered strictly on its merits.

According to usually credible Washington sources, it is a strange swap between Midwestern farm bloc Congressmen and the northeastern labor bloc which is bringing 14(b) repeal within sight of success.

The administration's farm bill—attacked widely by bakers, unions, and consumer groups—is none too popular because it is expected to boost the price of bread to consumers.

Many big city lawmakers are thus cool to this bread tax. But they also want to please their union constituents so they're scratching the farm bloc's itch for higher farm support prices. In turn, the farm bloc is providing what one source called "a vital 25 votes" for the 14(b) repeal.

That, of course, is politics as it is practiced. But it is not going to be any monument to congressional statesmanship. There are a number of union abuses that need correction just as badly as the unions feel they need the repeal of 14(b). One amendment to the 14(b) repealer, for example, would have restricted the use of union dues for political purposes. That, as one might guess, got nowhere.

As we have said before, labor legislation is an area where national uniformity is good. But 14(b), in practice, has not worked any great hardship and has served as a valuable counterweight in the system of checks and balances which keeps the relationship between the unions and the public a healthy one.

As I say, that was in July; and the editorials grow stronger and stronger as time goes on. I have several more from the Denver Post.

Finally, I believe the attitude at the present time, although I do not know that we have had an example in the past few days, may be said to be, "Why does not the Senate get this matter over with; they know very well they are not going to pass this bill; why do they not get into other subjects which are so important to the American people?"

In other words, they are recognizing that the country as a whole does not want this legislation. Many union members do not want it, and perhaps union leaders do not want it.

I do not wish to alienate any portion of my State.

Mr. President, I ask unanimous consent at this point to have printed in the RECORD an editorial dated August 31, 1965, from the Denver Post.

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

WE CAN USE THE RUBLES

President Johnson has announced plans to allow American wheat to be shipped to Russia and other Communist nations in foreign vessels, thus opening up a new market for American grain.

The Russians need the wheat, and we have the grain—some 800 million bushels in surplus—to sell. The effect can only be good business for the United States.

Wheat exports to Russia haven't exactly been forbidden. President John F. Kennedy authorized such shipments in 1963, but pressure by American labor unions caused him to modify the order to require half the shipments to be made in American vessels.

This was ridiculous, as most people knew. American vessels charge about twice as much to carry freight as do the shipping firms of other nations. The result was curtailment of the program; the United States sold only half as much wheat to Russia as had been planned.

For various reasons—adverse shipping arrangements with foreign shipping cartels, but primarily the stranglehold unions have on U.S. shipping—American ship lines just aren't competitive. Our merchant marine is smaller than it was in 1939 when world trade was much smaller in volume.

President Johnson has thus recognized a reality in the shipping industry. He has also made the obvious decision that the U.S. balance of payments can be helped immeasurably by allowing large quantities of wheat to go abroad to Russia and Eastern Europe.

Such sales of wheat will benefit U.S. farmers. The price received for such wheat may not be affected much because the subsidized price of wheat is already higher than the world level. But greater use of U.S. wheat may result in greater volume.

U.S. wheatgrowers, by Federal law, are permitted to grow wheat on less than half their potential acreage. Expanding the market through sales to the Communists may mean greater planted acreage.

One thing President Johnson has injected into the matter—unnecessarily, we believe—is the mention of repeal of section 14(b) of the Taft-Hartley Act as a condition for lifting the shipping ban.

We think the President has broad support for allowing greater shipments to Russia. It is, after all, a cash proposition. Polls have shown the American people favor such sales.

So why tie in 14(b)? The 14(b) repeal, which would wipe out so-called right-to-work statutes in nearly 20 States, ought to be considered on its merits. We think there is strong opposition to it. Let it then be given full debate. There is no need to make it appear that a vital swap is involved when, in truth, the President is only paying off a political debt to his labor supporters.

Mr. DOMINICK. I now wish to turn to articles from other areas.

Here is an article from the Pueblo Chieftain dated September 14, 1965, called "Freedom of Conscience?"

FREEDOM OF CONSCIENCE?

The Senate Labor Subcommittee, headed by Senator MORSE, of Oregon, has endorsed repeal of section 14(b) and additionally proposed an amendment which would, in effect, make the National Labor Relations Board and labor officials the overseers of some worker's religious beliefs, while pretending to guarantee "freedom of conscience."

To be exempt from joining and paying dues to a labor union, under the amendment, a workingman would have to: (1) Obtain "a certificate by the National Labor Relations Board * * * (that he) * * * holds conscientious objections to membership in any labor organization based upon his religious training and beliefs" and, (2) have "timely paid, in lieu of periodic dues and initiation fees, sums equal to such dues and initiation fees to a nonreligious charitable fund exempt from taxation. * * * designated by the labor organization."

This amendment would make the National Labor Relations Board the high priests of a workingman's exemption from joining a union, while the union leaders would be the high priests of his redemption for refusing to do so. The very fact that a Senator would propose or endorse such an amendment, even under the pretext of guaranteeing religious freedom, is evidence that he realizes the repeal of section 14(b) would deprive the workingman of freedom in the first place.

The editorial support that we have witnessed in various places around the State is of extraordinary significance to me. It is significant to me that newspaper editorials have been so nearly unanimous in saying that we should do something about these amendments if something is to be done about section 14(b). But they do not believe section 14(b) should be changed.

I believe there are more editorials. Here is one from the Colorado Springs Gazette-Telegraph, dated January 3, 1966, entitled "Union Seeks Voluntarism."

The American Brotherhood of Electrical Workers is to be commended for its stand on voluntary unionism.

This new group of electricians is asking President Johnson to reverse his stand on repealing section 14(b) of the Taft-Hartley Act which permits States to have so-called right-to-work legislation.

More than 500 members of the union have signed the appeal, which said:

"We as union members, believing in strong unions and the freedoms guaranteed by the Constitution, support voluntary unionism and the right of every State to decide for itself whether it shall permit compulsory unionism."

This is a step in the right direction. Perhaps now the realization will come that the Government, at any level, has no business interfering in any way with worker and employer relations. States do not have rights; only individuals do.

Chester E. Jensen, business agent, said the ABEW recognize unions should exist for the welfare of the union members rather than for the union officials, and that voluntary unionism forces union officers and agents to consider and work for those things that the members feel are in their best interests.

He added that "there is a need for greater and more sincere cooperation between labor and management. One cannot prosper without the other, and we feel that with the absence of blackjack methods, greater gains can be made for the workers without at the same time injuring the economy as a whole."

This new union which is not affiliated with the AFL–CIO certainly is to be commended for standing up for the principle of voluntary membership.

While we do not think right-to-work laws are the final answer to the problems of employers and employees, we believe it gives workers some chance to regain control over how their unions are to be run.

It is interesting to note some of the points which I discussed earlier. The Senator from Idaho [Mr. JORDAN] has been kind enough to remain in the Chamber while I have been discussing this subject. I am certain the Senator recalls that I said a good number of union members did not want section 14(b) repealed because they felt that section 14(b) was of help to them in maintaining control over their own union officers.

I have a good many other editorials. I have editorials from almost every section of the State. I am certain that if we continue in this determined effort to educate everyone on the real problems concerning this bill, I shall have an opportunity to speak in the Senate again and discuss some of the problems.

I do not wish to speak further at this time because I believe that enough of one voice in one day is probably advisable. I shall have another opportunity. I assure Senators and anyone else who reads the RECORD that if we ever reach the pont where amendments are offered to the bill, I shall be fighting for the amendments which I discussed today. I will be fighting to get a record vote on it so that we can determine whether or not the Senate intends to protect the labor leaders and also try to do something for the workingman within the unions.

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

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

NEED FOR DEBATE ON VIETNAM WAR

Mr. JAVITS. Mr. President, I intend to comment on two points, and then to renew the suggestion of the absence of a quorum, because the Senator from Colorado [Mr. DOMINICK] advises me that it was his intention to obtain a live quorum so Senators might be advised in that regard.

I ask the Senate to give its most serious consideration to the question of whether there should be a debate in Congress on the purpose and policy of U.S. participation in the actions in Vietnam, the so-called Vietnam war. In my judgment, we have most intelligent light cast on that subject by a column, written by Mr. Walter Lippmann, one of the most respected commentators in this country, from today's New York Herald Tribune. I ask unanimous consent that it be printed at this point in the RECORD.

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

IN A DEAD-END STREET

(By Walter Lippmann)

In saying that under the joint resolution of August 7, 1964, he has full authority from Congress "to take all necessary steps" in Vietnam, the President left himself in the position of a man relying on the letter of the bond, regardless of what it meant at the time it was written. There is no doubt that that language of the resolution gives him a blank check. But there is no doubt also that when the blank check was voted in August 1964, it was voted to a man engaged in a campaign for the Presidency against Senator Goldwater, who was advocating substantially the same military policy that President Johnson is now following. Therefore, if laws are to be interpreted in the light of their legislative history, the President is without legal and moral authority to fill in the blank check of August 1964, with whatever he thinks he ought to do in 1966.

It is, of course, impossible to rescind the resolution of August 1964. But as a matter of fact the actions of the administration go far beyond the original meaning of the resolution of 1964. This is the positive reason why the objectives and the conduct of the greatly enlarged war should be examined and debated before we are led into a still greater war.

It ought not to be necessary to press this point in a country dedicated to government by due process of law. A President who finds that his powers are challenged by responsible leaders of his own party and of the opposition would not refuse debate. He would not pretend that briefings are a substitute for debate. He would insist upon debate and welcome it. For only by refusing to rely upon the letter of the law would he be acting according to its spirit.

It is wrong to keep using the blank check while many of those who voted for it in 1964 now say—and historically they are indubitably right—that the resolution does not mean what the President is making it mean in 1966. It is also unwise to stretch the letter of the law this way. For the country is deeply and dangerously divided about the war in Vietnam, and in the trying days to come this division will grow deeper if the President rejects the only method by which a free nation can heal such a division—responsible and informed debate.

There are two principal difficulties in holding such a debate. About one of these we hear a great deal; namely, that our adversary will take heart from the speeches and newspaper articles and be confirmed in his view that the United States will not stay the course but will pack up and go home. Undoubtedly the dissent here at home does give comfort to the enemy abroad.

But the remedy for this disadvantage cannot be to silence dissent. For the dissent cannot be silenced. It would be a delusion to suppose that this dissent has its source in the minds of a few Senators and of some publicists. It has its source among a great mass of the American people who simply are not persuaded that the war in Vietnam is in fact the defense of a vital interest of the United States.

Nations do not fight indefinitely if they are not convinced that their own vital interests are at stake. Although the Korean war began under much better legal and moral auspices than did our entanglement in Vietnam, the American people came to hate the Korean war. The reason for that was that they did not believe that the interests of America in Korea on the Asian mainland were great enough to justify the casualties that were being suffered.

The other principal difficulty in uniting the country behind a national purpose in Indochina is that the President's diplomatic advisers have never defined our national purpose except in the vaguest, most ambiguous generalities about aggression and freedom. The country could be united—in the preponderate mass—on a policy which rested on a limited strategy and on limited political objectives. It cannot be united on a policy of trading American lives for Asian lives on the mainland of Asia in order to make General Ky or his successor the ruler of all of South Vietnam. The division of the country will simply grow worse as the casualties and the costs increase and the attainment of our aims and the end of the fighting continue to elude us.

The revision of our policy in Vietnam—the revision of our strategy and our political purposes and plans—is the indispensable condition of a really united country and of an eventual truce abroad. Gestures, propaganda, public relations, and bombing and more bombing, will not work. Without a revision of the policy—of our war aims as stated by Secretary Rusk, of our military strategy as approved by Secretary McNamara—the President will find that he is in a dead-end street.

Mr. JAVITS. Mr. President, with respect to the struggle in Vietnam, I have not always found myself to be of the same view as Mr. Lippmann. I said on the floor of the Senate last Friday, and repeat now, that the allocation of resources in the presently contemplated order of magnitude is well worth the struggle in Vietnam, for, in Vietnam, we have a real opportunity to save another place for self-determination and for freedom from Communist dictatorship. It can be something of a demonstration to Asia of the greater efficacy of the ways of freedom, in the nature of bringing about higher standards of living.

But the important thing about Mr. Lippmann's piece today, with which I thoroughly agree, is that he emphasizes, as I have emphasized, as one who has supported the President's policy, that the President should seek congressional debate by asking for a new resolution. That we ought to have now. That goes for those who are supporting the President and those who are opposing him. Both sides should agree that this is the thing to do. Most of all, I urge the President to say that this is his course.

In my judgment, the administration is making a fundamental mistake in getting into a battle with Congress about whether Congress should have a debate on the Vietnam war. The President has everything to gain in terms of the crystallization of the overwhelming sentiment of the country behind him, because he intends only a limited strategy, limited political objective, and limited commitments. I believe that is the consensus of the Nation.

The only conceivable objection, if there can be one, is that the debate will produce some contrary views. But contrary views are being produced by the hour now. Hanoi, Peiping, and Moscow are using their propaganda to the full, and they do not compare with a decisive vote in favor of American policy that the Senate and House would debate to that end. I am confident, and I believe the President has every reason to be confident, that such a debate would be fruitful.

I hope the President will not let his personal feeling that the point resolution passed in 1964 should prevail over the best statesmanlike judgment—that the thing to do now is to let Congress debate and vote on this issue.

It is perfectly right that the joint resolution of August 7, 1964, covers technically the authority which the President is exercising; but as a lawyer, I know there are cases in which the intent with which a particular authority was given may have changed by virtue of circumstances and thereby requires a change in the authority. The intent with which the authority of August 1964 was given, as a reaction to the Gulf of Tonkin attack, is not the intent which is being carried out by the President now in view of the new responsibilities of U.S. forces in Vietnam now.

The one thing about Vietnam that is clear is that this is a new ball game. Again, this analysis by Mr. Lippmann, representing a position which feels less strongly that I do about supporting the President's policy in this situation, supports my contention that the administration is making a serious mistake in resisting what seems to be a broad feeling in Congress that this issue ought to be looked into by the committees, debated by Congress, and voted on. What is often overlooked is the fact that the sporadic debate in this Chamber and on the floor of the House will not lead to a vote on the issue, a vote which is needed.

The distinguished senior Senator from West Virginia [Mr. RANDOLPH] and I have introduced a joint resolution of an affirmative nature which could be the subject of such a vote. The Committee on Foreign Relations undoubtedly will do other things with the joint resolution. But the present policy, it seems to me, is the one error that is being made by the administration concerning Vietnam. I strongly urge the President to correct that mistake before there occurs a basic fissure within the country, which could develop in view of the fact that although the consensus of Americans is to support the President, the majority have a deep disquiet in their hearts about what they are supporting.

Finally, I urge the President not to try to resist the rising tide, but rather to accord with it, as it is in his best interest to do so. He will come out stronger and better fortified, and the country will become more united in this way.

Mr. DOMINICK. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield to the Senator from Colorado.

Mr. DOMINICK. I appreciate the courtesy of the Senator from New York in yielding. I have been concerned over the same things about which he is concerned. I have been concerned over the lack of a constructive debate in the Senate on the Vietnamese issue. I have been concerned about the possible abrogation of power by Congress, and I am concerned about the question of whether we are engaging in a war in South Vietnam even though it is sometimes referred to by other words. We all know it is war.

I have been concerned about what the word "win" means, a word which has been used regularly in various types of articles. I have been concerned because the President and his administration have not spelled out our objectives in Vietnam. It is imperative that this be done, if we are to learn what we are doing and if we are to be united. A debate such as the Senator from New York is suggesting would be most helpful.

In that connection, I recently had the opportunity to read two articles published in the magazine, the Reporter, dated January 27, 1966. One article is entitled "Back From Vietnam," and was written by Mr. Edmond Taylor. Mr. Taylor points out the looking glass logic that exists among many people in this connection.

The second article is entitled "The Ho Chi Minh Trail and Our Thai Buildup," written by Mr. Denis Warner. Mr. Warner points out the threat to Thailand and the problems that we and South Vietnam face from a possible resurgence of insurrection in Thailand.

These are such interesting articles that I ask unanimous consent to have them printed at this point in the RECORD.

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

[From the Reporter, Jan. 7, 1966]

BACK FROM VIETNAM

(By Edmond Taylor)

Looking back at the time I spent in southeast Asia, the remark of a highly qualified veteran of the struggle against Communist expansion keeps coming back to mind. "The

basic books for an understanding of the conflict the United States is waging in Vietnam," he told me, "have been written by Lewis Carroll and Kafka." I think an adequate reference shelf should also include some works of history dealing with the fate of nations or governments—France's Fourth Republic, among others—that became involved in halfhearted wars against wholehearted enemies, and possibly a volume or two of Gibbon on the hazards of trying to achieve cutrate security by playing one barbarian power against another.

My notebooks covering 2 months' travel and reporting in Vietnam, Laos, and Thailand are peppered with direct or indirect quotations from U.S. military and civilian authorities in the area reflecting, sometimes almost in caricature, the through-the-looking-glass mentality that the war in Vietnam seems to develop among certain Americans in the embattled country itself no less than on campuses or in editorial offices at home. The ultimate example, I suppose, is contained in the notes I jotted down immediately after being subjected to a background briefing on the Ho Chi Minh trail by an American expert whom, before I talked to him, I had assumed to have outstanding qualifications for discussing the problem: "Amazing talk briefing followed by free-ranging exchange with A this morning," my notes read. "Writing it up immediately because would begin doubt own memory if I didn't. A's view almost diametrically opposed to consensus of Westmoreland's staff in Saigon; he agrees we can and should do more to harass PAVN [North Vietnamese regular forces] moving along trail through Laos and Cambodia to South Vietnam but thinks would not be to our military interest to block flow completely. Better to fight PAVN's in South Vietnam at end of their communication lines than up north at the country's border, he argues. More PAVN's who arrive in South Vietnam, the more we can dispose of with least effort and therefore the faster we can convince Hanoi aggression doesn't pay. Sounds almost convincing way A puts it, but if argument sound why harass Ho Chi Minh trail at all? Maybe USOM [U.S. economic assistance organizations] should set up joint project with Hanoi to surface entire trail; that way they could move even more PAVN's south for us to deal with."

It is probably just as well that the rules governing such briefings—and most of the talks that a correspondent has with American or other western officials in southeast Asia—forbid any close identification of the source, even by function. The absurdities that one hears are seldom a reliable index of the intellectual caliber, professional competence, or patriotic dedication of the official. Some of the most distressing nonsense I listened to, especially in Saigon and in Vientiane, came from Americans noted among their colleagues around the world for courage, integrity, and tough-mindedness. Not infrequently the speaker does not himself believe what he is saying, but for reasons of policy feels that it is his duty to mislead the press while trying to avoid telling an outright lie. I strongly suspect, for example, that A's singular approach to the problem of the Ho Chi Minh trail, perhaps the key strategic issue of the war in Vietnam, was simply the result of an instruction from some superior authority to try to discourage correspondents from playing it up at that time, the time being the eve of the Johnson peace offensive and of the visit of Soviet Deputy Premier Shelepin to Hanoi.

LOOKING-GLASS LOGIC

The theory—or chimera—that if only we display enough tact the Soviet Union can be converted into a de facto ally of the United States in Asia, sharing the military burden of containing Chinese expansion, especially in southeast Asia, has a strong hold on the minds of a number of U.S. officials in the area, especially among those with a New Frontier background. Naturally, those who believe in the doctrine of the Soviet counterweight dread any intensification or extension of the fighting in Vietnam that might embarrass the Soviet leaders vis-a-vis the Communist world and thus make it more difficult for them to cooperate with us in southeast Asia.

Any stepped-up U.S. military activity in Laos to interdict the Ho Chi Minh trail is particularly and explicitly disapproved of by the people belonging to this school of thought because, as one of them explained to me, the Soviet Union, as a signatory and guarantor of the 1962 Geneva accords for the neutralization of Laos, might take umbrage if we violated them.

So far Moscow has taken no umbrage over the more than 1,500 violations of the accords by North Vietnam as noted by the International Control Commission, and indeed has preferred not to notice the present substantial though decently camouflaged U.S. military activity in Laos. Consequently it is argued by some hard-minded American diplomats in the theater that a sizable increase of U.S. military pressure against the trail, as desired by Gen. William C. Westmoreland, could be effected without major impact on our relations with Moscow, provided we continue to pay lipservice to the fiction of Laotian neutrality. But the we-can-count-on-Russia school seems reluctant to accept any risk, however slight, of offending Soviet susceptibilities at this time. Hence the tendency to fall back on looking-glass logic in assessing the strategic role of the trail. (Ho Chi Minh's own assessment of it is indicated by the 10,000 or more crack PAVN troops, not to mention the 30,000 to 40,000 Pathet Lao guerrillas, permanently stationed on Laotian soil to protect the flow of reinforcements for the Vietcong in South Vietnam from ground harassment by United States or Royal Lao forces.)

One of the reasons why proponents of close cooperation with Soviet Russia in Asia often sound like Alice—or like a mixture of Alice and Walter Lippmann—is that there is a glaring disparity between the avowed vagueness of their objectives and the sacrifices, in terms of American prestige or even of American lives, they appear willing to make in order to promote them. "Russia is cooperating with us in India to help India resist Chinese expansion," one well-informed spokesman said to me, "but of course we can't expect the Soviets to go as far as that in Hanoi; if they counterbalance Chinese influence there to some degree it is probably a good thing from our viewpoint, even if it involves intensified Soviet military aid to North Vietnam. Surely it would be to our long-term interest if an increased Soviet presence in southeast Asia led to some reduction in both the Chinese and the United States presences there."

The thesis that an increased Soviet presence anywhere in Asia is advantageous to U.S. national interests seems highly debatable, especially to someone who, like myself, has had the opportunity to see what the supposed United States-Soviet cooperation in India really implies. There may be a macabre logic in tolerating increased Soviet military assistance to North Vietnam, but it seems stretching reason beyond the breaking point to accept paralyzing restrictions on our conduct of the war in Vietnam simply to enjoy the privilege of seeing Russian rather than Chinese bullets kill American soldiers. Yet to date that is the only tangible benefit anyone can promise from the enhancement of Soviet influence in southeast Asia we seem so anxious to encourage. If it is true, as some say, that Moscow has been urging Hanoi to adopt a more flexible attitude toward peace negotiations, no one as yet dares to claim he has detected any reliable signs that Hanoi is responsive to Soviet advice. Some of the best qualified U.S. Asian experts doubt seriously that the North Vietnamese leaders could break loose from China and modify their present unconditional-victory policy even if they wanted to.

Occasionally a reporter who listens carefully will pick up from certain diplomatic sources both in the southeast Asian capitals and in New Delhi what appears to be discreet hints of tacit Soviet-United States understandings on some subjects dating back to the Kennedy-Khrushchev meetings in Vienna in 1961—understandings that go substantially beyond such public agreements as the test ban treaty banning above ground nuclear tests or the 1962 Laos accords. It is just barely conceivable, therefore, that the top-secret files of the State Department and the White House contain evidence that if it could be revealed might enable American representatives in Asia to justify the hopes some of them seem to place in cooperation with Moscow as the key to peace in Vietnam—and throughout this vast continent—without sounding like the Mad Hatter. A reporter lacking access to such evidence, if it exists, can only view with dismay what at best appears to be an example of diplomatic professionalism breaking free from the gravitational field of 20th century political reality and orbiting in a universe of pure fancy.

Some Americans one encounters, notably in Saigon, seemingly go out of their way to invent new and totally unnecessary taboos and purely theoretical dilemmas for themselves. One such was the official who, according to my notes, was already worrying last November—somewhat prematurely, it seemed to me—about the possibility of our inflicting such a crushing defeat on Ho Chi Minh that it would sweep away his regime and cause North Vietnam itself to be swallowed up by China, thereby "bringing Chinese power down to the 17th parallel, which clearly would not be to our long-term interests in Asia." Then there was the senior official who has demonstrated his personal courage and patriotism by voluntarily remaining in South Vietnam far longer than the normal call of duty, but who argued vehemently against bombing Hanoi on the grounds that if we adopted such a course the Vietcong would no longer feel inhibited in unleashing all-out terrorism against American installations in Saigon. (Whatever inhibitions the Vietcong may have had, they bombed the Metropole Hotel only a few days later.)

THE PROBLEM OF THE TRAIL

Perhaps it is impossible to win the struggle in Vietnam—or even to avoid a humiliating defeat—unless we abandon the whole concept of limited war and cast off all the self-imposed restrictions on its prosecution, regardless of the consequences. Some of the rare and generally rather subdued hawks favor such a course. Others, by no means dovelike in their opposition to Communist expansionism, fear that through reckless escalation of the Vietnam war we might blunder—at a time and place of the enemy's choosing—into a major conflict with China. Moreover, these Americans say, unlimited expansion of the war in Vietnam—or a policy of uninhibited frightfulness in waging it—is not necessary to achieve our essential objectives there. Some hard decisions may yet have to be taken, they admit, and some carefully calculated risks accepted; all that is needed is for the military to display some initiative and imagination in applying the directives they have already been given and in utilizing the resources now at their command.

Whether it is altogether fair to blame the Military Establishment for what strikes an impartial observer as the undeniably brass-bound conduct of the war is hard to say.

It would certainly be unfair to pin the blame personally on General Westmoreland, one of the most hobbled and politically harassed grand captains in the history of warfare, who must shoulder the essential responsibilities of a theater commander without having the traditional authority of one. The problem of the Ho Chi Minh trail illustrates some of the deficiencies of our approach. Westmoreland and his staff are said to be convinced that more effective measures than the bombing attacks we were making regularly before the Johnson aerial truce are needed to choke off the flow of Vietcong reinforcements from North Vietnam (now estimated at more than 2,500 a month). The obvious place to cut the trail (actually a complex of roads, trails, and waterways) is where it runs through Laos, though some U.S. experts in Saigon attach almost as much strategic importance to the Communist bases and supply line in eastern Cambodia.

To seal the route totally and in relative safety by conventional means would imply planting several U.S. divisions in one of the wildest jungles of Asia. The logistic problem of maintaining so considerable a force would itself be tremendous. It is therefore understandable, if not quite excusable, that military spokesmen in Saigon sometimes prefer to lead correspondents on conducted tours through the looking glass by simultaneously boasting to them about the effectiveness of our air attacks on the Ho Chi Minh trail (which actually seem to have had very little effect) and wringing their hands over the steady increase in military traffic along the trail since the attacks began.

Yet there are various less conventional solutions to the problem of the trail which, though neither completely effective nor wholly without risk, might be worth considering: hit and run commando raids on depots and staging areas, intermittent harassment from secure jungle bases, and air cavalry sweeps, to mention a few. By the imaginative use of the fantastic detection devices of various sorts available to our Armed Forces, which, thanks to the techniques of air-ground cooperation, have been raised to a new pitch of efficiency during the Vietnam war, it is possible today to conceive of long-range operations behind the enemy lines in jungle country whose audacity would have left a Wingate breathless. But audacity implies risk, and the boldest American commander, given the present confused state of American opinion and the irresponsible attitude of part of the American press, would scarcely dare to risk even a U.S. battalion on an operation, however attractive strategically, that with bad luck might turn into what some headline writers would be likely to call an American Dienbienphu.

BATTLING THE CLOCK

Our reluctance so far to move against the privileged Vietcong sanctuary in Cambodia is less excusable, for neither the logistic nor the political difficulties to be overcome are really serious. The recent public announcement here that a so-called free Cambodian maquis was beginning to operate in Cambodia may indicate that at long last the problem is being dealt with. It should be no great problem to discover in South Vietnam a sufficient number of free Cambodian volunteers to clean out the North Vietnamese occupation force that has established itself in eastern Cambodia (whether with or without the explicit permission of Prince Sihanouk is not quite clear). Covertly arranging maritime and fluvial mishaps of various kinds for the ostensibly neutral vessels that have been smuggling arms into both Cambodia and South Vietnam should be even easier. (And while we are at it, it might be useful if the Saigon government would give dispensation to some freedom-loving Montagnard rebels in the remoter fastnesses of North Vietnam who would claim the same recognition at an eventual peace conference that Hanoi demands for the Vietcong rebels in South Vietnam.)

Both our military and political authorities in Vietnam—and to some extent throughout southeast Asia—often give the impression of lacking political realism through failure to take time into account as a key psychological factor in our strategy for the war. U.S. civilian experts talk glibly about the need for the American people to face a generation of conflict in southeast Asia, and the military experts give one the impression that no decisive operations can be launched before the end of the present U.S. troop buildup—assuming that it continues as planned—some time next winter. By then it seems only too likely that the enemy will be more numerous and better armed than he is today, and the American people more war weary than they are now—unless someone in the meantime has been able to offer them a realistic and therefore convincing program for ending the struggle honorably, at an acceptable cost and within a reasonable span.

The one task we cannot shirk in Vietnam is finishing the job we committed ourselves to in the eyes of Asia to complete: that of effectively putting a stop to all North Vietnamese military intervention in South Vietnam's civil war. Any betrayal of this self-imposed mission, however camouflaged by worthless international guaranties, illusory controls, and fallacious free determination, would irretrievably damage our prestige, our honor, and even our national integrity. If we abandon our Vietnamese allies—for they are that, whatever their faults, and they have been faithful in their fashion—while they are the victims of outside aggression, we shall never find any others in Asia, or probably anywhere else.

To avert such a consequence, we should mobilize all the power necessary to crush the enemy's resistance and achieve a rapid, clear-cut victory. The longer the present looking-glass war in southeast Asia goes on, the greater the likelihood that it will lead either to a catastrophic and dishonorable peace or to a general conflagration.

[From the Reporter, Jan. 7, 1966]

THE HO CHI MINH TRAIL AND OUR THAI BUILDUP

(By Denis Warner)

BANGKOK.—"Within 3 hours of their arrival here by air we could have the troops on the road with everything they need in the way of equipment." The briefing officer from the 7th U.S. Maintenance Battalion spoke with pride as he showed me around the supply depot in Korat, Thailand. With a minimum of publicity and what appears to be maximum efficiency, this little-known, and depressed economic and political center of the 15 backward northeastern Thai provinces has become a military base with impressive offensive and defensive potentials.

The tanks, the amphibious carriers, the trucks, and jeeps are loaded and ready to go. The guns are hitched to their carriages. Under a huge tent inflated by compressed air I counted more than a hundred jeeps. They occupied only a small part of the 176,000 square feet of covered space available. There are another 144,000 square feet of semipermanent installations providing controlled-humidity storage space. There are miles of water and oil pipelines, and immense stacks of barbed wire. Complete bridge units are loaded on trucks. There are railway ties and rails, ammunition, guns—the lot.

The amount of supplies is secret, but there is enough to keep the 7th Maintenance Battalion busy full time. "You can say that we have more than 41,000 tons of equipment valued at $50 million if you like," the briefing officer told me. "Or you might say that we have more than enough for a battalion and less than enough for a division." An educated guess suggests that the higher estimate may well be conservative, but in any event the materiel now available is primarily of symbolic importance. Impressive as the buildup is, it is overshadowed by the emergency program now underway that within a few months will multiply Korat's military potential and, if need be, permit expansion of the already established control unit, the 9th U.S. Logistical Command "B," to its full capacity of between 35,000 and 65,000 support troops and a field force of 100,000 combat troops.

As a base, Korat still suffers from many handicaps. Improved rail communications and the construction of the Friendship Highway in 1958 halved the travel time to and from Bangkok. But Bangkok is itself a bottleneck. Four-fifths of Thailand's expanding foreign trade passes through its inadequate port facilities, and it cannot cope with the operational needs of a "B"-category U.S. logistical command.

To meet the situation, the United States is building a new military airfield, port, and over-the-beaches landing zone at Ban Sattahip, about a hundred miles south-southeast of Bangkok. Existing roads and rail lines between Ban Sattahip and Korat are being improved and the 538th Engineer Battalion is completing a 163-mile direct all-weather route between the two bases through the rugged limestone hills that skirt the southern rim of the Korat plateau. The road is scheduled to be fully operational in March. "If you think Camranh Bay is impressive, go to Sattahip about the middle of the year and see what is doing there," one American officer told me. "There has never been another military pipeline quite like this."

Along with these urgent road-construction projects, which by unofficial estimate will cost more than $100 million this year, the 379th U.S. Signal Battalion, with headquarters in Korat, is erecting communications equipment to link northeast Thailand with Vientiane, Bangkok, and Saigon. Permanent long-range installations have already been built at Korat and Ubon, a U.S. Air Force fighter-bomber and Australian fighter base. Elsewhere, scatter-radio sets that provide 24 channels and 16 teletype circuits are being replaced by improved heavy-duty units, able to operate over as many as 60 channels and at a much greater range.

Though none of this information is regarded as sensitive, United States and Thai authorities are much more touchy on the question of the development and use of airfields in the northeast. As everyone in the area is well aware, however, airfield development has not lagged; the bomb-laden planes constantly taking off from Korat and Ubon for Laos and Vietnam are not engaged in routine training missions. The runway at Korat is more than 2 miles long, and even bigger ones are planned for the new airfield at Ban Sattahip. All three will be able to handle the largest U.S. bombers and transport planes.

A HANDFUL OF DISSIDENTS

Thanks to the Rusk-Thanat agreement of 1962 on U.S. bilateral (as well as collective) responsibilities under SEATO, and to Washington's demonstrable determination to honor its pledges in southeast Asia, Thailand has become a highly cooperative ally. It is also a threatened one. Though Marshal Chen Yi's promise that 1965 would see the outbreak of revolutionary war in the country went unfulfilled, there is no doubt that the creation of an insurgency situation in the northeast is a matter of priority for Hanoi and Peiping. A Thai Government report on November 26 that 24 police agents had been murdered in an upsurge of Communist terrorism was followed on December 15 by the announcement in Peiping of the merger of the Thailand Independence Movement and

the Thailand Patriotic Front, both Peiping creations and both pledged to the "patriotic struggle" against the Thai Government and the United States.

It has been 12 months since Peiping first announced the existence of the front and the movement, and so far neither appears to have made significant progress. Their leadership is confined to a handful of Thai left-wing dissidents living in Peiping. Two of the best known are Mongkon Nanakorn, who was imprisoned in Thailand for Communist activities in 1953 and released 2 years later, and Phayom Chulanont, a former member of Parliament, who left the country in 1963. Phayom went as the "Thai delegate" to the Afro-Asian People's Solidarity Conference in Ghana last May, and Monkgon led a "Thai trade-union delegation" to the International Trade Union Solidarity Conference at Hanoi in June. But speculation continues in Bagkok that the merger may mean that Peiping has given orders for an advance in Communist timetables in the northeast, and especially in the heavily infiltrated province of Nakhon Phanom, which is conveniently close to Communist Pathet Lao centers of activity around Thakhek across the Mekong in Laos.

Still, the size and form of the American buildup at Korat suggests that it is not only intended for use against the sort of insurgency situation that might conceivably develop. To fight such a war of national liberation successfully, Thailand must cope with the problems of administration, police intelligence, and, in the longer haul, social and economic programs. It is difficult to see how the commitment of American military power on the scale of the Ban Sattahip-Korat preparations would be appropriate or even useful for those purposes.

Any meaningful U.S. contingency planning would, of course, have to take into account the possibility, however remote, of a Chinese or Vietminh diversionary attack against Thailand. As a base for meeting such an attack, Korat has many disadvantages. Though the town itself is often called the gateway to the northeast, it is both remote and geographically isolated from the north, the one part of Thailand in which Chinese action might be expected or is even possible. For several years Chinese roadbuilders have been active in Yunnan Province and beyond. Chinese military engineers built a road from Yunnan into the Laotian province of Phong Saly, where Gen. Khammouane Bhoupa, the local military commander, has long acted independently of both the Pathet Lao and Royal Lao elements and in close collaboration with the Chinese. Another Chinese road runs from Yunnan to Nam Tha. As the rightist Gen. Phoumi Nosavan discovered in 1962, the road from Nam Tha to Ban Houei Sai on the Mekong River border is quite suitable for the rapid movement of troops. But to counter such a threat on the ground, Korat is located in the wrong place, both tactically and on the basis of existing lines of communication.

It is much better sited as a shield for defensive operations against a Pathet Lao-Vietminh incursion through the northeast. Of all contingencies, however, this is least likely. A second front in northeastern Thailand would be useful to the Vietminh, but not if it involved a diversion of their own resources and brought Thailand directly into the war. Even so, the big U.S. buildup at Korat represents an important psychological reassurance to the Thais. Over the longer term it could also serve as a major supply base for U.S. forces in southeast Asia, ready to back up the function of Camranh in an emergency.

ROAD MAP TO VICTORY

It is difficult to escape the thought that the Korat base and its enormously costly link to Ban Sattahip could also provide a potential jumpingoff point to counter Vietminh use of the Ho Chi Minh Trail in Laos. This possibility has certainly not escaped the attention of Russian, North Vietnamese, and other diplomats in Vientiane.

Air action against North Vietnam and the Ho Chi Minh Trail during the past 12 months has had the contradictory effect of both exacerbating the problems facing the Vietminh cadres and main-force units moving south and at the same time stimulating this flow. Now, more than ever before, the trail is a significant factor in the war. The movement of supplies along its maze of bridle paths, tracks, and roads is probably small enough to be relatively unimportant; but the volume of manpower (even if Saigon's estimates of the increased dry-season flow are exaggerated) is such that it threatens to nullify the best of efforts in South Vietnam.

The increasing U.S. air capability in Thailand and Vietnam and the recent use of Guam-based B–52's points to heavier bombing of the trail. Yet experience here and in Korea suggests that interdiction from the air is simply not possible. The ingrained Vietcong fear of defoliation by chemical spray could conceivably be exploited to add to the fears and the perils of the route, but at best this would be no more than a harassment. Small-scale commando actions would have the same effect, and would inevitably prove costly. The regions through which the trail passes in Laos are sparsely populated, but, to the Vietcong's enormous advantage, the local tribesmen's loyalty to them is complete, especially in the wilderness of southeastern Laos.

Despite seemingly effective landslide bombing missions, the Vietcong have continued to use two main entry routes into Laos from North Vietnam, the Mu Gia and Nape Passes. Two roads, including one newly built, run south to the main staging post of Tchepone on Route 9. A third access route crosses the demilitarized zone in the Vietcong-dominated northwestern region of South Vietnam and picks up Route 9.

Route 9 is critical. Deny it to the Vietcong and the trail is out. But this is neither tactically nor logistically feasible in an operation mounted exclusively in South Vietnam. The 1st ARVN Division in Quang Tri Province, at the eastern end of Route 9, is experienced and effective. While its successes in recent months have been outstanding, it cannot by itself consolidate its gains in the immensely difficult terrain where Route 9 crosses the Laotian border. To perform this limited task, which would at most deny the Vietcong only one of the three main lines of communication from North Vietnam into Laos, would not only require substantial reinforcement but would tax the logistical capabilities of the American and Vietnamese forces at Hué and Danang. But to attempt a more substantial operation from bases on the coast would be next to impossible.

A more obvious threat to the Ho Chi Minh Trail could be directed through Pakse and Savannakhet in western Laos, where the going is much easier. Provided that northeastern Thailand does not erupt into full-scale insurgency, the lines of communication would be secure. Moreover, the new supply route from Ban Sattahip through Korat would relieve South Vietnam of the major logistical strain of an operation that could eventually require three or more divisions.

It may be argued that such an operation would destroy all that remains of the 1962 Geneva Agreement on Laos. The political issues involved the reaction of both Vientiane and the Soviet Union and could present problems. It has, however, long been apparent that North Vietnam signed that agreement only to safeguard its own unlawful and vital corridor to South Vietnam. So far, the preservation of the fiction of Laotian neutrality and noninvolvement has been useful in maintaining relative tranquillity in Vientiane. But to those in the field who favor such an operation, this consideration is hardly a match for the issues at stake in Vietnam and the frustration of the American effort threatened by the continued and expanding use of the Ho Chi Minh Trail. To these men, the questions that matter are whether there is demonstrable evidence that the North Vietnamese have abrogated the Geneva Agreement by their use of the Ho Chi Minh Trail, whether the reinforcements using the trail are of major significance in the Vietcong war effort, and finally, whether ground action against the trail would prove effective.

There can be no doubt about the answer to the first two questions. As for the third, many responsible military men believe that the difficulties to be overcome would be rewarded by the results. It is, therefore, not inconceivable that Korat, already a psychological threat to the Vietminh, may eventually be invested with a major role in future U.S. offensive plans in South Vietnam.

Mr. DOMINICK. Mr. President, after we have had an opportunity to review these articles, I think a debate on the resolution of the Senator would be very helpful.

Mr. JAVITS. Mr. President, I am very grateful to the Senator for his intercession and for the very interesting articles from the Reporter magazine which I know will be helpful to our review.

Mr. President, it requires time and attrition sometimes to have light break through to the real point. The point that I am pressing upon the President of the United States is—and this is the light that I hope will break through to his consciousness—the fact that this will help and not hurt. It is not in derogation of the authority that he has been exercising. It is no reflection on his authority to conduct foreign affairs.

The President himself demonstrated that he wanted and needed to have the partnership of Congress by asking for the resolution of August 1964. Now that there is a new ball game, why does he not ask again and get the same fortification, the same strength, and the same substantiality so that he cannot be challenged on the ground of illegality, as has been done, or challenged on the ground that he is using authority for a purpose which was never intended, for a new purpose, for a new escalation of the struggle.

I believe that everything is to be gained and nothing is to be lost, beyond what has been already lost by furnishing food for the propaganda mills in Hanoi.

The strength that can be afforded to our freedom and its decision far outweighs any minor disadvantage of any character.

As one who has supported the President, I hope that before it is too late, in terms of graver disquiet than presently exists, we can have a congressional debate.

I can understand why the congressional committees, representing the majority, have been unwilling to have this debate so far unless the President should ask for it. Would it not be better for the President to ask for this resolution, as he did in August of 1964, than to be forced to it? The committees would take the ball and run with it. That is what can result in view of the gathering storm in Congress, not because of the war in Vietnam, but because of the ap-

parent feeling of the President that Congress should not have an opportunity to debate and vote on the issue.

I urge the President to seek the benefit of this debate.

Mr. President, to intellectual men—and the President is an intelligent man—the proudest words in the English language are: "I am persuaded."

I hope very much that the President may invite debate in this matter in view of the feelings of so many who thoroughly support him in terms of what he is trying to do and in terms of the freedom and safety of our Nation and of the world.

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

Mr. JAVITS. I yield.

Mr. SALTONSTALL. Mr. President, while I have not heard everything that the Senator has said, I believe that he is proposing a discussion on the floor of the Senate in regard to the Vietnamese situation.

Mr. JAVITS. I say that the President should come to us again, as he did in August 1964, for a resolution on Vietnam. I say that as a supporter of the President.

Mr. SALTONSTALL. Mr. President, as a member of the Committee on Armed Services, and as a member of the Appropriations Subcommittee, I point out that the authorization and appropriation bills must come before us within the next 2 or 3 weeks.

It would seem to me that there would be a very full discussion not only of the subject matter of the bills, but also of the entire problem that faces the President and ourselves.

Mr. JAVITS. Mr. President, the Senator knows that there is no one whom I respect more than I do the senior Senator from Massachusetts. Yet, I do not believe that the discussion and debate which will be engendered, as it will be, by the authorization and appropriation bills, will be quite opposite to what the Senator from Colorado [Mr. DOMINICK] and other Senators, myself included, are talking about.

The authorization and appropriation bills represent a different issue. The issue would be whether we were going to support the men in the field.

This is not something that I imagine. We had this issue in connection with the appropriation last year of the $700 million.

The entire debate was stultified by the fact that no one would ever desire to stop the appropriation of money for men who are fighting. We have been there ourselves. Many of us have been in the armed services.

The only thing that is germane is that the policy is up for determination in a sense resolution.

The President has done it before, in my judgment, a little arbitrarily. Speaking as one who supports the President in his policy, I am asking him to do it again when the situation is so changed and when there is a gathering storm of feeling that it should be done.

Mr. SALTONSTALL. Mr. President, I do not believe the Senator from New York and the Senator from Massachusetts are very far apart in their points of view.

My point is simply that in our hearings, which extended over a period of 3 days, there was testimony from the Secretary of Defense and from General Wheeler and others. The entire problem was discussed.

I agree that there was no discussion as to whether a new resolution was needed. However, the entire general principle as to why we were there and what we were doing was discussed.

Mr. JAVITS. Mr. President, I am grateful to my colleague.

REPORT OF SPECIAL COMMISSION ON AUTOMATION

Mr. JAVITS. Mr. President, I call attention to the report of the Special Commission on Automation. This report has just been handed to the President. As one of the authors of the legislation which created the Commission, I have great interest in the results of the Commission's work.

Automation is a very critical problem for the United States. It affects the work of the committee on which I am a ranking minority member, the Committee on Labor and Public Welfare.

It is recommended in the report of the Commission that $2 billion be provided to take care of the hard-core jobless who will be created by the progress of automation. There are also other major recommendations contained in the report.

Mr. President, this is an urgent problem for our country. I am delighted that the Commission considers the spread of automation beneficial to the economy. It is the only way in which we can keep our productive strength and march forward.

The Commission report also recognizes that rapid automation does cause job losses and therefor favors the provision of adjustment assistance, and other types of Federal programs.

Mr. President, I ask unanimous consent that a UPI story on the Commission report be printed at this point in the RECORD.

I shall have something further to say about the subject after studying the detailed report.

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

AUTOMATION

WASHINGTON.—A special commission on automation today recommended to President Johnson a vast $2 billion program to provide work for 500,000 hard-core jobless and another multi-billion-dollar plan to insure needy families a minimum annual income.

The commission also called for a national computer commission to match men and jobs and a minimum of 14 years free education and special help for Negroes to overcome job obstacles.

It said aggressive Federal tax, spending, and credit policies were essential to prevent widespread job losses from technological changes in the next 10 years.

The recommendations were filed with Johnson in a report from the national commission on technology, automation and economic progress. The 210-page document, delayed a month in a successful effort to prevent a minority report by organized labor, went into topics ranging from air pollution to reorganization of local government.

But its major conclusions from a year-long study centered on the pace of technological change and steps the 14-man commission proposed to meet it.

After noting that productivity increases have gone up from an average 2 percent to 3 percent in the postwar period, the commission said:

"There has not been and there is no evidence that there will be in the decade ahead, an acceleration in technological change more rapid than the growth of demand can offset, given adequate public policies.

"The growth rate required to match rising productivity and labor force growth rates is unprecedented in all our history * * *. There will be a continuing need for aggressive fiscal and monetary policies to stimulate growth."

Three union leaders on the panel—Walter P. Reuther, Al J. Hayes, and Joseph A. Beirne—filed a dissenting comment that the report lacked a "tone of urgency" and called for "swift, determined and vigorous measures" to offset automation inroads on jobs.

The report said Federal economic policy should aim at reducing the Nation's unemployment rate to 3.5 percent or lower by the start of 1967. It was 4.1 percent at the close of 1965.

In addition to urging tax reduction and higher Federal spending to spur demand in the next decade, the commission recommended a series of measures to help the least-qualified workers and Americans who cannot hold jobs.

It proposed public service employment in schools, hospitals, and similar agencies to provide opportunities for those unable to compete in the labor market. This was described as making the Federal Government an employer of last resort.

The report said a 5-year program should be established with an initial outlay of $2 billion to provide a half-million full-time jobs of this nature.

In another major proposal the commission said there should be a Federal floor under the income of families without breadwinners physically and mentally handicapped, and people too old to work.

It urged that Congress increase social security benefits and give serious study to a minimum income allowance that would provide Federal payments to persons with incomes below a certain standard.

The commission said the cost of such a plan would range from $2 billion to $20 billion per year, depending on the standards and the policing of the program.

In other recommendations the commission:

Recommended creation of a computerized nationwide service for matching job applicants to job openings, either under private or public ownership. Federalization of the Federal-State Employment Service, also was urged.

Special programs to help Negroes obtain better education and jobs, patterned after special programs for ex-servicemen following World War II, to compensate for past discrimination.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

[No. 26 Leg.]

Aiken	Cotton	Gore
Anderson	Dirksen	Hart
Bartlett	Dominick	Hayden
Boggs	Douglas	Holland
Carlson	Ellender	Inouye
Clark	Fong	Jackson

Javits	McCarthy	Ribicoff
Jordan, N.C.	McIntyre	Russell, Ga.
Jordan, Idaho	Montoya	Saltonstall
Kennedy, Mass.	Mundt	Smith
Kennedy, N.Y.	Muskie	Sparkman
Kuchel	Pastore	Stennis
Lausche	Pearson	Tydings
Long, La.	Pell	Yarborough
Magnuson	Proxmire	Young, Ohio
Mansfield	Randolph	

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

The motion was agreed to.

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

After a little delay, the following Senators entered the Chamber and answered to their names:

Allott	Dodd	Morse
Bass	Ervin	Morton
Bayh	Fannin	Moss
Bennett	Fulbright	Murphy
Bible	Harris	Prouty
Brewster	Hartke	Robertson
Byrd, Va.	Hickenlooper	Russell, S.C.
Byrd, W. Va.	Hill	Scott
Cannon	Hruska	Simpson
Case	McGee	Symington
Church	McGovern	Thurmond
Cooper	Metcalf	Tower
Curtis	Mondale	Williams, Del.

The PRESIDING OFFICE. 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.

Mr. SPARKMAN. Mr. President, it has been my great privilege to serve in the Congress of the United States for almost 30 years, 20 of which have been in this body. During all of that time, I have strived to propose, support, and enact legislative programs that would be helpful to the workers of my State and contribute to their well-being.

I know that great progress has been made. I know of the progress that has been made in the field of housing. I remember when the FHA program was first proposed and many, many people thought of it as socialism. Many, many people said that this program would result in the Federal Government taking over the housing industry. Nothing has been further from the truth. Millions of American families live in safe, decent, sanitary housing because of programs such as these. Low-income housing has been made available to those persons who, less fortunate than we, are unable to own their own homes. Community slums have been cleared and urban rot and decay stemmed.

Of course, much more needs to be done, but all of that which has been done has served to help the interests of the workingman of this Nation. It is precisely for these reasons that this Congress over the years has designed these kinds of programs.

It has been my lot to be criticized because of my work in these areas. I have said time and time again that I believe the Federal Government has a responsibility to help meet the needs of the American people when those needs cannot be adequately met by the several States. Abraham Lincoln, whose birthdate we are now approaching, made the very wise statement that the function of the Government was to do for the people those things which they could not do for themselves, or do so well. I have said that I believe the very nature of this Government intended for the States joined together and working together to harness their resources for the common good.

At the same time, I have said that I feel strongly that such an approach should never imply all problems and all needs can only be solved and can only be met by the Government in Washington. I would never subscribe to such a policy nor do I believe many others would.

It is precisely for this reason that I oppose the repeal of section 14(b). In this opposition, I do not feel that I oppose the interests of organized labor or the workingman. Indeed, I support the interest of organized labor. I know of its importance to our economy and to the well-being of the industrial worker, the tradesman, and the seaman. I know that without collective bargaining—a free, open, and unfettered bargaining—our economy could not function as efficiently as it does today. This has always been my position, and it continues to be.

I believe in the strength of collective bargaining. There is probably no better example of democracy in action than when labor and management sit down around the table to plan their future together. In the long struggle of the workingman to receive a fair share of what he has produced for his own use and enjoyment, we have seen a classic example of how men of good will can solve their problems.

It will always be my purpose, Mr. President, to work toward the preservation of this kind of relationship between labor and management, the kind of relationship that will serve toward a better understanding between the parties.

Today, the American workingman has achieved much. Now he directs his attention to providing security for himself and for his family. He is devoting his efforts to providing more material goods for his family. He seeks to make better use of his leisure time and to provide a better education for his children. He recognizes that without education and skills, his children may be doomed to unemployment in the future. With every gain that he has made, our economy has been strengthened and America has been a better, a stronger, and a safer place in which to live. Those leaders of labor who have contributed to this have contributed to their country and to them we are indebted. Indeed, organized labor is democracy in action.

But, Mr. President, this democracy lives because of the nature of this Republic. I hope the time will never come when for the sake of the moment we take actions that are destructive of the very principles upon which our Republic is founded.

And, foremost among those principles stand the rights of the States.

I believe that section 14(b) of the National Labor Relations Act provides for a proper relationship between the Federal and State Governments. To repeal it would do violence to that relationship, and it is for this reason that I oppose its repeal.

Shortly after the enactment of the Taft-Hartley Act and this section, the State of Alabama passed a so-called right-to-work law. That law has been on the statute books of Alabama since that time.

The law was passed by the elected representatives of the people of Alabama in the State legislature. The proposal was considered by the Governor of the State, signed, and adopted. Since that time only a few serious efforts have been made to repeal this law.

Under these circumstances, Mr. President, with a deep respect for the right of my State and her people, I could not and will not, regardless of the subject of the legislation at hand, allow the wishes of the people of my State which have already been expressed so clearly to be negated. The conflict between State sovereignty and national supremacy is one that has aroused controversy since the adoption of our Constitution in 1789. But, despite this long and sometimes bitter conflict which has counted some of our most eminent and patriotic statesmen on each side, our system of government has survived to prevent the usurpation of absolute power by either the States or the Federal Government.

This is as our forebears intended.

Indeed, Mr. President, this State-Federal Government balance is and has been throughout our history every bit as important as the separation of powers first outlined by the great Greek philosopher, Aristotle, and later refined into the mixed constitutions concept of Montesquieu.

The latter, in his "Spirit of the Laws," correctly observed that "men entrusted with power tend to abuse it," and it was this concept which lay at the foundation of our Republic.

But both Aristotle and Montesquieu were concerning themselves with the branches of government necessary to the effective functioning of a republic at the national level. In our own confederation of States there was reserved—on a par with the Federal power—that of the States themselves.

In his introduction to the "Constitution of the United States of America, Revised and Annotated," published by the Government Printing Office in 1953, in accordance with Senate Joint Resolution 69, approved June 17, 1947, the late Edward S. Corwin, editor for the Legis-

lative Reference Service of the Library of Congress, wrote:

> The effectiveness of constitutional law as a system of restraints on governmental action in the United States, which is its primary raison d'etre, depends for the most part on the effectiveness of these doctrines as they are applied by the (U.S. Supreme) Court to that purpose. The doctrines to which I refer are (1) the doctrine or concept of federalism; (2) the doctrine of the separation of powers; (3) the concept of a government of laws and not of men, as opposed especially to indefinite conceptions of presidential power; and (4) the substantive doctrine of due process of law and attendant conceptions of liberty.

The Federal system which has made this the most powerful and prosperous nation in the history of the world anticipates the sovereign States of the Nation to be united for the purpose of attaining common goals.

In order to accomplish this end with a minimum of conflict, this system vests enumerated powers in the Central, or Federal Government and residual powers in the States themselves, with each having its own legislative authority. Each of these—the States on the one hand and the Federal Government on the other—exercises jurisdiction in executive, legislative, and judicial matters within its own area, with the Federal Government having supremacy in its own sphere over conflicting State power. The concept also calls for what is, in effect, dual citizenship.

Our system differed in this respect from all others in history in that previously such confederations had vested absolute power in the Central Government. And this, rather understandably, is at the root of the seemingly endless wrangle between supporters of centralization of power on the one hand and the champions of State sovereignty on the other. Despite this longstanding dispute, however, the intent of the framers of our Constitution has been preserved.

It has been said that these differences center around an article of and an amendment to our Constitution. The first of these, which constitutes the principal support for those who champion Federal supremacy, is article VI, which states in clause 2:

> This Constitution and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution of laws or any State to the contrary notwithstanding.

The second, is the 10th amendment, which states:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Among the champions of the Federal supremacy clause was Chief Justice John Marshall, of Virginia, who chose to apply it literally, and his views prevailed for the 31 years he sat in the highest judicial post in the land. His successor, Roger B. Taney, of Maryland, held the opposite view, leaning strongly upon the 10th amendment.

Concerning this Dr. Corwin wrote:

> It was Marshall's contention that the supremacy clause was intended to be applied literally, so that if an unforced reading of the terms in which legislative power was granted to Congress confirmed its right to enact a particular statute, the circumstance that the statute projected national power into a hitherto accustomed field of State power with unavoidable curtailment of the latter was a matter of indifference.

Taney, in the celebrated Abelman against Booth decision, which was reached on the eve of our Civil War, expressed his position in equally strong terms. Speaking of the role of the Supreme Court in such matters, he said:

> This judicial power was justly regarded as indispensable, not merely to maintain the supremacy of the laws of the United States, but also to guard the States from any encroachment upon their reserved rights by the General Government. * * * So long * * * as this Constitution shall endure, this tribunal must exist with it, deciding in the peaceful forms of judicial proceeding, the angry and irritating controversies between sovereignties, which in other countries have been determined by the arbitrament of force.

The Taney position prevailed even into the 1930's when the High Court was called upon to decide whether congressional power to regulate commerce extended into such hitherto sacred State fields as that of regulating employee-employer relationship.

In the case of Carter against Carter Coal Co., in 1936, Justice George Sutherland said:

> Much stress is put upon the evils which come from the struggle between employers and employees over the matter of wages, working conditions, the right of collective bargaining, etc., and the resulting strikes, curtailment, and irregularity of production and effect on prices; and it is insisted that interstate commerce is greatly affected thereby. * * * The conclusive answer is that the evils are all local evils over which the Federal Government has no legislative control. The relation of employer and employee is a local relation. At common law, it is one of the domestic relations. The wages are paid for the doing of local work. Working conditions are obviously local conditions. The employees are not engaged in or about commerce, but exclusively in producing a commodity. And the controversies and evils, which it is the object of the act to regulate and minimize, are local controversies and evils affecting local work to accomplish that local result. Such effect as they may have upon commerce, however extensive it may be, is secondary and indirect. An increase in the greatness of the effects adds to its importance. It does not alter its character.

This view, Mr. President, did not square with the feelings of the American people, and it led to the enactment of the Fair Labor Standards Act, an act which has meant so much to the welfare and well-being of the American people.

This measure prohibited interstate commerce in goods produced with substandard labor, and it established minimum wages and maximum hours. Speaking for a unanimous court in upholding the act, Chief Justice Harlan Stone said in 1941:

> The motive and purpose of the present regulation are plainly to make effective the congressional conception of public policy that interstate commerce should not be made the instrument of competition in the distribution of goods produced under substandard labor conditions, which competition is injurious to the States from and to which commerce flows.

In answering objections which had been based on the 10th amendment, Chief Justice Stone continued:

> Our conclusion is unaffected by the 10th amendment. * * * The amendment states but a truism that all is retained which has not been surrendered. There is nothing in the history of its adoption to suggest that it was more than declaratory of the relationship between the National and State Governments as it had been established by the Constitution before the amendment or that its purpose was other than to allay fears that the new National Government might seek to exercise powers not granted, and that the States might not be able to exercise fully their reserved powers.

In sustaining the power of the Federal Government to provide for fair labor standards, the court followed a precedent established almost 30 years before when the first substantive expression of Federal-labor policy was confirmed in the Clayton Act.

I know something about this law because it was proposed by a Member of the House of Representatives from my own State of Alabama, a very distinguished lawyer, distinguished legislator, and later an honored and distinguished Federal judge in the State of Alabama. I refer to Judge Henry D. Clayton, of Alabama.

He is far better known for his work on the Judiciary Committee as author of the Clayton Antitrust Act which has served to protect the interest of small and independent businesses against the anticompetitive practices of their larger competitors. But even before Judge Clayton became known as the expert he was in antitrust matters, he established a policy which continues to this day, and that is, that workers shall have the right to organize, a right which until then was preserved only through court decisions and not by law. Section 6 of the Clayton Act, although often quoted, bears repeating because of its significance in the development of the law governing the rights of the workingman:

> That labor of a human being is not a commodity or article of commerce. Nothing contained in the antitrust laws shall be construed to forbid the existence and operation of labor, agricultural, or horticultural organizations, instituted for the purposes of mutual help, and not having capital stock or conducted for profits, or to forbid or restrain individual members of such organizations from lawfully carrying out the legitimate objects thereof; nor shall such organizations, or the members thereof, be held or construed to be illegal combinations or conspiracies in restraint of trade under the antitrust laws.

Since that time in several acts the right to organize has been expressed clearly. An example is the Railway Labor Act of 1926 where it is said:

> Employees shall have the right to organize and bargain collectively through representatives of their own choosing.

Again, in 1932 the Norris-La Guardia Act assured the worker "full freedom of

association, self-organization and designation of representatives of his own choosing."

But, at the same time, Mr. President, that act guaranteed to the worker the right "to decline to associate" with any organization.

The Norris-La Guardia Act was an outgrowth of a period of government by injunction. It added strong restraints on the issuing of injunctions and outlawed the old yellow dog contracts which had made it so difficult for organized labor to move forward. Every American who recognized the importance of permitting workingmen to organize and to bargain collectively was pleased with this act.

Just a few years later, the National Labor Relations Board was established by the National Labor Relations Act. This Board gave organized labor a forum to assure equal treatment for labor and management. Indeed, during the first few years of its existence, the Board handled almost 35,000 cases and reinstated more than 21,000 employees who had been fired because of union activities.

The act encouraged collective bargaining, union organization, and forbade employers from making nonmembership in a labor organization a condition for employment. The act prohibited employers from first, restraint or coercion of or interference with employees in the latter's exercise of rights guaranteed under the act; second, domination of, interference with or financial support of a labor organization; third, discrimination to encourage or discourage union membership, except where a closed or union shop was established by agreement with a majority of employees; fourth, discrimination against an employee for filing charges or giving testimony under the act; and, fifth, refusal to bargain with representatives of employees.

The act also provided exclusive representation for all employees to the union contracted with and vested administration of its terms in the National Labor Relations Board.

Perhaps no single piece of labor legislation in our history gave the Federal Government greater authority in the field of what previously had been considered strictly within the jurisdiction of the States.

The vehicle used, of course, was the definition of interstate commerce.

In Labor Board against Jones & Laughlin, the U.S. Supreme Court was asked to test the Wagner Act provisions which forbade "any unfair labor practices affecting interstate commerce," particularly that concerning "denial by employers of the right of employees to organize and the refusal by employers to accept the procedures of collective bargaining."

Counsel for the Federal Government argued that, despite previous rulings and interpretations, such as that by Justice Sutherland I cited a few minutes ago, the respondents owned—in addition to their huge steel mills—mines, steamships, terminal railways in several States and employed thousands of workers in widely scattered areas. In the 1962 edition of the U.S. Constitution, Annotated, the editors note:

A vast industrial commonwealth, such as this, whose operations constantly traversed State lines, comprised, the (Government counsel) contended, a species of territorial enclave which was subject in all its parts to the only governmental power capable of dealing with it as an entity, that is, the National Government. Yet, even if this were not so, still the protective power of Congress over interstate commerce must be deemed to extend to disruptive strikes by employees of such an immense concern, and hence to include the power to remove the causes of such strikes.

In holding that the corporation was subject to terms of the act on the latter grounds, Chief Justice Charles Evans Hughes said for the Court:

For close and intimate effect which brings the subject within reach of Federal power may be due to activities in relation to productive industry although the industry when separately viewed is local. Nor will it do to say that such effect is indirect. Considering defendant's farflung activities, the effect of strife between it and its employees * * * would be immediate and (it) might be catastrophic. We are asked to shut our eyes to the plainest facts of our national life and to deal with the question of direct and indirect effects in an intellectual vacuum * * *. When industries organize themselves on a national scale, making their relation to interstate commerce the dominant factor in their activities, how can it be maintained that their industrial labor relations constitute a forbidden field into which Congress may not enter when it is necessary to protect interstate commerce from the paralyzing consequences of industrial war? We have often said that interstate commerce itself is a practical conception. It is equally true that interferences with that commerce must be appraised by a judgment that does not ignore actual experience.

As a result of this decision, the act later was held applicable to even the smallest of firms, and the volume of commerce was ruled to be no criterion. The 1962 Constitution, Annotated, states:

More recently, the act was declared to be applicable to a local retail auto dealer on the ground that he was an integral part of the manufacturer's national distribution system. (*Howell Chevrolet Co.* v. *Labor Board,* 346 U.S. 482) and to a labor dispute arising during alteration of a county courthouse for the reason that one-half of the cost thereof, or $225,000 was attributable to materials shipped from other States (*Plumbers Union* v. *Door County,* 359 U.S. 354).

Certainly, the reach of the Federal jurisdiction in this area has been as extensive as has its responsibility. There continue to be important areas of jurisdiction that have been preserved for the States, and those have to do with the very subject encompassed by section 14 (b) of the Taft-Hartley Act.

Section 14(b) of the act, which is the issue here today, in the pending motion to proceed to the consideration of the bill, is brief, explicit, and allows of no misinterpretation. It reads:

Nothing in this Act shall be construed as authorizing the execution or application of agreements requiring membership in a labor organization as a condition of employment in any State or Territory in which such execution or application is prohibited by State or Territorial law.

This is a clear, explicit, and more elaborate statement of a similar provision that is contained in the Norris-LaGuardia Act, passed many years earlier.

Nineteen of our States have availed themselves of this right at the polls, either in referendums or through the election to their respective legislatures of men and women who favored extending these basic freedoms to all workers within their jurisdiction.

On the same date, November 7, 1944, Arkansas and Florida became the first States in the Union to adopt right-to-work laws. Twelve years ago, by legislative statute, my own State of Alabama became the 14th State to adopt such a law; and today there are 19 such States.

Mr. President, as a Senator from Alabama, I oppose most strongly the effort which would in effect repeal by Federal law what the State of Alabama has done by its deliberate legislative process. Those who would oppose the Alabama right-to-work law should go to the State of Alabama for its repeal, not to the Federal Government.

Many good friends of mine who favor the repeal of section 14(b) have spoken with me at different times about it. I have told them frankly that the place to seek repeal is at the State level. That is where the right-to-work law was enacted at the time when it was completely legal for the State to take such action, not only legally under the general principle of law, but legal under the explicit provision written into the Taft-Hartley Act.

During the many years that a right-to-work law has existed in Alabama, I am not sure that I can recall any genuine effort being made in my State to get the endorsement of such a program for repeal by candidates for Governor or candidates for the State legislature.

It seems to me that all the effort has been concentrated on the Federal Government. I do not believe that that is the system of making a law and acting on a law and repealing a law which was intended by those who wrote the Constitution of the United States. If it is to be repealed by the State of Alabama, I believe it ought to be done by the people of Alabama. If it is to be done by the State of Arizona, or by any other State in the Union which has a right-to-work law, I believe it ought to be done by the people of the legislature of that particular State. This law expresses in clear terms the interests of the people of the State of Alabama.

It might be appropriate at this point to set out the Alabama law, to give its full text. It is not very long. The law provides as follows:

Declaration of policy: It is hereby declared to be the public policy of Alabama that 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. (Title 26, sec. 375(1).)

Denial of right to work on account of membership or nonmembership in union illegal: Any agreement or combination between any employer and any labor union or labor organization whereby persons not

members of such union or organization shall be denied the right to work for said employer, or whereby such membership is made a condition of employment or continuation of employment by such employer, or whereby any such union or organization acquires an employment monopoly in any enterprise, is hereby declared to be against public policy and an illegal combination or conspiracy. (Title 26, sec. 375(2).)

Employers may not require union membership: No person shall be required by an employer to become or remain a member of any labor union or labor organization as a condition of employment or continuation of employment. (Title 26, sec. 375(3).)

Employers may not require employees to refrain from membership: No person shall be required by an employer to abstain or refrain from membership in any labor union or labor organization as a condition of employment or continuation of employment. (Title 26, sec. 375(4).)

Mr. President, we have it both ways. It is completely in keeping with the provision of the old Norris-LaGuardia Act. It is certainly in keeping with the spirit and the clear enunciation of this principle under the Taft-Hartley Act in section 14(b).

No employer can refuse to employ a person because he is a member of a labor organization, nor can he require him to be a member or nonmember. It works both ways.

I continue to read from subsection (5) of title 26, section 375 of the Alabama statute:

Employer may not require payment of union dues: No employer shall require any person, as a condition of employment or continuation of employment, to pay any dues, fees, or other charges of any kind to any labor union or labor organization. (Title 26, sec. 375(5).)

Employee's suit against employer for violation of certain sections: Any person who may be denied employment or be deprived of continuation of his employment in violation of sections 375(3), 375(4), or 375(5) or one or more of such sections, shall be entitled to recover from such employer and from any other person, firm, corporation, or association acting in concert with him, by appropriate action in the courts of this State, such damages as he may have sustained by reason of such denial or deprivation of employment. (Title 26, sec. 375(6).)

Article not applicable to contracts already in effect: The provisions of this article shall not apply to any lawful contract in force on the effective date hereof but they shall apply in all respects to contracts entered into thereafter and to any renewal or extension of an existing contract. (Title 26, sec. 375 (7).)

Mr. President, Alabama's law is typical of those in effect today in States from the Canadian border to the Gulf of Mexico and from the Atlantic Ocean to within a few miles of the Gulf of Lower California.

In only one State, Indiana, has a right-to-work law been repealed and in only one other, Louisiana, has it been partially repealed.

In our courts, the battle has been taken as high as it could go, and it was rejected. The argument has been made that State right-to-work laws are illegal in that they interfere with and infringe upon the exercise of the constitutional rights of workers to form associations for their own benefit and protection. It was this question that was decided in a series of three cases heard and decided by the Supreme Court of the United States in 1949. These cases involved a challenge to the right-to-work laws of Arizona, Nebraska, and North Carolina. They are: *Lincoln Federal Labor Union* v. *Northwestern Iron and Metal Company, Whitaker* v. *North Carolina,* and *American Federation of Labor* v. *American Sash and Door Company*—these three decisions are reported at 335 U.S. 525 and 538.

Justice Frankfurter, in a concurring opinion, very lucidly spelled out additional reasons for sustaining the constitutionality of the provisions of the three State laws in question.

I shall quote from his opinion at some length because it is the statement of the last court in the land regarding the constitutionality of this statute and the State statutes that were enacted under it. It embodies considerable of the philosophy regarding it.

The opinion reads as follows:

Arizona, Nebraska, and North Carolina have passed laws forbidding agreements to employ only union members. The U.S. Constitution is invoked against these laws. Since the cases bring into question the judicial process in its application to the due process clause, explicit avowal of individual attitudes toward that process may elucidate and thereby strengthen adjudication. Accordingly, I set forth the steps by which I have reached the concurrence with my brethren on what I deem the only substantial issue here, on all other issues joining the Court's opinion.

The coming of the machine age tended to despoil human personality. It turned men and women into "hands." The industrial history of the early 19th century demonstrated the helplessness of the individual employee to achieve human dignity in a society so largely affected by technological advances. Hence the trade union made itself increasingly felt, not only as an indispensable weapon of self-defense on the part of workers but as an aid to the well-being of a society in which work is an expression of life and not merely the means of earning subsistence. But unionization encountered the shibboleths of a premachine age and these were reflected in juridical assumptions that survived the facts on which they were based. Adam Smith was treated as though his generalizations had been imparted to him on Sinai and not as a thinker who addressed himself to the elimination of restrictions which had become fetters upon initiative and enterprise in his day. Basic human rights expressed by the constitutional conception of liberty were equated with theories of laissez faire. The result was that economic views of confined validity were treated by lawyers and judges as though the framers had enshrined them in the Constitution. This misapplication of the notions of the classic economists and resulting disregard of the perduring reach of the Constitution led Mr. Justice Holmes' famous protest in the *Lochner* case against measuring the 14th amendment by Mr. Herbert Spencer's "Social Statics" (198 U.S. 45, 75, 49 L. ed. 937, 949, 24 S. Ct. 539, 3 Ann. Cas. 1133). Had not Mr. Justice Holmes' awareness of the impermanence of legislation as against the permanence of the Constitution gradually prevailed, there might indeed have been hardly any limit but the sky to the embodiment of "our economic or oral beliefs in that amendment's prohibitions." (*Baldwin* v. *Missouri,* 281 U.S. 586, 595, 74 L. ed. 1056, 1061, 50 S. Ct. 436, 72 ALR 1303).

The attitude which regarded any legislative encroachment upon the existing economic order as infected with unconstitutionality led to disrespect for legislative attempts to strengthen the wage-earner's bargaining power. With that attitude as a premise, *Adair* v. *United States* (208 U.S. 161, 52 L. ed. 436, 28 S. Ct. 277, 13 Ann. Cas. 764), and *Coppage* v. *Kansas* (236 U.S. 1, 59 L. ed. 441, 35 S. Ct. 240, LRA1915C 960) followed logically enough; not even *Truax* v. *Corrigan* (257 U.S. 312, 66 L. ed. 254, 42 S. Ct. 124, 27 ALR 375), could be considered unexpected. But when the tide turned, it was not merely because circumstances had changed and there had arisen a new order with new claims to divine origin. The opinion of Mr. Justice Brandeis in *Senn* v. *Tile Layers Protective Union* (301 U.S. 468, 81 L. ed. 1229, 57 S. Ct. 857), shows the current running strongly in the new direction—the direction not of social dogma but of increased deference to the legislative judgment. "Whether it was wise," he said, now speaking for the Court and not in dissent, "for the State to permit the union to (picket) is a question of its public policy—not our concern." (Id. 301 U.S. at 481, 81 L. ed. 1238, 57 S. Ct. 857). Long before that, in *Duplex Printing Press Co.* v. *Deering* (254 U.S. 443, 488, 65 L. ed. 349, 366, 41 S. Ct. 172, 16 ALR 196), he had warned:

"All rights are derived from the purposes of the society in which they exist; above all rights rises duty to the community. The conditions developed in industry may be such that those engaged in it cannot continue their struggle without danger to the community. But it is not for judges to determine whether such conditions exist, nor is it their function to set the limits of permissible contest, and to declare the duties which the new situation demands. This is the function of the legislature which, while limiting individual and group rights of aggression and defense, may substitute processes of justice for the more primitive method of trial by combat."

Unions are powers within the State. Like the power of industrial and financial aggregations, the power of organized labor springs from a group which is only a fraction of the whole that Mr. Justice Holmes referred to as "the one club to which we all belong." The power of the former is subject to control, though, of course, the particular incidence of control may be brought to test at the bar of this Court (e.g., *Northern Securities Co.* v. *United States* (193 U.S. 197, 48 L. ed. 679, 24 S. Ct. 436); *North American Co.* v. *Securities and Exch. Commission* (327 U.S. 686, 90 L. ed. 945, 66 S. Ct. 785)). Neither can the latter claim constitutional exemption. Even the Government—the organ of the whole people—is restricted by the system of checks and balances established by our Constitution. The designers of that system distributed authority among the three branches "not to promote efficiency but to preclude the exercise of arbitrary power." Mr. Justice Brandeis, dissenting in *Myers* v. *United States* (272 U.S. 52, 293, 71 L. ed. 160, 242, 47 S. Ct. 21). Their concern for individual members of society, for whose well-being government is instituted, gave urgency to the fear that concentrated power would become arbitrary. It is a fear that the history of such power, even when professedly employed for democratic purposes, has hardly rendered unfounded.

If concern for the individual justifies incorporating in the Constitution itself devices to curb public authority, a legislative judgment that his protection requires the regulation of the private power of unions cannot be dismissed as insupportable. A union is no more than a medium through which individuals are able to act together; union power was begotten of individual helplessness. But that power can come into being

only when, and continue to exist only so long as, individual aims are seen to be shared in common with other members of the group. There is a natural emphasis, however, on what is shared and a resulting tendency to subordinate the inconsistent interests and impulses of individuals. From this, it is an easy transition to thinking of the union as an entity having rights and purposes of its own. An ardent supporter of trade unions who is also no less a disinterested student of society has pointed out that "as soon as we personify the idea, whether it is a country or a church, a trade union or an employers' association, we obscure individual responsibility by transferring emotional loyalties to a fictitious creation which then acts upon us psychologically as an obstruction, especially in times of crisis, to the critical exercise of a reasoned judgment." (Laski, Morris Cohen's Approach to Legal Philosophy, 15 University of Chicago L. Rev. 575, 581 (1948)).

The right of association, like any other right carried to its extreme, encounters limiting principles. (See *Hudson County Water Co.* v. *McCarter* (209 U.S. 349, 355, 52 L. ed. 828, 831, 28 S. Ct. 529, 14 Ann. Cas. 560).) At the point where the mutual advantage of association demands too much individual disadvantage, a compromise must be struck. (See Dicey, Law and Public Opinion in England 465, 466 (1905).) When that point has been reached—where the intersection should fall—is plainly a question within the special province of the legislature. This Court has given effect to such a compromise in sustaining a legislative purpose to protect individual employees against the exclusionary practices of unions. (*Steele* v. *Louisville & N.R. Co.* (323 U.S. 192, 89 L. ed. 173, 65 S. Ct. 226); *Wallace Corp.* v. *National Labor Relations Bd.* (323 U.S. 248, 89 L. ed. 216, 65 S. Ct. 238); *Railway Mail Asso.* v. *Corsi* (326 U.S. 88, 89 L. ed. 2072, 65 S. Ct. 1483; cf.); *Elgin J&E R. Co.* v. *Burley* (325 U.S. 711, 733, 734, 89 L. ed. 1886, 1899, 1900, 65 S. Ct. 1282).)

Remember that this is a decision dealing with the right of those three States to have and maintain right-to-work laws. This decision was handed down in 1949, and I am quoting Justice Frankfurter. Continuing to read from the decision:

The rationale of the Arizona, Nebraska, and North Carolina legislation prohibiting union-security agreements is founded on a similar resolution of conflicting interests. Unless we are to treat as unconstitutional what goes against the grain because it offends what we may strongly believe to be socially desirable, that resolution must be given respect.

It is urged that the compromise which this legislation embodies is no compromise at all because it is fatal to the survival of organized labor. But can it be said that the legislators and the people of Arizona, Nebraska, and North Carolina could not in reason be skeptical of organized labor's insistence upon the necessity to its strength of power to compel rather than to persuade the allegiance of its reluctant members? In the past 50 years the total number of employed, counting salaried workers and the self-employed but not farmers or farm laborers, has not quite trebled, while total union membership has increased more than 33 times—

Mr. President, I depart from the direct quotation at this point to emphasize a fact which was brought out by the eminent Justice, namely that although the work force during the past period of time that he gives had not quite tripled, membership in labor unions had increased more than 33 times.

This decision was handed down in 1949. Of course we have not had any such rapid increase in labor membership since 1949, but I rather wish that I knew just what the figures are.

Perhaps the Senator from Maine has the figures available or could bring them out sometime in the course of debate. I have no idea what they are.

Addressing myself to the Senator from Maine who is now in the Chamber and Acting Leader at this moment there is another figure I should like to see. I have seen interesting figures placed in the CONGRESSIONAL RECORD in the course of this debate which have shown the percentage increase in wages in the States having right-to-work laws as against the other States. There are about a dozen different comparisons, which I have not seen. I should like to see them. I do not know whether they are available or not.

How badly has the labor union movement been crippled by the right-to-work laws?

In other words, what percentage increase in membership has there been in right-to-work law States as contrasted with the States without right-to-work laws? I have not the slightest idea what they are but it seems to me that they would be valuable and certainly an interesting statistic in the course of this debate to know. I do not know. It may support the viewpoint of the unions. I am not saying that it does or that it does not. I have not seen them. But, if such figures are available I believe that it would be proper and that it would be good to have them for the RECORD.

In other words, let us find out whether the unions have been hurt by these laws.

Justice Frankfurter is here saying that the unions had argued in 1949, when the right-to-work laws were relatively new—the first right-to-work law was only 5 years old at that time—but that they would be—I do not know whether he used the word "destroyed" or not, but certainly badly damaged; and he says that it is hard to believe that if they could show that to be true State legislatures would not react and give them relief.

That was my feeling.

While the Senator from Maine was absent from the Chamber I stated a while ago that I have some good labor friends in my State. Labor has generally supported me in my State. I believe the Senator from Maine knows that. I have generally supported them in programs which mean so much to labor—such as, for example, safe, sanitary, and decent housing and schools, and legislation generally intended for their welfare and for strengthening.

Even though I differ with labor leaders in my State at the present time on this question of the appeal of section 14(b), I believe that they understand the reason why, that it is basically a division of power between the Federal Government and the State government. Here is a law on the statute books of Alabama which was—by a vote of the State Legislature and the signature of its Governor—enacted into law at a time when it was clearly provided in the law of the United States that there was nothing to prohibit States from enacting such laws. In other words, it was perfectly legal for a State to do from a State standpoint and from a Federal standpoint.

Mr. MUSKIE. Mr. President, will the Senator from Alabama yield at that point?

Mr. SPARKMAN. Let me finish my thought and I shall be glad to yield.

A law had been placed on the books which was certainly legal, and which certainly since the decision of 1949 has been constitutional. It is the enactment of a law by a State. I therefore do not believe it was intended that the Federal Government should be placed in the position of repealing a State motion.

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

Mr. SPARKMAN. Especially in an area that the Federal Government had recognized was a State area.

I am glad to yield to the Senator from Maine for a question at this point.

Mr. MUSKIE. Mr. President, may I say to the Senator from Alabama that I have spent long hours in this chair in the course of the discussion that has taken place over the past few days. The Senator from Alabama has raised some interesting questions about the merits of the proposal to repeal 14(b), questions which I suggest ought to be discussed, questions that ought to be answered, and which, if answered, would be profitable to the country as a whole. But the issue before us, as I understand, does not get to the merits of the proposal to repeal 14(b). The issue before us is whether or not we should get to a discussion of the very questions which the Senator from Alabama has raised——

Mr. SPARKMAN. May I break in right there?

Mr. MUSKIE. May I ask my question?

Mr. SPARKMAN. Yes.

Mr. MUSKIE. If the Senator from Alabama is really interested in answers to the questions which he has raised, will he join the Senator from Maine and other Senators like minded in supporting the proposal to lay the measure before the Senate so we can get into the merits of the bill?

Mr. SPARKMAN. I think the Senator from Maine sidesteps the issue. The point I have been trying to make—and I am afraid I did not succeed in penetrating the Senator from Maine, or else he does not want to be penetrated—is that it is a motion to take up, and I had something to say about the fact that it was a motion to take up, and not a debate on whether or not the bill shall be passed. That is not it. But why take up a measure that seeks to do a thing which I believe to be constitutionally bad and contradictory of all of the principles of the division of powers between the Federal Government and State governments?

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

Mr. SPARKMAN. Let me continue for a moment. Let me finish this little statement.

Under the Constitution itself, and under the Norris-La Guardia Act passed back in 1932, there could be no require-

ment that a person would have to belong or not belong to a union. Then the National Labor Relations Act came along, without any change from that provision. When enacted into law, it did not change that provision. But a few years later, when the Taft-Hartley Act was written into law—in 1947, I believe it was—in view of the fact that the Norris-La Guardia Act had affirmed an age-old principle that was inherent in the Constitution itself, it was decided by the Congress of the United States, acting for the Federal Government, to insure again that it had no business whatsoever being in the sphere of saying whether or not there ought to be a union shop or closed shop; that that was a matter for the States to decide. Congress so stated again. In other words that was a labor provision very much like what amendment 10 did for the rights of the States under the Constitution.

Therefore, I do not believe it is a good principle. Why should I advocate taking up something that will take a long time on the floor to debate, when it is not a good principle and ought not to be enacted into law?

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

Mr. SPARKMAN. I yield.

Mr. MUSKIE. I rose not for the purpose of interrupting——

Mr. SPARKMAN. I welcome the exchange.

Mr. MUSKIE. But to respond to the questions which the Senator directed to me.

Mr. SPARKMAN. Yes.

Mr. MUSKIE. I assume the Senator from Alabama directed those questions to me because he was interested in answers.

Mr. SPARKMAN. Yes.

Mr. MUSKIE. And I suggested that the best way to get answers to the questions is to dispose of the motion to take up the measure, if the Senator is interested in answers to the questions, rather than merely proceed to discuss the motion to take up.

I have sat in this chair listening to this debate. I think I sat for 3½ hours yesterday and for an hour and a half today, and a like number of hours on other days listening to a learned discussion—and that of the Senator from Alabama is most learned, as it always is—but I have not heard one Senator discussing the issue on the same side as the Senator from Alabama discuss whether or not we ought to take up the bill or lay it before the Senate so the Senate can have an opportunity to proceed to discuss the merits.

I have been enlightened by what has been said on the side of the issue which the Senator from Alabama represents, but I suggest it is not relevant to the point before us. I shall be glad to discuss that point when we reach it. But I would like to be enlightened on why we should not get to the point of discussing the merits of the proposal. The Senator from Alabama is making his case. There is a case on the other side of the question. I believe the country would like to be enlightened on both sides of the issue. I would like to get down to that point. The Senator is interested in answers to the questions he has raised. I suggest that that is the way to really get to the answers, rather than occupy us with these dilatory proceedings.

Mr. SPARKMAN. Let me say to the able Senator—and he knows I respect his views very highly—that I have been trying my best, in the short time that I have been speaking—and I remind the Senator this is the first time I have taken the floor—to explain my views. I have felt that I would be called upon to vote on this question, and that I ought to take the time to explain my views. I have already explained them to many labor leaders in my State. A good many of them, I believe, understand my position. I felt that I ought to explain my position for the record on the floor of the Senate.

I have not been dilatory in presenting my views. I am not engaging in a long debate. I believe we ought not to take up this issue, because I do not believe it is a good measure.

Let me say something else to the Senator from Maine. He may not feel any obligation on his part to talk on his side of the issue, or to make out a case. However, if I am not mistaken, a Gallup poll was taken the other day which showed that the country as a whole is opposed to the proposed legislation. Was not such a poll taken? It seems to me I remember reading about it.

Mr. MUSKIE. I believe the distinguished minority leader of the Senate, the Senator from Illinois [Mr. DIRKSEN], brought it to our attention.

Mr. SPARKMAN. Yes; I saw it in the newspapers, and the Senator from Illinois [Mr. DIRKSEN] brought it out during his presentation on the first day that the motion was before us, on the second go-round on this issue, so to speak.

Mr. MUSKIE. If I were on the side of an issue which had that kind of support throughout the country, I would be eager to see that support reflected in a vote on the merits of the issue.

Mr. SPARKMAN. If I were on the short side on a question like that I would want to be making a case before the country.

Mr. MUSKIE. We are eager to get to that point.

Mr. SPARKMAN. I do not believe the Senator is doing that. Now is the time to make that case. I believe he should be making his argument now.

Mr. MUSKIE. I wish to make a proposal to the Senator from Alabama.

Mr. SPARKMAN. That I sit down and that the Senator from Maine speak instead?

Mr. MUSKIE. No, no; the Senator from Alabama has a function to perform, and I have mine to perform at the moment with respect to the motion which is before us. Let me say to the Senator from Alabama that I have been involved in the question of the union security shop since my first term in the Maine Legislature in 1946.

Mr. SPARKMAN. Yes; in the forum where it should be; at the State level. That is what the eminent Justice I am quoting has said.

Mr. MUSKIE. The question has been raised as to my willingness to discuss the subject. It was discussed in the session of the Maine Legislature. Those of us who felt as I did lost that fight in the legislature.

Mr. SPARKMAN. Does Maine have such a law now?

Mr. MUSKIE. No. The question went to a referendum. The legislature's action in approving a right-to-work law was overwhelmingly defeated, 2 to 1, in 1948. When we went to the people, we sustained our case. The issue arose once more since that time. The political leaders on both sides—Republicans and Democrats—took the same position in opposition to it. To this day, Maine does not have a right-to-work law. We are satisfied with the situation as it is.

The question before the Senate is whether or not it is to consider the repeal of section 14(b) which would make the law uniform throughout the country. I believe this is an issue which ought to be debated on the merits. But what is the point, I ask the Senator, in discussing the merits of the matter now when the Senator and those who are debating this question on the floor of the Senate will not let us get to a vote on the merits.

I am not asking the Senator or those who support his position to support the repeal of section 14(b). I am asking why they do not permit us to proceed with the matter so that we can discuss the merits.

We are not going to discuss the merits if in so doing we contribute to the delay in acting on the motion to take up.

If the Senator will join in supporting that motion, we will take it up, discuss the merits, and vote on it. I would like nothing better. Then, I would be happy to answer questions directed to me by the Senator.

In answering the question I am contributing to the delay in a sense, but I could not resist replying because the Senator was so generous in directing questions to me.

I have not had an opportunity to ask the Senator why he objects to taking up the measure, discussing the issue, enlightening the country with respect thereto, and resolving it one way or another.

Mr. SPARKMAN. I respect the views of the Senator. But his view is that the proper stage to discuss these matters is after the bill has been formally laid before the Senate.

Any time is a proper time to discuss what it means. I repeat that this is the only time that I have discussed it and the only time I propose to discuss it.

The State of the Senator from Maine acted on the question of whether or not it should have right-to-work laws. It acted exactly the way it was intended under the Constitution originally and under the various statutes since that time, including the Norris-La Guardia Act, the Taft-Hartley Act, and in keeping with Supreme Court decisions in

1949. His State did what was contemplated. In other words, it acted at the State level. There, it went to a referendum and the people voted against it.

I would not seek to cause Maine to change its mind. I believe it is a State function. I do not believe the Federal Government has any business tinkering with it.

Mr. MUSKIE. Mr. President, will the Senator yield for a question?

Mr. SPARKMAN. I yield to the Senator from Maine.

Mr. MUSKIE. As I indicated earlier, I do not believe that this is the time to enter into an extensive debate on the merits, because we ought to dispose of the procedural motion first. If we do that, then we can get to the merits. We ought to come to grips with the question. The argument that the Senator and those alined with him make should be answered so that the country can understand our differences.

Briefly, on the question which the Senator just raised, I believe we have now had 18 years within which the States could decide what their policy ought to be. I believe 19 States adopted right-to-work laws.

Mr. SPARKMAN. Twenty-one States adopted them, nineteen States retained them, one repealed them outright, and another partially repealed them.

Mr. MUSKIE. So these figures indicate that a substantial majority of States decided on the other side of the question.

Mr. SPARKMAN. The Senator is correct.

Mr. MUSKIE. There is a cogent argument to be made for a uniform law throughout the country on this point. Not to have a uniform law tends to be disruptive.

In the case of my State, the fact that some States have right-to-work laws is used as an inducement to industries in New England to move out. We do not believe this sort of competition between the States is conducive to harmony and stability, or in the best interests of labor and management relations.

I believe there is a case for uniform policy. We would be delighted to make that case on the floor of the Senate if the Senator and those alined with him would let us get to the issue.

I appreciate the patience of the Senator in affording me the opportunity to make these observations. It is a view that I sincerely hold, and it is pertinent to the issue before us. I appreciate the willingness of the Senator to discuss it with me.

Mr. SPARKMAN. Mr. President, I appreciate the viewpoint of the Senator.

As I said earlier in my remarks, the Constitution prescribed certain limitations and certain areas in which the Federal Government should be supreme, and others in which the States should be supreme. There are some areas in which they overlap, and usually in those cases we have tried to lay them out by law.

I believe that the field we are now discussing belongs to the State, as never having been conceded to the Central Government, but whether it is or not, the law enacted by Congress on at least two different occasions and the law made by the Court in its decisions based upon the provisions principally in the Taft-Hartley Act have upheld these. It has said that they were functions of the legislature, and that they were things upon which the various States should speak their minds.

I do not believe the Federal Government ought to be changing that mind.

I am looking at a table. The Senator from Maine said something about industries from Maine being pulled into other areas because of the wage differential, I assume.

Mr. MUSKIE. Mr. President, will the Senator yield on that point?

Mr. SPARKMAN. I yield to the Senator from Maine.

Mr. MUSKIE. What is feared is the appeal that is directed at employers in States like Maine—and I believe this includes all New England States—that if they go to right-to-work States they will not face the prospect of strong union activity and strong union organization.

There is a fear that this is an appeal to many employers and management. From discussions which I have had with many employers it does have appeal.

I have not measured this statistically, but in many right-to-work States there are advertisements toward those States, holding this out as an advantage, if industries wish to locate in right-to-work States.

Appeal is being circulated and being aimed at industries in States that do not have right-to-work laws, with the hope and apparently some expectation that the appeal is a valid one and might produce results.

This kind of appeal directed to industries in New England and my State is of concern to the citizens of Maine.

I wish to ask a question of the Senator. I notice in the RECORD of yesterday at page 1955 the distinguished gentleman from Minnesota [Mr. MONDALE] inserted an advertisement that appeared in the Washington Post of January 25, 1966, signed by, I gather, several hundreds or thousands of citizens in his State, under this message:

WE BELIEVE WE HAVE A RIGHT TO A VOTE—A MESSAGE FROM THE PEOPLE OF MINNESOTA TO THE U.S. SENATE

We, the undersigned, citizens of Minnesota, employed in many different occupations, and living in different parts of the State, take this means to inform the honorable Members of the Senate of the United States, that we are deeply concerned about the delay last fall in legislative action in repealing section 14(b) of the Taft-Hartley Act, and we hereby declare our earnest hope that the repeal bill will be voted on in the new session of Congress at the earliest reasonable opportunity. We believe the Senate has a right to vote on the bill. We believe we have a right under our representative government to have that vote taken.

Does the Senator agree that that appeal is a reasonable request?

Mr. SPARKMAN. I shall not pass judgment on what other Senators may have decided as to their course of action. Let me answer the Senator's question by posing this question: I have now been speaking for about 1 hour and 30 minutes. I suppose that had it not been for our colloquy, I might have concluded my remarks by now. At any rate, I am delighted to have had the colloquy. Certainly, it will not take me more than 20 or 25 minutes to finish what I had expected to say. That will mean that I shall have spoken less than a total of 2 hours on this subject. As I have said, I fully intend that this speech shall be an explanation of my position on this subject.

Does the Senator from Maine believe that I am unreasonable in asking for an hour and a half to 2 hours to explain my position on a measure so important as this? I am not asking about any other Senator, either on this side or the other side of the aisle. But am I delaying the vote on this question by taking an hour and a half or so to explain my position?

Mr. MUSKIE. I would never describe the Senator from Alabama as unreasonable. But I suggest to the Senator that his eloquent and well reasoned argument in behalf of his position would be better timed if it were made after the Senate voted on the procedural motion to consider the bill.

Mr. SPARKMAN. Perhaps I fear that we shall not get to that point, so this may be my only opportunity to explain my position.

Mr. MUSKIE. That is why I asked the Senator whether he thought the request of the Minnesotans was a reasonable request.

Mr. SPARKMAN. I shall not answer that question. They are speaking from Minnesota. If they want to speak to the Senators from Minnesota, that is agreeable to me.

Mr. MUSKIE. The Senator from Alabama knows that that is not their request.

Mr. SPARKMAN. I have a duty to perform for the people of Alabama, the country, and the Senate. I feel that taking 1½ hours to explain my position on a measure so vital as this is only fulfilling my responsibility.

Mr. MUSKIE. I have already said that I do not believe that 1½ hours is unreasonable.

Mr. SPARKMAN. I shall not question the motives of any Senator for wanting to vote or not wanting to vote. I do not want it to be thought that by taking 1½ hours to explain my position on this question I am blocking a vote in the Senate or that I am unreasonably holding up the debate.

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

Mr. SPARKMAN. I yield.

Mr. MUSKIE. I have already said that I do not believe the Senator from Alabama is unreasonable in taking 1½ hours, or that he would be unreasonable, so far as I am concerned, in taking 15 hours.

Mr. SPARKMAN. But the Senator from Maine wants me to wait until a later date. I think that date might not come.

Mr. MUSKIE. No. I was about to say that even though I believe the Senator's speech would be better placed after the procedural motion, I would not quarrel with him if he made a long speech then, provided he would agree that at

some point we should reach a vote on the merits of the issue. That is the only reason why I directed this request to the Senator. I would not care, then, when he took his time or how much time he took.

When I direct that comment to the Senator, I direct it to every Senator. So far as I am concerned, every Senator can take 15 hours to explain his position on the merits, provided that at the end of that time there can be a vote.

I am merely asking whether, assuming that we have all the time needed—and I am willing to fight for all the time any Senator may desire to explain his position on the merits—the Senator from Alabama would agree at that point to support any action that might be necessary to bring the question to a vote.

Mr. SPARKMAN. We are dealing with speculative matters in that respect. There is no reason why I should pass on that question. I am certain there will be a vote in the Senate. How that vote will be taken, I do not know. Perhaps it will be on a motion to table.

Mr. MUSKIE. Does not the Senator believe the Senate ought to vote on the merits?

Mr. SPARKMAN. That is a matter of getting to it. We shall not get to the merits unless the bill is taken up.

Mr. MUSKIE. It will be easier to get to the merits if enough Senators believe we should vote on the merits.

Mr. SPARKMAN. Let us cross that bridge when we get to it.

Mr. MUSKIE. That is fine.

Mr. SPARKMAN. I thank the Senator from Maine.

Before the Senator from Maine leaves the Chamber—if he is about to leave—I invite his attention to some tables which were placed in the RECORD a few days ago by the Senator from Colorado [Mr. ALLOTT]. They appear at page 1550 of the RECORD of January 29. There, in a list of right-to-work States, are set forth the increased average weekly earnings of production workers and the rate of increase. It is a particularly telling story. That table and some other brief tables that accompany the list inspired me to say that I wish there were included one that showed the effect this increase had had on unions and on the labor movement. That would be interesting and quite helpful. There are a number of tables, but one relates to union activity.

I notice that the average weekly wage in my own State, over the past 10 years, increased from $57.42 to $91.91, or 60.1 percent. The national average during those 10 years was 44.3 percent.

The percentage of increase in right-to-work States was 46.8 percent, whereas the percentage in the other States was 42.8 percent.

Thus, so far as earnings and wage scales are concerned, it seems to me there can be little argument. It would be interesting to know what effect that increase had on unionization.

Mr. President, I was reading from the opinion of the Court in the cases handed down in 1949 involving right-to-work statutes in the States of Arizona, Nebraska, and North Carolina. I had stated that the Court said that in the past 50 years the total number of employed, counting salaried workers and self-employed workers, but not farmers or farm laborers, has not quite trebled, while the total union membership during that time had increased 33 times.

Of course, this is not a fair comparison, because the period covers 50 years; in other words, half a century. So that would not be a fair tabulation, because union membership started from such a low base. Nevertheless, the opinion states that whereas nonfarm laborers had increased by 3 times, the total union membership had increased 33 times.

I thought it would be interesting to see the increase that has occurred since that time in the working force as against the union membership. It would be very interesting to see a breakdown between the right-to-work law States and the other States.

I continue to quote from Justice Frankfurter:

At the time of the open-shop drive following the First World War, the ratio of organized to unorganized nonagricultural workers was about 1 to 9, and now it is almost 1 to 3. However necessitous may have been the circumstances of unionism in 1898 or even in 1923, its status in 1948 precludes constitutional condemnation of a legislative judgment, whatever we may think of it, the need of this type of regulation outweighs its detriments. It would be arbitrary for this Court to deny the States the right to experiment with such laws, especially in view of the fact that the Railroad Brotherhoods have held their own despite congressional prohibition of union security and in the light of the experience of countries advanced in industrial democracy, such as Great Britain and Sweden, where deeply rooted acceptance of the principles of collective bargaining is not reflected in uncompromising demands for contractually guaranteed security. Whether it is preferable in the public interest that trade unions should be subjected to State intervention or left to the free play of social forces, whether experience has disclosed "union unfair labor practices" and, if so, whether legislative correction is more appropriate than self-discipline and the pressure of public opinion—these are questions on which it is not for us to express views. The very limited function of this Court is discharged when we recognize that these issues are not so unrelated to the experience and feelings of the community as to render legislation addressing itself to them willfully destructive of cherished rights. For these are not matters, like censorship of the press or separation of church and State, on which history, through the Constitution, speaks so decisively as to forbid legislative experimentation.

But the policy which finds expression in the prohibition of union security agreements need not rest solely on a legislative conception of the public interest which includes but transcends the special claims of trade unions. The States are entitled to give weight to views combining opposition to the closed shop with long-range concern for the welfare of trade unions. Mr. Justice Brandeis, for example, before he came to this Court, had been a stanch promoter of unionism. In testifying before the Commission on Industrial Relations, he said:

"I should say to those employers who stand for the open shop, that they ought to recognize that it is for their interests as well as that of the community that unions should be powerful and responsible; that it is to their interests to build up the union; to aid as far as they can in making them stronger; and to create conditions under which the unions shall be led by the ablest and most experienced men."

Yet at the same time he believed that "The objections, legal, economical, and social, against the closed shop are so strong, and the ideas of the closed shop so antagonistic to the American spirit, that the insistence upon it has been a serious obstacle to union progress." Letter of September 6, 1910, to Lawrence F. Abbott of the Outlook. On another occasion he wrote, "But the American people should not, and will not, accept unionism if it involves the closed shop. They will not consent to the exchange of the tyranny of the employer for the tyranny of the employee." Letter of February 26, 1912, to Lincoln Steffens. In summing up his views on unionism, he said:

"It is not true that the success of a labor union necessarily means a perfect monopoly. The union, in order to attain or preserve for its members industrial liberty, must be strong and stable. It need not include every member of the trade. Indeed, it is desirable for both the employer and the union that it should not. Absolute power leads to excesses and to weakness: Neither our character nor our intelligence can long bear the strain of unrestricted power. The union attains success when it reaches the ideal condition, and the ideal condition for a union is to be strong and stable, and yet to have in the trade outside its own ranks an appreciable number of men who are nonunionists. In any free community the diversity of character, of beliefs, of taste—indeed mere selfishness—will insure such a supply, if the enjoyment of this privilege of individualism is protected by law. Such a nucleus of unorganized labor will check oppression by the union as the union checks oppression by the employer." Quoted from Louis D. Brandeis' contribution to a discussion, entitled "Peace With Liberty and Justice," in 2 Nat. Civic Federation Rev. No. 2, pages 1, 16 (May 15, 1905).

Mr. Brandeis on the long view deemed the preferential shop a more reliable form of security both for unions and for society than the closed shop; that he did so only serves to prove that these are pragmatic issues not appropriate for dogmatic solution.

Whatever one may think of Mr. Brandeis' views, they have been reinforced by the adoption of laws insuring against that undercutting of union standards which was one of the most serious effects of a dissident minority in a union shop. Under interpretations of the National Labor Relations Act undisturbed by the Taft-Hartley Act, and of the Railway Labor Act, the bargaining representative designated by a majority of employees has exclusive power to deal with the employer on matters of wages and working conditions. Individual contracts, whether on more or less favorable terms than those obtained by the union, are barred. *J. I. Case Co.* v. *National Labor Relations Bd.*, 321 U.S. 332, 88 L. Ed. 762, 64 S. Ct. 576; *Order of R. Telegraphers* v. *Railway Exp. Agency*, 321 U.S. 342, 88 L. Ed. 788, 64 S. Ct. 582; *Medo Photo Supply Corp.* v. *National Labor Relations Bd.* 321 U.S. 678, 88 L. Ed. 1007, 64 S. Ct. 830; see *Elgin, J. & E. R. Co.* v. *Burley*, 325 U.S. 711, 737, note 35, 89 L. Ed. 1886, 1902, 65 S. Ct. 1282. Under these laws, a nonunion bidder for a job in a union shop cannot, if he would, undercut the union standards.

Even where the social undesirability of a law may be convincingly urged, invalidation of the law by a court debilitates popular democratic government. Most laws dealing with economic and social problems are matters of trial and error. That which before trial appears to be demonstrably bad may belie prophecy in actual operation. It may not prove good, but it may prove innocuous. But even if a law is found wanting on trial, it is better than its defects should be demonstrated and removed than that the law should

be aborted by judicial fiat. Such an assertion of judicial power deflects responsibility from those on whom in a democratic society it ultimately rests—the people. If the proponents of union-security agreements have confidence in the arguments addressed to the Court in their "economic brief," they should address those arguments to the electorate. Its endorsement would be a vindication that the mandate of this Court could never give.

I invite the attention of the Senator from Maine to that last brief sentence reading:

If the proponents of union-security agreements have confidence in the arguments addressed to the Court in their economic brief, they should address those arguments to the electorate. Its endorsement would be a vindication that the mandate of this Court could never give.

That is from the Supreme Court of the United States, written by one of the most liberal judges, and, I suppose, one of the most forward-thinking judges we have had. He came from the Senator's section of the country—Justice Frankfurter.

Now, before the Senator breaks in——

Mr. MUSKIE. Will the Senator yield?

Mr. SPARKMAN. I wish to make a statement. The Senator is going to say that action by the U.S. Congress would be action of the electorate. However, I say that it was intended, and has been said, that each law enacted by Congress is something that belongs to the States. Therefore, when he speaks of the electorate, he really speaks of the electorate of the States. The Court does not say that. I am saying it.

Mr. MUSKIE. If the Senator and his colleagues have confidence in the merits of the argument they are advancing, they should let the Senate vote on it.

Mr. SPARKMAN. The voting should be done in the State legislatures. If it seems desirable to repeal a right-to-work law, let the State that enacted it into law repeal it.

Mr. MUSKIE. But the States cannot vote on the proposal sought to be brought before us.

Mr. SPARKMAN. They cannot vote on this, but they can vote——

Mr. MUSKIE. If the Senator has confidence in the merits of his argument, he should let the Senate vote on it.

Mr. SPARKMAN. That is the end of that quotation from the decision of the Supreme Court of the United States in 1949, passing on the constitutionality of the right-to-work laws in three States: North Carolina, Arizona, and Nebraska.

I quote another extract from the same decision, as follows:

But there is reason for judicial restraint in matters of policy deeper than the value of experiment: it is founded on a recognition of the gulf of difference between sustaining and nullifying legislation. This difference is theoretical in that the function of legislating is for legislatures who have also taken oaths to support the Constitution, while the function of courts, when legislation is challenged, is merely to make sure that the legislature has exercised an allowable judgment, and not to exercise their own judgment, whether a policy is within or without the vague contours of due process. Theory is reinforced by the notorious fact that lawyers predominate in American legislatures. In practice also the difference is wide. In the day-to-day working of our democracy it is vital that the power of the nondemocratic organ of our Government be exercised with rigorous self-restraint. Because the powers exercised by this Court are inherently oligarchic, Jefferson all of his life thought of the Court as an irresponsible body and independent of the Nation itself. The Court is not saved from being oligarchic because it professes to act in the service of humane ends. As history amply proves, the judiciary is prone to misconceive the public good by confounding private notions with constitutional requirements, and such misconceptions are not subject to legitimate displacement by the will of the people except at too slow a pace. Judges appointed for life whose decisions run counter to prevailing opinion cannot be voted out of office and supplanted by men of views more consonant with it. They are even further removed from democratic pressures by the fact that their deliberations are in secret and remain beyond disclosure either by periodic reports or by such a modern device for securing responsibility to the electorate as the press conference. But a democracy need not rely on the courts to save it from its own unwisdom. It is alert—and without alertness by the people there can be no enduring democracy—unwise or unfair legislation can readily be removed from the statute books. It is by such vigilance over its representatives that democracy proves itself.

Our right to pass on the validity of legislation is now too much part of our constitutional system to be brought into question. But the implications of that right and the conditions for its exercise must constantly be kept in mind and vigorously observed. Because the Court is without power to shape measures for dealing with the problems of society but has merely the power of negation over measures shaped by others, the indispensable judicial requisite is intellectual humility, and such humility presupposes complete disinterestedness. And so, in the end, it is right that the Court should be indifferent to public temper and popular wishes. Mr. Dooley's "th' Supreme Coort follows th' iliction returns" expressed the wit of cynicism, not the demand of principle. A court which yields to the popular will thereby licenses itself to practice despotism, for there can be no assurance that it will not on another occasion indulge its own will. Courts can fulfill their responsibility in a democratic society only to the extent that they succeed in shaping their judgments by rational standards, and rational standards are both impersonal and communicable. Matters of policy, however, are by definition matters which demand the resolution of conflicts of value, and the elements of conflicting values are largely imponderable. Assessment of their competing worth involves differences of feeling; it is also an exercise in prophecy. Obviously the proper forum for mediating a clash of feelings and rendering a prophetic judgment is the body chosen for those purposes by the people. Its functions can be assumed by this Court only in disregard of the historic limits of the Constitution.

Speaking as a member of the Court, Justice Hugo Black had this to say:

It is also argued that the State laws do not provide protection for union members equal to that provided for nonunion members. But in identical language these State laws forbid employers to discriminate against union and nonunion members.

That is something for us to remember. I have not read all the right-to-work laws, but I am familiar with the one in my own State of Alabama; and it is just as strong in its prohibition against discriminating against union members as against nonunion members.

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

Mr. SPARKMAN. I yield.

Mr. ROBERTSON. I call attention to the fact that the Virginia law is the same. I believe I have seen summaries of all of the 19 laws. It is my recollection that they all give equal protection to those who wish to join a union and those who do not wish to join a union.

Mr. SPARKMAN. That is correct, I am sure, all the way down the line.

The Supreme Court here says—remember, dealing with cases involving three States—"Nebraska and North Carolina thus command equal opportunities for both groups of workers."

I do not know what happened to the third case they were dealing with; but the Court points out that two of them do.

Much of appellants' (the unions') argument here seeks to establish that due process of law is denied employees and union men by that part of these State laws that forbid them to make contracts with the employer obligating him to refuse to hire or retain nonunion workers. But that part of these laws does no more than provide a method to aid enforcement of the heart of the laws; namely, their command that employers must not discriminate against either union or nonunion members because they are such.

I believe he is hitting at the very heart of the matter. This is by another liberal member of the Supreme Court, Justice Hugo Black. This was in 1949, when the right-to-work law enactments were rather fresh. The oldest was only 5 years old at the time.

If the States have constitutional power to ban such discrimination by law, they also have power to ban contracts which if performed bring about the prohibited discrimination.

* * * * *

There cannot be wrung from a constitutional right of workers to assemble to discuss improvement of their own working standards, a further constitutional right to drive from remunerative employment all other persons who will not or cannot participate in union assemblies. The constitutional right of workers to assemble, to discuss and formulate plans for furthering their own self-interest in jobs cannot be construed as a constitutional guarantee that none shall get and hold jobs except those who will join in the assembly or will agree to abide by the assembly's plans.

* * * * *

Claiming that the Federal Constitution itself affords protection for union members against discrimination, they (the unions) nevertheless assert that the same Constitution forbids a State from providing the same protection for nonunion members. Just as we have held that the due process clause erects no obstacle to block legislative protection for union members, we now hold that legislative protection can be afforded nonunion workers.

* * * * *

Precisely what these State laws do is to forbid employers acting alone or in concert with labor organizations deliberately to restrict employment to none but union members.

* * * * *

We deem it unnecessary to elaborate the numerous reasons for our rejection of this contention of appellants (the unions). Nor need we appraise or analyze with particularity the rather startling ideas suggested to support some of the premises on which appellants' conclusions rest.

I have read rather at length from this decision because it is, so far as I know, the first decision made based on right-to-work laws—and there are three of them in the group. It was as I stated, in 1949, when the first right-to-work law was only 5 years old—when most of them were only 1 year old. I believe that the law in my State was only 1 year old.

Mr. ROBERTSON. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I am glad to yield to the Senator from Virginia.

Mr. ROBERTSON. There can be no question about the fact that State right-to-work laws are constitutional. What I shall discuss, when I follow the Senator from Alabama, will be the unconstitutionality of the pending proposal to repeal State right-to-work laws.

Mr. SPARKMAN. Let me say to the Senator from Virginia that in my presentation I have tried to show not only that the right-to-work laws are constitutional, but that they are inherently constitutional. I believe that the Court says so, and that it is a matter for the States to decide for themselves, and when they decide it, it was up to the people of that State if they wish to repeal the law to appeal to their State legislatures.

Mr. ROBERTSON. Will the Senator from Alabama yield further?

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Does the Senator from Alabama yield to the Senator from Virginia?

Mr. SPARKMAN. I yield.

Mr. ROBERTSON. We must bear in mind that the pending bill involves freedom of political action, freedom of speech, and freedom of association.

Freedom of speech is granted in the first amendment. But if we join a union, we do not dare to criticize that union or we shall be fined; therefore we lose our freedom. That is a violation of the first amendment.

Freedom of association is in the 5th amendment and also in the 14th amendment. The right to work is in the due process provisions of both the 5th and 14th amendments.

Then we have the freedom of association or political action, which is in the ninth amendment.

Therefore we are sworn to uphold the Constitution when we are asked to vote for a bill which violates the Constitution in four specific respects. We read in a national poll, taken by one of those who poll sentiment, that only 14 percent of the people wish repeal of section 14(b), and a majority of labor union members themselves do not wish it.

Mr. SPARKMAN. I am glad the Senator brought up those points. I have referred to some statistics which have been placed in the RECORD, and I am sure that the Senator from Virginia has seen them, concerning increases in the right-to-work States and non-right-to-work States. By the way, should anyone wish to look at them, they are on page 1550 of the CONGRESSIONAL RECORD for January 29. I stated that they were helpful and interesting, and I suggested that it would be of value if statistics could be made available to show the increase in unionism.

The claim has been made that right-to-work laws prevent unionism from growing, and I should therefore like to see some figures as to the percentage increase of unionism in States having right-to-work laws and States not having right-to-work laws. I believe we might be in for a surprise. The rate of increase in wages is decidedly higher in right-to-work States than it is in non-right-to-work States. That is shown in the tables printed in the RECORD. By the way, each State is shown with its increase.

Mr. ROBERTSON. If the Senator from Alabama will yield at that point, there is not a single State that does not have a right-to-work law that has less unemployment at the present time than the State of Virginia. I believe it is approximately 2 percent. The national average is 4½ percent.

Mr. STENNIS. Mr. President, will the Senator from Alabama yield at that point?

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). Does the Senator from Alabama yield to the Senator from Mississippi?

Mr. SPARKMAN. I am glad to yield to the Senator from Mississippi.

Mr. STENNIS. I commend the Senator from Alabama for a forceful and fair presentation of his position in opposition to repeal of section 14(b). The Senator speaks with a fine knowledge of the subject but, more than that, he speaks with a knowledge and understanding of the problems of the so-called workingman, the man who ordinarily belongs to a union. He also knows the problems of those who do not belong to a union. I feel that the Senator from Alabama is unusually well qualified to speak on the subject, not only from a legal standpoint, but also because he is highly qualified to speak on the subject from the standpoint of humanitarian interest and an understanding of the problems of the people who work from day to day.

The Senator from Alabama has made a fine exposition, too, of the principle of the rights of States, and that the people of the various States, through their legislatures, pass upon this very question. The Senator and I both come from a State where that prerogative has been exercised. In my State, the people have passed on this issue by an overwhelming vote in favor of a constitutional amendment that would place that principle in the basic law.

I notice that the Senator from Alabama cited a case which I have also read with profound interest, and to which I shall refer when I have an opportunity to discuss this issue. It refers to the reasoning of that fine jurist, Justice Frankfurter, who writes with approval and irresistible logic. Not only is it good logic, but his sound principles of jurisprudence shine like a new dime, if I may use that expression.

I am very glad that the Senator from Alabama brought that case to the attention of the Senate.

Mr. SPARKMAN. I thank the Senator from Mississippi for his comments.

Mr. STENNIS. Let me once again not only thank the Senator for his excellent remarks but commend him also for presenting them in the finest traditions of the Senate, and as I said before, from a humanitarian standpoint.

Mr. ROBERTSON. Mr. President, will the Senator from Alabama yield to me for a moment?

Mr. SPARKMAN. I am glad to yield to the Senator from Virginia.

Mr. ROBERTSON. I join my distinguished colleague the Senator from Mississippi [Mr. STENNIS] in commending the excellent statement that the Senator from Alabama is making. I invite attention to the fact that we are desk mates, and that we both came to the Senate in 1946. We have been here now for 20 years. I can say without fear of successful contradiction that during this entire period the junior Senator from Alabama has proved that he has been a friend of the working man. I believe that in his hometown of Huntsville, 90 percent of the workers there belong to unions. I ask the Senator if that would not be a fair estimate of the situation in his hometown. It is certainly overwhelming.

Mr. SPARKMAN. Let me just say this: I am basically a union man. I have labored in different industries myself, although I was never the member of a union merely because there was no union to join in my category. Therefore, I know both sides of the question. I advocate the cause of labor. I know what it has amounted to and what it has done for the workingman of this country throughout the years. I said something about it in the early part of my speech, what labor's contribution has been; but, I believe that we should reason these things as Justice Frankfurter has reasoned them.

By the way, let me say, in response to the kind remarks of the Senator from Mississippi, that one thing I like about his statement was that he started right off by declaring that the decision should not rest upon such factors. In effect, that is what he said.

I could not help but think about some of the other cases that were decided on the basis of social factors; but after reviewing some of the social events and some of the economic factors involved in this broad question, he went into the question. I think he did an excellent job. That is why I read as extensively as I did the opinion of Mr. Justice Frankfurter, as well as that of Mr. Justice Black.

Mr. ROBERTSON. Mr. President, I wish to conclude by saying that my colleague for 20 years has proved he is a friend of the workingman. Serving as senior member of the Senate Committee on Banking and Currency, he has worked for small loans for the small man. He has helped the small man obtain better homes. He has worked for urban renewal to eliminate slums. When he stands on this floor and advocates the continuation of the right-to-work laws of the States, he is pursuing this fundamental, democratic principle of equality of treatment without special privileges.

When an employer required that a worker not join a union, he was said to have entered a "yellow dog" contract. And now the unions turn around and want to impose the same kind of "yellow dog" contract on those who do not want to join unions.

So my friend is consistent. He has supported the rights and privileges of the workingman, of the man who has to make his living with his hands.

Incidentally, it is a matter of public record that there were no Federal student loans when the Senator from Alabama was a student at the great school of Alabama. In those days the dormitories were heated with steam generated by burning coal. He shoveled a little of it to pay his way through college. He was not raised with a silver spoon in his mouth, but with a coal shovel in his hands. So he knows the problems of the workingman and is sympathetic with them. We hail his fine record in the Senate.

Mr. SPARKMAN. I thank the Senator.

In conclusion, Mr. President, in the long conflict between the States and the Federal Government over the question of labor-management relations, one great freedom has stood up against every assault—the State's authority to decide for itself whether it shall have a right-to-work law. I believe the States are entitled to this authority. I believe that the people within the sovereign States wish to have this authority and, for this reason, I oppose repeal of section 14(b) of the Taft-Hartley Act.

Mr. President, I surrender the floor.

PRESIDENT JOHNSON DESIRES ENLARGEMENT OF THE PEACE CORPS

During the delivery of Mr. SPARKMAN'S speech,

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

Mr. SPARKMAN. Mr. President, I ask unanimous consent that I may yield to the Senator from Washington without losing any of my rights to the floor.

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

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have my remarks appear in the RECORD following the remarks of the Senator from Alabama.

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

Mr. MAGNUSON. Mr. President, it was President John Kennedy who, in 1960, first advanced the idea of a new government agency manned by young Americans and dedicated to international service in the cause of peace. That idea became the Peace Corps—the most striking new development in foreign policy in the recent history of this Nation. In 5 years, the Peace Corps has become a strong, worthwhile, and universally respected arm of our diplomatic effort.

Today the Peace Corps has come to the end of its infancy. And in tribute to its maturity, another President has advanced another new idea—an idea which gives a new dimension to the Peace Corps and which can enrich the lives of all Americans.

In the international health and education message, the President outlines three major new roles for the Peace Corps:

He proposes an exchange Peace Corps through which foreign volunteers will assist our communities, teach in our schools, and give our citizens a new awareness of the world.

He suggests a Peace Corps school-to-school program through which American students will help to build foreign schools, and through which thousands of American students will gain a deeper concern for their fellow men.

Finally, the President recommends that the Peace Corps, through the International Health Act of 1966, be enabled "to recruit and provide more volunteers for service in the health manpower programs of the developing nations."

The Peace Corps, as it moves into a new era with a new leader, has proven itself worthy to shoulder new and expanded responsibilities. In his wise and hopeful message on international health and education, the President has recognized this fact. I commend him for it, and I endorse willingly the program his message promises.

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.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

[No. 27 Leg.]

Allott	Gore	Pearson
Anderson	Jackson	Pell
Bartlett	Javits	Proxmire
Bass	Jordan, N.C.	Randolph
Bayh	Jordan, Idaho	Robertson
Bible	Lausche	Smith
Brewster	Mansfield	Sparkman
Byrd, Va.	McGee	Stennis
Clark	McGovern	Thurmond
Dominick	Moss	Young, Ohio
Douglas	Pastore	

The PRESIDING OFFICER. A quorum is not present.

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

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

The motion was agreed to.

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

After a little delay, the following Senators entered the Chamber and answered to their names:

Aiken	Dirksen	Hickenlooper
Bennett	Dodd	Hill
Boggs	Ellender	Holland
Byrd, W. Va.	Ervin	Hruska
Cannon	Fannin	Inouye
Carlson	Fong	Kennedy, Mass.
Case	Fulbright	Kennedy, N.Y.
Church	Harris	Kuchel
Cooper	Hart	Long, La.
Cotton	Hartke	Magnuson
Curtis	Hayden	McCarthy
McIntyre	Mundt	Scott
McNamara	Murphy	Simpson
Metcalf	Muskie	Symington
Miller	Prouty	Tydings
Mondale	Ribicoff	Williams, Del.
Montoya	Russell, S.C.	Yarborough
Morse	Russell, Ga.	
Morton	Saltonstall	

The PRESIDING OFFICER (Mr. MONDALE in the chair). A quorum is present.

Mr. ROBERTSON. Mr. President, last Thursday, I said that we should drop the present useless debate on a bill to repeal section 14(b) and turn our attention to more practical and vital matters because the public did not favor the pending bill and there was no chance in the world that the leadership could secure enough votes in the Senate to impose cloture. The later view has since been reenforced by a check among those who voted against cloture last year, which indicates beyond any shadow of a doubt that the leadership does not have now, and will not at any time during this session, have enough votes to impose cloture.

My statement that the public does not favor this bill has been further reenforced by a recent poll taken by the Opinion Research Corp. of Princeton, N.J. So far as public polls go, that organization is one of the fairest and one of the best. On the basis of a national poll that organization recently reported that only 14 percent of the people of this Nation favored the pending bill and that 64 percent are opposed to it. It also reports what to me was a rather surprising fact; namely, that a majority of union members themselves favor retention of 14(b). That vote was 44 percent for retention versus 36 percent for repeal. So who is left who is favoring repeal? Only a few labor leaders who either think that it is a propitious time to strengthen their power or else who think that as a matter of principle they should sponsor a law which would deny gainful employment to any American citizen who refused to join a union and pay union dues and accept union domination as a price for getting a job.

One reason many union men do not favor the repeal of section 14(b) is they do not want Negroes forced into their unions.

For months the forces of organized labor vociferously argued for immediate passage of the administration's Voting Rights Act of 1965.[1] So incessant was labor's demand for legislation to enfranchise thousands of new voters—literate and illiterate alike—that certain constitutional problems were completely disregarded. These constitutional problems, incidentally, were admitted by none other than the administration's chief lawyer, the Attorney General of the United States.[2]

The deep concern expressed by labor over the Negro's right to vote is conspicuously absent, however, when the issue involves the Negro's right to work.

In pressing for immediate repeal of section 14(b) of the Taft-Hartley Act of 1947, as amended,[3] labor disregards com-

See footnotes on pages 2053–4.

pletely the finding of the U.S. Civil Rights Commission which reported:

Racial discrimination by labor organizations is manifested in different ways by the construction craft unions and by the industrial unions. Craft unions, when they discriminate against Negroes, do so primarily by membership restrictions or other internal practices. Because the construction craft unions so often control hiring and admission to apprenticeship programs, denial of membership may well be tantamount to a foreclosure of the Negro worker's opportunity for a job or for training.

In the industrial unions, on the other hand, membership is usually readily available to Negroes. Moreover the industrial unions do not generally control the hiring process or admission to apprenticeship training. To the extent that industrial unions discriminate against Negroes, they do so through external (rather than internal) practices—in the collective bargaining process. This does not affect so much the Negro's basic opportunity to obtain employment as the terms and conditions under which he works.

In general it seems clear that the racial attitudes of the unions in industrial plants are better than those of the construction craft unions. Nevertheless in some instances industrial unions have become parties to agreements and practices that prevent Negro workers from achieving equal opportunity in employment.[4]

The Negro's plight, should section 14(b) be repealed, is made manifestly clear by the further statements of the Civil Rights Commission:

Neither of the acts that regulate relations between employers and unions—the LMRA and the RLA—was designed to provide relief from racial discrimination.[5]

And—

Although Federal law provides that a worker shall not be denied initial employment because of his inability to join a union, lack of union membership does limit employment opportunities [in a non-right-to-work State].[6]

As Victor Riesel, the noted labor analyst, reported in a recent column entitled "Inside Labor—Discrimination in the Crafts":

Right now, there's little the Government can do with the unions but argue with them.[7]

In 1964, Congress attempted to protect the Negro employee from union discrimination by enacting title VII of the Civil Rights Act of 1964.

Section 703(c)(1) provides:

It shall be an unlawful employment practice for a labor organization—

(1) To exclude or to expel from its membership or otherwise to discriminate against any individual because of his race, religion, sex, or national origin.

Despite this strong language, however, a conflict has developed which promises to emasculate title VII.

The conflict is described by the Bureau of National Affairs Fair Employment Practices Reporter as follows:

EEOC has agreed to notify AFL–CIO's Civil Rights Department when complaints are filed against affiliated unions and to do the same for the construction industry joint conference with respect to complaints against affiliated unions or contractors.

The agreements call for notice to the parent bodies at about the same time the affiliate organization is served a complaint alleging racial or other discrimination under title VII. The idea, EEOC says, is to enlist the aid of the parent organizations in conciliating disputes. In States where EEOC is required to defer to State or local FEP agencies, the notice to the department or CIJC wouldn't be given until EEOC is free to assert jurisdiction. However, EEOC has written to State and local agencies urging them to enter into similar agreements.

Criticism of the agreements comes from two State FEP agencies and at least one civil rights group. The New York State Commission for Human Rights and the Kansas Commission are reported taking the position that such agreements would contravene requirements that complaints be kept confidential and not be turned over to third parties.

Mr. Herbert Hill, of the NAACP, after referring to the long history of discrimination in the building trades unions and in the construction industry in general, asserts that the result of the agreements is that "the discriminators will be investigating themselves" and the EEOC will relinquish its powers.

Even should Mr. Hill's prediction prove erroneous, the Negro employee can look forward to long months—and perhaps years—of litigation before his rights under title VII are conclusively adjudicated.

In the meantime, discrimination continues.

On April 13, 1965, Dr. Kenneth B. Clark, director of City College of New York's Social Dynamics Institute, denounced an entrance examination given by local No. 28 of the Sheet Metal Workers International Association as unfair to Negro applicants taking the tests. The New York Times reported Clark as saying:

The test could be reasonably interpreted as a continuation of a discriminatory policy by the union.

More recently, the Labor Department has asked the Justice Department to bring proceedings against the St. Louis AFL–CIO Building Trades Council for interference with a contractor's efforts to comply with the law on racial hiring.

A news story appearing in the Wall Street Journal on January 24, 1966, reports that unions of the Building Trades Council have refused to work on the St. Louis arch project because employees of E. Smith Plumbing Co. are "Negroes and are members of a union not affiliated with the AFL–CIO."

Such discrimination is commonplace.

If section 14(b) is repealed, the Negro employee, by act of the unions, can reasonably expect to be deprived of his right to earn a livelihood, especially now that a conflict has arisen over title VII of the Civil Rights Act of 1964.

The Labor Management Relations Act permits union membership to be a condition of continued employment under certain specified conditions, and one proviso which affords some minimum degree of protection to minority employees states that an employer may not discharge an employee under a union shop agreement "if he has reasonable grounds for believing that such membership was not available to the employee on the same terms and conditions generally applicable to other members." 29 U.S.C., sec. 158(a)3(A).)

The employer often runs into difficulty, however, in determining why a certain employee has been denied union membership, and must ultimately accept the reason given by the union, especially since all records concerning a denial of membership are exclusively within the hands of the union.

Membership hostility, coupled with an inability of an employer to get the true facts as to membership denial, renders highly suspect the effectiveness of section 158(a)3(A).

At common law, the labor union had the inherent power to arbitrarily exclude from membership any would-be member, for any reason it so desired.[8]

In the absence of legislation to the contrary, the courts have refused to compel a union to admit a qualified applicant to membership.[9]

As we have seen, the effectiveness of recent Federal legislation to compel a union to admit a qualified Negro applicant remains undemonstrated.[10]

Only in the 19 States having right-to-work statutes is the Negro worker free from agreements and practices entered into between unions and employers to prevent him from achieving equal opportunity in employment.

Consider again the Civil Rights Commission's statement:

Denial of membership may well be tantamount to a foreclosure of the Negro worker's opportunity for a job.

Add to this the nonexistence of Federal legislation to compel a union to admit to its rolls qualified Negro applicants as members.

Can organized labor really want the Negro to have the right to vote, when it is more than ready to repeal Federal legislation that protects the Negro's right to work from admitted union discrimination?

The reader may draw his own conclusions.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a list of footnotes relating to the foregoing part of my speech.

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

FOOTNOTES

[1] Public Law 89–110.

[2] "Katzenbach has opposed inclusion of a ban on poll taxes in the voting rights bill because he believed it would raise a difficult constitutional question." Richmond Times-Dispatch, April 8, 1965.

See also the AP story of April 8, 1965, in which Republican Senator EVERETT DIRKSEN, a proponent of the legislation, expressed concern from both a constitutional and a political standpoint, on the wisdom of the amended legislation.

[3] Section 14(b) permits the States to enact right-to-work laws which prohibit an employer from discriminating against a would-be employee because of membership or nonmembership in a labor union.

[4] Employment, vol. 3, 1961 U.S. Commission on Civil Rights Report.

[5] Id., at 143.

[6] Id., at 151.

[7] Reprinted in the CONGRESSIONAL RECORD, March 17, 1965, A1235.

[8] *Mayer* v. *Journeyman Stone-Cutters' Assoc.*, 47 N.J. Eq. 519, 20 A. 492; *Greenwood* v. *Bldg. Trades Council*, 71 Cal. App. 159,

233 P. 823; *Murphy* v. *Higgins*, (N.Y.S.Ct. 1939) 12 N.Y.S. 2d 913.

[9] *Williams* v. *Quill*, 277 N.Y. 1, 12 N.E. 2d 547; *Miller* v. *Ruehl*, 166 Misc. 479, 2 N.Y.S. 2d 394; *Murphy* v. *Higgins*, *supra*, note 8; and *Kemp* v. *Division No. 241*, 255 Ill. 213, 99 N.E. 389.

[10] Although opponents of 14(b) rely upon the Supreme Court decision in *Steele* v. *L. & N.R. Co.*, 323 U.S. 192, as providing adequate protection to the Negro to be free from racial discrimination in employment, Steele falls far short of offering such protection. Steele holds only that a union, acting as a collective bargaining agent under Federal law (RLA), has a duty to exercise fairly its bargaining power. Even the Civil Rights Commission has recognized the inherent weakness in Steele and has stated: "Both as a practical and legal matter, Board [NLRB] certification is not always necessary for a union to obtain employer recognition as the exclusive bargaining representative. Many economically strong unions, particularly those in the building and construction crafts, are able to establish themselves as exclusive collective-bargaining representatives without petitioning for Board certification." Footnote 4, at 145–6.

In the same vein, the Civil Rights Commission, in discounting the protection afforded the Negro by Steele, further stated: "In sum the Steele doctrine of 'fair representation' requires that a union in discharging its representational functions do so fairly. To date only the courts have effectively acted to insure fair representation. The NLRB has not actively used the doctrine to protect the rights of minorities." Footnote 4, at 146.

Mr. ROBERTSON. I further ask unanimous consent to have printed in the RECORD the article entitled "St. Louis Union Group Accused of Interfering With Race Hiring Law," from the January 24 issue of the Wall Street Journal, to which I have referred.

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

ST. LOUIS UNION GROUP ACCUSED OF INTERFERING WITH RACE HIRING LAW—LABOR AGENCY REQUESTS ACTION AGAINST THE AREA'S BUILDING TRADES COUNCIL OF AFL–CIO

WASHINGTON.—The Labor Department asked for proceedings against the St. Louis AFL–CIO Building Trades Council for what the Department called interference with a contractor's efforts to comply with the law on racial hiring.

In the first such move against a labor organization, the Labor Department asked the Justice Department to take appropriate action under title 6 and title 7 of the 1964 Civil Rights Act.

In a letter to Attorney General Katzenbach, Edward C. Sylvester, Jr., director of the Office of Federal Contract Compliance, charged that unions of the building trades council have refused to work on the St. Louis arch project.

He said the council members had objected to employees of E. Smith Plumbing Co., who are "Negroes and are members of a union not affiliated with the AFL–CIO."

Mr. Sylvester said the refusal of the building trades council members to work with the Smith employees has brought the project to a standstill.

Approximately $500 million in Federal funds are involved in construction projects in the St. Louis area. Two weeks ago, Mr. Sylvester asked Federal agencies to determine whether contractors and subcontractors in the St. Louis area were complying with the equal employment clause.

The subcontract to Smith was let by the general contractor, Hoel-Steffen Construction Co., Mr. Sylvester said.

The Executive order issued by President Johnson in connection with the 1964 Civil Rights Act requires the Secretary of Labor to refer to the Justice Department any practice of a labor union that might violate the 1964 law.

Mr. ROBERTSON. Mr. President, I wish to discuss the constitutional aspects of this question. Senator EASTLAND, of Mississippi, presented persuasive arguments last Saturday that the pending bill violates the ninth amendment.

I also believe it violates four precious principles of personal freedom, which are either specifically incorporated in the Constitution, or included by necessary implication. These principles are the right to work, freedom of association, freedom of speech, and the right to the free exercise of political activity.

These four rights are not only enshrined in the Constitution of the United States, but they are proclaimed in the Universal Declaration of Human Rights of the United Nations.

RIGHT-TO-WORK LAWS PROTECT FUNDAMENTAL AND VITAL FREEDOMS

Before we pass legislation here in Congress that would strike down the right-to-work laws and that would preclude additional States from passing such laws in the future we should at least consider the nature of these laws, as well as the nature of the Federal union shop statute which under H.R. 77 would preempt the field so as to extend compulsory union membership through every part of this land. Only in this way may we determine whether this is a wise proposal, and only in this way can we determine whether the committee report is correct in saying that H.R. 77 is a measure that comports with constitutional requirements.

The core of the typical right-to-work statute consists of three simple provisions: First, that the right to work shall not be denied by reason either of membership or nonmembership in a union; second, that any agreement or understanding which conditions the right to work on membership or nonmembership in a labor union is illegal and void; and, third, that no forced payments to a labor union shall be made a condition of employment. As we shall see, these statutes have been upheld as constitutional.

INTERPRETATION OF MEMBERSHIP REQUIREMENTS OF UNION SHOP CLAUSE OF NATIONAL LABOR RELATIONS ACT

The bill before us, H.R. 77, has as its purpose the complete preemption of the field by making effective throughout the United States the present Federal rule permitting the union shop. To accomplish this purpose, it would not only repeal section 14(b) of the National Labor Relations Act, which expressly recognizes the right of the States to prohibit compulsory union membership, but would also amend section 8(a)(3) of that act to provide that nothing in any constitution or law in any State or political subdivision thereof shall interfere with the union shop.

What is this Federal union shop rule that we are asked to apply throughout the United States? Its statutory basis is found in two provisos to section 8(a)(3) of the National Labor Relations Act. The essential parts of those two provisos today read as follows:

SEC. 8(a). It shall be unfair labor practice for an employer

* * * * *

(3) by discrimination in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization: *Provided*, That nothing in this Act, or in any other statute of the United States, shall preclude an employer from making an agreement with a labor organization * * * to require as a condition of employment membership therein * * * *Provided further*, That no employer shall justify any discrimination against an employee for nonmembership in a labor organization (A) if he has reasonable grounds for believing that such membership was not available to the employee on the same terms and conditions generally applicable to other members, or (B) if he has reasonable grounds for believing that membership was denied or terminated for reasons other than the failure of the employee to tender the periodic dues and the initiation fees uniformly required as a condition of acquiring or retaining membership.

The first proviso makes the flat statement that it permits "an agreement with the labor organization to require as a condition of employment membership therein." The scope and extent of the membership is not defined nor is its nature described except that it is plainly stated that the membership is to be required as a condition of employment, which is another way of saying that it is compulsory unless the worker elects to submit to the hardly pleasant alternative of being deprived of his employment.

The second proviso to section 8(a)(3) specifies two conditions which must be observed by the employer before he can discharge an employee for nonmembership in the organization. The first condition is that the employee cannot be discharged for nonmembership if he has been denied membership in a way that discriminates against him. The second condition is that if he has reasonable grounds for believing that membership was denied or terminated for reasons other than the failure of the employee to tender the periodic dues and initiation fees.

The first of these conditions named in the second proviso relates entirely to protection of an employee from discharge in the event he is discriminately denied membership in the union. It has no reference to the protection of the employee after he has become a member of the union or to the nature or extent of the obligations that may be imposed upon him by the union.

Except for Negroes, the second condition to the requirement of compulsory union membership is therefore the most important one for the union members. It is the only one of the two conditions that are applicable to the worker who is already a member of the union and who is required by the union shop agreement to remain a member. It is likewise the only one of any significance to the worker who is brought into the union by virtue of the compulsory provisions of the agreement. This second condition

by its literal term specifies that there shall be only one ground for discharge for nonmembership in the union; namely, failure of the employee to tender payment of dues and initiation fees. But it does not by any express language attempt to define membership, or to say what are the duties and obligations of membership. Ordinarily, it might be supposed that these are things that are governed by the constitution, bylaws, and regulations as well as the custom and practice of the organization, and many people have taken this position, even though they are forced to recognize that the ultimate sanction of discharge may be resorted to only in event of failure to tender periodic dues and initiation fees.

These provisions of the statute concerning requirements of membership have been interpreted by the Supreme Court of the United States in a number of cases. In *Radio Officers* v. *Labor Board,* 347 U.S. 17, 41 (1954), they were held to confine the use of the union shop to the sole purpose of compelling the payment of union dues and fees.

Thus the Court said:

> This legislative history clearly indicates that Congress intended to prevent utilization of union security agreements for any purpose other than to compel payment of union dues and fees. * * * Thus an employer can discharge an employee for nonmembership in a union if the employer has entered a union security contract valid under the act with such union, and if the other requirements of the proviso are met. No other discrimination aimed at encouraging employees to join, retain membership or stay in good standing in a union is condoned.

A somewhat more amplified explanation of the requirements of the statute was given in *Labor Board* v. *General Motors,* 373 U.S. 734 (1963), where the Court held that an agency shop arrangement which leaves union membership optional with employees but requires that as a condition of continued employment nonunion employees must pay to the union sums equal to the initiation fees and periodic dues fixed by the union does not constitute an unfair labor practice since the requirement for payments is the practical equivalent for union membership permitted under section 8(a)(3). The Court recognized that both the worker and the union have an option with respect to the extent of membership. The conscripted worker may elect to assume the full obligations of membership or he may choose to confine himself to the payment of money and to refuse to assume any further obligation. The union may place the conscripted worker on its rolls or it may refuse to do so if he declines to fulfill any obligation except the payment of money. The Court said at pages 742–744:

> Under the second proviso to section 8(a)(3), the burdens of membership upon which employment may be conditioned are expressly limited to the payment of initiation fees and monthly dues. It is permissible to condition employment upon membership, but membership, insofar as it has significance to employment rights, may in turn be conditioned only upon payment of fees and dues. "Membership" as a condition of employment is whittled down to its financial core. * * *
>
> We are therefore confident that the proposal made by the union here conditioned employment upon the practical equivalent of union "membership" as Congress used that term in the proviso to section 8(a)(3). The proposal for requiring the payment of dues and fees imposes no burdens not imposed by a permissible union shop contract and compels the performance of only those duties of membership which are enforceable by discharge under a union shop arrangement. If an employee in a union shop unit refuses to respect any union-imposed obligations other than the duty to pay dues and fees, and membership in the union is therefore denied or terminated, the condition of "membership" for section 8(a)(3) purposes is nevertheless satisfied and the employee may not be discharged for nonmembership even though he is not a formal member. Of course, if the union chooses to extend membership even though the employee will meet only the minimum financial burden, and refuses to support or "join" the union in any other affirmative way, the employee may have to become a "member" under a union shop contract, in the sense that the union may be able to place him on its rolls. The agency shop arrangement proposed here removes that choice from the union and places the option of membership in the employee while still requiring the same monetary support as does the union shop. Such a difference between the union and agency shop may be of great importance in some contexts, but for present purposes it is more formal than real. To the extent that it has any significance at all it serves, rather than violates, the desire of Congress to reduce the evils of compulsory unionism while allowing financial support for the bargaining agent.

The Court reached the same result but without the same elaboration of the distinction between different forms of membership in *Retail Clerks* v. *Schermerhorn,* 373 U.S. 746 (1963), where it held that an agency shop agreement is within the scope of section 14(b) of the National Labor Relations Act and is subject to prohibition by State law. The Court said at pages 751–752:

> The connection between the section 8(a)(3) proviso and section 14(b) is clear. Whether they are perfectly coincident, we need not now decide, but unquestionably they overlap to some extent. At the very least, the agreements requiring membership in a labor union which are expressly permitted by the proviso are the same membership agreements expressly placed within the reach of State law by section 14(b). It follows that the *General Motors* case rules this one, for we there held that the agency shop arrangement involved here—which imposes on employees the only membership obligation enforceable under section 8(a)(3) by discharge; namely, the obligation to pay initiation fees and regular dues—is the practical equivalent of an agreement requiring membership in a labor organization as a condition of employment. Whatever may be the status of less stringent union-security arrangement, the agency shop is within section 14(b). At least to that extent did Congress intend section 8(a)(3) and section 14(b) to coincide.

Thus it is that while under the construction placed by the Supreme Court on the union shop provisions of the National Labor Relations Act membership in the union may be required, the obligation of membership is limited to payment to the union for its service as a collective bargaining agency.

FULL UNION SHOP HAS NOT BEEN UPHELD AS CONSTITUTIONAL

The majority report on H.R. 77 from the Senate Committee on Labor and Public Welfare says that the Supreme Court has upheld the constitutionality of compulsory union membership as embodied in the union shop. The report cites in support of that theory the decision of the Court in *Hanson* v. *Union Pacific,* 351 U.S. 225 (1956). In that case the Court considered a challenge to the constitutionality of section 2, 11th of the Railway Labor Act, which, while couched in somewhat different language, gives essentially the same permission for a union shop as the one granted in section 8(a)(3) of the National Labor Relations Act. The Court, placing the same interpretation on the Railway Labor Act section as it previously had placed on the corresponding clause of the National Labor Relations Act with which we are here concerned, upheld the constitutionality of the statute on the ground that on its face it did nothing more than to require financial support of the union by one who receives benefits of its work. The Court made this clear in its opinion:

> It is argued that compulsory membership will be used to impair freedom of expression. But that problem is not presented by this record. Congress endeavored to safeguard against that possibility by making explicit that no conditions to membership may be imposed except as respects "periodic dues, initiation fees, and assessments." If other conditions are in fact imposed, or if the exaction of dues, initiation fees, or assessments is used as a cover for forcing ideological conformity or other action in contravention of the first amendment, this judgment will not prejudice the decision in that case. For we pass narrowly on section 2, 11th of the Railway Labor Act. We only hold that the requirement for financial support of the collective-bargaining agency by all who receive the benefits of its work is within the power of Congress under the commerce clause and does not violate either the first or fifth amendments. We express no opinion on the use of other conditions to secure or maintain membership in a labor organization operating under a union or closed shop agreement (p. 238).

The limited nature of the holding in the Hanson case was made even clearer by the subsequent opinion of the Supreme Court in *International Association of Machinists* v. *Street,* 367 U.S. 740 (1961). There it held that the union shop clause found in section 2, 11th, of the Railway Labor Act does not permit unions to use funds exacted thereunder to support political causes opposed by the employees. The Court first defined the extent of its holding in the Hanson case saying:

> Thus all that was held in Hanson was that section 2, 11th was constitutional in its bare authorization of union-shop contracts requiring workers to give "financial support" to unions legally authorized to act as their collective-bargaining agents. We sustained this requirement—and only this requirement—embodied in the statutory authorization of agreements under which "all employees shall become members of the labor organization representing their craft or class." We clearly passed neither upon forced association in any other aspect nor upon the issue of the use of exacted money for political causes which were opposed by the employees (p. 749).

The Court then went on to say that Street presented questions that had been reserved in Hanson and would raise grave constitutional issues which should, if possible, be avoided by giving the statute a construction which would remove doubt of its constitutionality. On this point it said:

The record in this case is adequate squarely to present the constitutional questions reserved in Hanson. These are questions of the utmost gravity. However, the restraints against unnecessary constitutional decisions counsel against their determination unless we must conclude that Congress, in authorizing a union shop under section 2, 11th, also meant that the labor organization receiving an employee's money should be free, despite that employee's objection, to spend his money for political causes which he opposes. Federal statutes are to be so construed as to avoid serious doubt of their constitutionality. "When the validity of an act of the Congress is drawn in question, and even if a serious doubt of constitutionality is raised, it is a cardinal principle that this Court will first ascertain whether a construction of the statute is fairly possible by which the question may be avoided" (*Crowell* v. *Benson* (285 U.S. 22, 62)). Each named appellee in this action has made known to the union representing his craft or class his dissent from the use of his money for political causes which he opposed. We have therefore examined the legislative history of section 2, 11th, in the context of the development of unionism in the railroad industry under the regulatory scheme created by the Railway Labor Act to determine whether a construction is "fairly possible" which denies the authority to a union, over the employee's objection, to spend his money for political causes which he opposes. We conclude that such a construction is not only "fairly possible" but entirely reasonable, and we therefore find it unnecessary to decide the correctness of the constitutional determinations made by the Georgia courts (pp. 749–750).

The Court concluded that the statute denies to the union the right to support, with funds compulsorily exacted, political causes which an employee opposes. Thus the Court asserted:

We respect this congressional purpose when we construe section 2, 11th, as not vesting the unions with unlimited power to spend exacted money (p. 768).

These cases make it clear that the Supreme Court has construed the union shop clause of the National Labor Relations Act as requiring nothing more than the payment of compensation by the worker to the union for its services as collective bargaining representative. While it has characterized a worker who is compelled to make these payments as a member of the union, it has used the term in a technical and special statutory sense rather than in the sense of the word "member" in its ordinary usage. The Court was not called upon to determine whether, by the statute or by a contract entered into under the authority of the statute, a worker may be compelled against his will to become a full member of a private organization with all of the duties and obligations ordinarily pertaining to such membership. It strongly indicated, however, that he could not be so compelled.

The Court held that the statute as thus defined is constitutional upon its face. But the constitutionality of a statute is not necessarily determined solely by the language employed by the lawmakers. Language ever so fair on its face may be valid in the abstract, but if it is harsh and oppressive in its operation and effect it may nevertheless be unconstitutional and void.

UNION SHOP CLAUSE AMBIGUOUS AND DECEPTIVE

The union shop clause of the National Labor Relations Act and the Railway Labor Act specifically permit by their literal terms the requirement that, as a condition of employment, every employee covered by an appropriate agreement must become a "member" of the labor organization. If it had stopped there, this language would be plain and unequivocal enough, but in each instance it is coupled with two subsequently stated conditions, the most significant of which specifies that the only grounds for discharge is failure to tender initiation fees and dues. Each of these clauses taken as a whole is ambiguous and deceptive. In ordinary usage membership connotes, as already observed, the assumption by a person who is a part of the organization of all of the duties and obligations of such a position. That is the general understanding, and it takes some explanation to get across a different idea and to convey an understanding that it does not mean full membership at all but only a specially limited, restricted, and qualified form of membership. The statute itself provides no clear explanation of the significance of the term. Even lawyers and judges and courts have had, and still have, differences of opinion, as is attested by the cases already cited and by other and more recent ones that have arisen. What may be expected of the ordinary layman or of the average worker who is the person most concerned where constitutional authorities are divided and confused?

A recent decision of the U.S. Court of Appeals for the Seventh Circuit, handed down 9 years after Hanson, illustrates the confusion over the extent of burdens cast upon members of a union operating under the modified union shop agreement permitted by the National Labor Relations Act. In Allis Chalmers against National Labor Relations Board, September 13, 1965, two locals of international union, UAW–AFL–CIO, operating under a union shop agreement, struck the Allis Chalmers plants at West Allis and La Crosse, Wis., on economic issues. During the strike a number of the union members crossed picket lines and worked. They were hailed before union trial boards to answer written charges of violations of the international constitution and bylaws. In each instance the trial resulted in a finding of guilty and the offenders were punished by fines ranging from $20 to $100 each.

The court held that the members of the union was in progress. The court's organization, and that it was a violation of this duty for them to cross picket lines and go back to work while a strike by the union was in progress. The court's reasoning seems reminiscent of the argument by the labor organizations in *Lincoln Union* v. *Northwestern Co.*, 335 U.S. 525 (1949). In that case the union brief asserts:

A union is a form of industrial government and the rights and duties of a member are similar to those of a citizen in a democratic society.

In Allis Chalmers the court adopted this line of reasoning, and reached this conclusion:

The employees in this case had the right under section 7 to strike or not to strike. But once the union voted to strike, the employees who were union members were bound by the limitation that union membership placed on their right not to strike. It would be difficult to accept the proposition that a union should be the one secular society in our Nation which one may enter without being bound by majority rule and without submission to some limitations on rights for the common good. Upon entering, union members must take not only the benefits but the burdens also, *NLRB* v. *International Union UAW-AFL-CIO* (320 F2d 12, 16 (1st Cir. 1963)), and these burdens are not solely financial. Implicit in the section 7 right to organize is the duty, once that right has been exercised, to support the organization. The point is not that an employee as such, may not refrain from striking, but that a union member may not with impunity flout the will of the majority (in this case a two-thirds majority) expressed in a strike vote.

It is hard to square this holding that a worker conscripted into a union under a compulsory union membership agreement has the duty to go on strike and stay on strike whenever the labor organization so directs, and may be fined for infraction of this duty, with the holding of the Supreme Court of the United States in Hanson that the only obligation of a member under a compulsory union membership agreement is to pay initiation fees, dues and assessments as compensation to the union for its services as collective bargaining representative.

The Court in Hanson in meeting the objection that the union shop agreement deprived the employee of his freedom of association held that such freedom was not infringed because no burden was imposed other than a requirement for payment for services. Now, however, the court of appeals in Allis Chalmers holds that an agreement of the same type when read in the light of all the pertinent Federal statutes must be construed as imposing additional obligations on the unwilling members.

Another case decided 9 years after Hanson by the National Labor Relations Board indicates an impression that a union may go far beyond requiring conscripted members to pay initiation fees and dues. There it was held that such a member could be punished by dismissal. In this case, *United Steelworkers of America Local 4028* and *R. C. Price*, 1965 Labor Cases, par. 9641 (NLRB Aug. 25, 1965) Price was a union member under a union shop agreement. In 1964 he filed a petition with the Board seeking to decertify the United Steelworkers as collective bargaining representative. For this he was accused of disloyalty and found guilty by the union with punishment consisting of suspension of membership for 5 years and a fine of $500. The Board held that this action by the

Steelworkers was permissible union discipline and did not interfere with Price's rights guaranteed by section 7 of the act.

In *Minneapolis Star & Tribune Co.*, 109 NLRB 727 (7954), the Board held that a union did not violate the section 7 rights of a member when it fined him $500 for failing to attend union meetings and perform picket line duty during a strike.

These cases are but straws in the wind. They indicate the prevailing view that where workers are under a union shop contract they can still be required to assume a variety of duties and obligations beyond mere payment to the union for its services as collective bargaining agency.

The unions commonly insist upon the inclusion in a union shop agreement of the requirement for membership plausibly arguing that it is included in the language of the statute and such is their coercive power that they are usually able to have their way. Some of them are frank enough to say that they insist upon it with the purpose of persuading the workers that they are compelled to assume the full burdens of union membership. The use of this wording in the agreement and in summary explanations of them made to workers provide a cover for assertion by zealous union officers that the law and the union shop agreement made thereunder require the employee to join the union and to observe all of the obligations embodied by the constitution, bylaws, rules, regulations, and practices. The worker is seldom told that under the modified union shop agreement permitted under the laws he is required to do no more than compensate the union for expenses of collective bargaining. There is a marked difference between the silence in this area where by statute or regulation there are requirements for continuous publication of many other rights such as the right of collective bargaining, the right to freedom from discrimination on account of race, religion, or national origin, as well as rights under minimum wage and hours of service acts. There are exceptions, of course, but this is a general rule. The employer, although commonly opposed to compulsory union membership and agreeing to it only under union pressure, ordinarily thereafter assumes a passive role. The nonunion worker feeling deserted by the employer who has signed a union shop agreement and having no one to inform him regarding his rights under the agreement and under the law is usually an easy victim to union pressure.

In this situation and starting with a statute couched in terms that lend themselves to misunderstanding as well as deception, it is small wonder that workers have been induced to assume full obligations of membership under the mistaken impression that this is required by law and there is nothing they could do to help themselves. There is reason to believe that hundreds of thousands of workers have been herded into unions in this way since the statute was amended in 1947 to impose the safeguards against discriminatory denial of membership and against discharges for reasons other than nonpayment of initiation fees and dues.

Before 1947 under the provisions of the Wagner Act there were no such safeguards; not only the full union shop with its requirements for assumption of the entire range of duties and obligations of union membership but also the closed shop was permitted by that statute except in States having right-to-work laws. Under that act and partly as a consequence of its green light for the closed shop and the union shop the membership in labor organizations rose from 3,728,000 in 1935 when the Wagner Act was passed to 15,414,000 in 1947 when the Taft-Hartley Act became law. The principal manufacturing and mass production industries were unionized in this period but even so millions of additional workers have been added to the union rolls in subsequent years.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, will the Senator yield without losing his right to the floor, without having his speech counted as a second address, and with all the other prerogatives and privileges accruing to him fully protected?

Mr. ROBERTSON. I yield to the Senator from Montana.

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

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

Mr. MORSE obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Oregon yield without losing his right to the floor?

Mr. MORSE. I yield with that understanding.

Mr. MANSFIELD. Mr. President, it is my understanding that no further business will be transacted after the address to be given by the distinguished senior Senator from Oregon, and that there will be no further quorum calls. I assume that that statement is correct, because I hear no opposition voiced by any Senator.

ORDER FOR RECESS FROM CLOSE OF BUSINESS ON FEBRUARY 4 TO 10 A.M. MONDAY, FEBRUARY 7, 1966

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tomorrow, it stand in recess until 10 o'clock on Monday morning next.

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

ORDER FOR CONVENING OF SENATE AT 10 A.M. ON TUESDAY, WEDNESDAY, AND THURSDAY, FEBRUARY 8, 9, AND 10, 1966

Mr. MANSFIELD. Mr. President, I ask unanimous consent—and this is going a long way ahead—that in addition to the permission already granted to have the Senate convene at 10 o'clock a.m. on Monday, permission be granted to have the Senate convene at 10 o'clock a.m. on Tuesday, Wednesday, and Thursday of next week.

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

NOTICE OF INTENTION TO FILE MOTION FOR CLOTURE

Mr. MANSFIELD. Mr. President, it is my intention to file a motion for cloture immediately after the Senate convenes tomorrow. That means that 1 day will intervene before action is taken on the motion. That day will be Monday. One hour after the Senate convenes on Tuesday, the vote will be taken on the motion proposed by the Senator from Montana and his colleagues.

If that motion shall be rejected, it is my further intention—at this time, at least—to offer another cloture motion on Tuesday. The intervening day would be Wednesday, and the vote on the second cloture motion, if it is offered, will occur 1 hour after the Senate convenes on Thursday.

Mr. HICKENLOOPER. Mr. President, will the Senator from Oregon yield without losing his right to the floor?

Mr. MORSE. Does the Senator from Iowa wish to ask the majority leader a question?

Mr. HICKENLOOPER. I do.

Mr. MORSE. I yield with the understanding that I shall not lose my right to the floor.

Mr. HICKENLOOPER. Mr. President, I have no objection to the procedure agreed to, but I wish to clarify my understanding. As I understand, the Senator from Montana intends to file a cloture motion tomorrow.

Mr. MANSFIELD. That is correct.

Mr. HICKENLOOPER. As I understand, the rule provides that the vote on the cloture motion shall be taken 1 hour after the Senate convenes on the following day but one after the filing of the cloture motion.

Mr. MANSFIELD. The Senator is correct.

Mr. HICKENLOOPER. If the cloture motion is filed tomorrow, the next calendar day, excluding Sunday, would be Saturday.

Mr. MANSFIELD. I ask the Chair for a ruling on that point.

Mr. HICKENLOOPER. I merely asked the question for information, so that I might have the fact clear in my mind.

The PRESIDING OFFICER. It would be the next calendar day but one that the Senate is in session.

Mr. MANSFIELD. But the Senate would not be in session on Saturday.

Mr. HICKENLOOPER. That was the the point. I did not know whether the rule required a day of session or whether the calculation went strictly according to the calendar, with the exception of Sunday.

Mr. MANSFIELD. According to what the Chair has stated, the fact that the Senate would not be in session on Saturday obviates that day. The only day

intervening would be Monday, and the vote would be taken 1 hour after the Senate convened on Tuesday.

The PRESIDING OFFICER. The Senator is correct.

Mr. HICKENLOOPER. I thank the Senator for his answer. My only difficulty concerned what might happen should we learn later that the precedents or something else indicated that Saturday would be counted as a calendar day, and that the day for voting on the cloture motion might unexpectedly be advanced 1 day under the rule.

Mr. MANSFIELD. Yes, but the questions of the Senator from Iowa have cleared up that point, so that the Senate will understand the procedure.

Mr. HICKENLOOPER. The answers of the Senator from Montana have cleared up the point. The questions of the Senator from Iowa were asked to clear up the confusion in his own mind.

Mr. MANSFIELD. I thank the distinguished Senator from Oregon for yielding.

INTERNATIONAL EDUCATION ACT

Mr. MORSE. Mr. President, I have the honor to introduce for appropriate reference the administration bill on international education. I send it to the desk and I ask unanimous consent that it may lie on the table until the close of business Friday, February 11, 1966, to permit such Senators as may wish to do so, to join with me in sponsorship of the legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred and, without objection, will lie on the table, as requested.

The bill (S. 2874) to provide for the strengthening of American educational resources for international studies and research, introduced by Mr. MORSE, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. MORSE. Mr. President, I ask unanimous consent that the text of the bill be printed at the close of my remarks together with a fact sheet upon it, prepared by the Office of Education, and a list of the language and area centers now being carried on under the authority of title VI of the National Defense Education Act.

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

(See exhibit 1.)

Mr. MORSE. Mr. President, I am introducing this measure for the administration so that the Congress through its committees and through floor action can begin again, with renewed emphasis, to show the concern and willingness of the American people, as voiced by the President in his very important and inspirational message of yesterday, to share with all people the richness and variety of our American higher educational system.

But I would also emphasize, Mr. President, that one of the best ways to do this, and it is the thrust of this measure, is to make sure that we have incorporated into our higher educational system on a widespread geographic base in this country, centers of educational excellence in which our students can learn of the problems of other lands. If we get to know their economies, their languages, their proud and ancient traditions, a twofold benefit can come. We can obtain through such programs trained young people who can serve our national interests here at home as well as abroad. We have much to learn from others, as well as much to give to them of the best which has been thought and said in the centuries past which necessarily condition the international relationships of today. Comity among nations must be based on a two-way exchange of information which in turn can lead to common understandings.

But such a program cannot be solely the preserve of the Ph. D. candidate and the postdoctoral fellow or professor. Our smaller colleges who concentrate on providing the baccalaureate education to a great many young people who become the mainstay of our business and professional communities, who are the future legislators and administrators in every city, State, and county of this land, need to strengthen their offerings in this area of international studies. This measure, when enacted, can be most helpful in obtaining this objective.

May I say, as a sponsor of this legislation, that I am not wedded to every comma and section of the proposal.

I serve notice now to the administration that my tentative opinion is that some sections of the bill will need to be amended. However, I enthusiastically support the objectives of the bill, and I am proud to be the President's floor leader in regard to getting this measure through committee and eventually to the floor of the Senate.

I anticipate that many Senators, I hope on both sides of the aisle, will contribute their ideas to the committee as the bill goes through our hearings. I am confident that members of the educational community can be most helpful in providing suggestions which will make this measure a more perfect instrument, one of many, of our national purpose, and desire to do everything in our power to overcome the common enemies of all mankind: ignorance based upon illiteracy and its brood of poverty, famine, and disease. These are the true scourges of mankind. To overcome them is in the best sense of the word to help to assure our domestic peace and tranquillity.

The factual material which follows my address details the needs which have led to the remedies proposed through this and companion legislation.

I turn now to the details of the bill itself. Following the enacting clause, section 2 sets forth ringingly the purposes of the measure by the congressional finding that a knowledge of other countries is of the utmost importance in the promotion of international understanding and cooperation; that to do this we need to strengthen our higher educational resources in the areas of international studies; and that our children and grandchildren should have open to them the opportunity to learn of other peoples and their cultures and customs and finally, that it is both necessary and appropriate for the Federal Government to assist in the development of resources for international study and research.

Section 3 of the bill provides authority to the Secretary of Health, Education, and Welfare through grants to arrange with institutions of higher education for the establishment, the strengthening, and the operation of graduate centers which will become national and international resources for research and training in international studies, either in fields of geographic areas or in international affairs issues. The 5-year grant program which is envisaged for this section could provide all or part of the financing necessary to start such centers and to aid existing centers. It is broad enough to cover the costs of teaching, research materials collection, equipping, and bringing to the centers scholars and faculty as well as funding the travel of staff which is essential in an enterprise of this type.

Section 4 of the bill is directed to the planning, development, strengthening, and improvement of undergraduate instruction in international studies. It, too, is a 5-year program, and under it, the Secretary is charged with making an equitable distribution of programs among the institutions of our 50 States, while at the same time giving a preference to those institutions which are most in need of additional funds in this area and which show a real promise of being able to use the funds provided in an effective manner.

Section 5 of the proposed act sets forth the method by which funds may be advanced and enables the Secretary to use the resources of other governmental, public and private nonprofit institutions or agencies in administering the act.

Section 6 provides the prohibition against Federal control of education provided, which has always been a feature of every educational measure I have introduced in the many years I have been in the Senate.

Section 7 establishes the life of the bill at 5 years, and authorizes the appropriations necessary to carry out its provisions for that period of time.

Lastly, the bill modernizes title VI of the National Defense Education Act of 1958, as amended, by striking the present limitation of the act which precludes instruction in a foreign language if adequate instruction is available, by making more flexible the present matching requirement, and by permitting grant programs as well as contractual arrangements to be made.

I say, in an aside, that at a breakfast conference this morning some members of the Senate Education Subcommittee, of which I am privileged to serve as chairman, called the attention of the administration's spokesmen to the probability that it might be necessary to suggest a few additions and revisions in various sections of the bill. At least, we made the suggestion that we think that in a few areas there is need of some clarification. However, here again no question was raised about the soundness of the objectives that the administration has in mind.

Mr. President, I have earlier indicated my willingness as one Senator who I hope will be considering this legislation in committee, to give full and sympathetic consideration to improvements which may be suggested to the text of the bill as introduced. It would be my hope that many other Senators can find themselves in basic sympathy with the objectives of the proposal and thus be willing to join with me in carrying through to signature what can become one of the great educational landmarks of this decade.

Mr. President, I ask unanimous consent that at this point in my remarks there appear the text of the address of President Johnson at the bicentennial celebration of the Smithsonian Institution at which he announced last September 16, 1965, the appointment of a Task Force on International Education from which in part the present bill is descended.

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

SMITHSONIAN INSTITUTION BICENTENNIAL CELEBRATION

(The President's remarks and announcement of a Special Task Force on International Education, September 16, 1965.)

Mr. Chief Justice, Secretary Ripley, Dr. Carmichael, Bishop Moore, Reverend Campbell, ladies and gentlemen, distinguished scholars from 80 nations, amid this pomp and pageantry we have gathered to celebrate a man about whom we know very little but to whom we owe very much. James Smithson was a scientist who achieved no great distinction. He was an Englishman who never visited the United States. He never even expressed the desire to do so.

But this man became our Nation's first benefactor. He gave his entire fortune to establish this institution which would serve "for the increase and diffusion of knowledge among men."

He had a vision which lifted him ahead of his time—or at least of some politicians of his time. One illustrious U.S. Senator argued it was beneath the dignity of the country to accept such a gift from foreigners. Congress debated 8 long years before deciding to receive Smithson's bequest.

Yet James Smithson's life and legacy brought meaning to three ideas more powerful than anyone at that time ever dreamed.

The first idea was that learning respects no geographic boundaries. The institution bearing his name became the first agency in the United States to promote scientific and scholarly exchange with all the nations in the world.

The second idea was that partnership between Government and private enterprise can serve the greater good of both. The Smithsonian Institution started a new kind of venture in this country, chartered by act of Congress, maintained by both public funds and private contributions. It inspired a relationship which has grown and flowered in a thousand different ways.

Finally, the institution financed by Smithson breathed life in the idea that the growth and the spread of learning must be the first work of a nation that seeks to be free.

These ideas have not always gained easy acceptance among those employed in my line of work. The Government official must cope with the daily disorder that he finds in the world around him.

But today, the official, the scholar, and the scientist cannot settle for limited objectives. We must pursue knowledge no matter what the consequences. We must value the tried less than the true.

To split the atom, to launch the rocket, to explore the innermost mysteries and the outermost reaches of the universe—these are your God-given chores. And even when you risk bringing fresh disorder to the politics of men and nations, these explorations still must go on.

The men who founded our country were passionate believers in the revolutionary power of ideas.

They knew that once a nation commits itself to the increase and diffusion of knowledge, the real revolution begins. It can never be stopped.

In my own life, I have had cause again and again to bless the chance events which started me as a teacher. In our country and in our time we have recognized, with new passion, that learning is basic to our hopes for America. It is the taproot which gives sustaining life to all of our purposes. And whatever we seek to do to wage the war on poverty, to set new goals for health and happiness, to curb crime, or try to bring beauty to our cities and our countryside—all of these, and more, depend on education.

But the legacy we inherit from James Smithson cannot be limited to these shores. He called for the increase and diffusion of knowledge among men, not just Americans, not just Anglo-Saxons, and not just the citizens of the Western World—but all men everywhere.

The world we face on his bicentennial anniversary makes that mandate much more urgent than it ever was. For we know today that certain truths are self-evident in every nation on this earth: that ideas, not armaments, will shape our lasting prospects for peace; that the conduct of our foreign policy will advance no faster than the curriculum of our classrooms; and that the knowledge of our citizens is the treasure which grows only when it is shared.

It would profit us little to limit the world exchange to those who can afford it. We must extend the treasure to those lands where learning is still a luxury for the few.

Today, more than 700 million adults—4 out of 10 of the world's population—dwell in darkness where they cannot read or write. Almost half the nations of this globe suffer from illiteracy among half or more of their people. And unless the world can find a way to extend the light, the forces of that darkness may ultimately engulf us all.

For our part, this Government and this Nation is prepared to join in finding the way. During recent years we have made many hopeful beginnings. But we can and we must do more. That is why I have directed a special task force within my administration to recommend a broad and long-range plan of worldwide educational endeavor.

Mr. MORSE. Now, Mr. President, as I also suggested at the breakfast conference this morning, I hope that the many friends of education and international education programs in this country will not assume that this bill constitutes the totality of President Johnson's international education program, for it does not.

I enthusiastically support the objectives of this bill, but I wish to say most respectfully that, important as this bill is, it does not meet the greatest need that confronts the world in the field of international education. We have here what could be described, I suppose, as a split jurisdiction, because part of the international education program of President Johnson as outlined in yesterday's message is intertwined in the foreign aid bill. I happen to be of the opinion that that part of his international education program is more important, more fundamental, more needed than the program that is set forth in the bill I have introduced; but it is needed, too.

I speak of the great challenge of meeting the problem of illiteracy which stalks the undeveloped areas of the world. It is important, I feel, that some of the higher education and training aids such as are encompassed in the bill I have just introduced be directed to assist in tackling the problem of stamping out illiteracy in the world. In my judgment, the elimination of illiteracy is, in the educational field, the most important problem area with which we should come to grips as we seek to meet the many needs of international education.

One cannot take the trips around the world that I have taken on official business of the Senate, including the one that we took for 5 weeks this last fall, when seven Senators, in response to the invitations of foreign governments and the appointment of our administration, went to Asia and discussed with parliamentarians in those countries problems of mutual concern, without being impressed by the dimensions of the problem. Except for Japan, we visited not a single country in Asia that is not plagued with illiteracy.

Illiteracy is the greatest partner that communism has in any country which communism threatens. Communism breeds in ignorance. It breeds in illiteracy. If I were asked what I consider to be the greatest thing that needs to be accomplished to meet the challenge of communism around the world, I would name the need of eliminating illiteracy in the underdeveloped areas of the world. As chairman of the Subcommittee on Latin American Affairs, I have commented upon this situation here and in Latin America time and time again.

If we enlighten the people of a country, if we make the people literate, we have thereby advanced a long way down the road to political freedom the interests of those people. To the extent that the foreign aid program can do an effective job in meeting the challenge of illiteracy, I support foreign aid. But procedurally, in my judgment, it would be much better if the great challenge to illiteracy through an international program were not being assigned to foreign aid. I think it would have been much better if we had made our program to meet the challenge of illiteracy in the underdeveloped areas of the world a part of the program involved in the bill which I am introducing this afternoon. But, Mr. President, the senior Senator from Oregon will not permit a difference of opinion over where the job should be assigned cause him, in any way, to lessen his support of an international education program that the President so valiantly proposes to fight for in order to meet the challenge of illiteracy.

Mr. President, in large sections of some of the countries we assist, the illiteracy rate is 98 percent. People living under such ignorance and lack of information and enlightenment have not the slightest idea or concern, either, as to the differences between communism and freedom. Therefore, I believe that we must make the attack upon illiteracy in the undeveloped areas of the world a

major international educational program of this Government. I hope if, after experience, we find foreign aid in this area as ineffective, shockingly wasteful, and inefficient as have been most of our foreign aid programs, this administration, or at least this Congress, will give consideration to a proposal which may subsequently have to be made, in the interest of the cause, to remove the international educational program as it involves the attack on illiteracy from the Foreign Aid Administration and put it where I think it more properly belongs; namely, under the jurisdiction of the Department of Health, Education, and Welfare. I shall undoubtedly be heard to comment on that problem in the examination of witnesses before my committee when the bill I have just introduced becomes the subject of testimony and hearings.

EXHIBIT 1

S. 2874

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "International Education Act of 1966".

FINDINGS AND DECLARATION

SEC. 2. The Congress hereby finds and declares that a knowledge of other countries is of the utmost importance in promoting mutual understanding and cooperation between nations; that strong American educational resources are a necessary base for strengthening our relations with other countries; that this and future generations of Americans should be assured ample opportunity to develop to the fullest extent possible their intellectual capacities in all areas of knowledge pertaining to other countries, peoples, and cultures; and that it is, therefore, both necessary and appropriate for the Federal Government to assist in the development of resources for international study and research and to assist the progress of education in developing nations, in order to meet the requirements of world leadership.

CENTERS FOR ADVANCED INTERNATIONAL STUDIES

SEC. 3. (a) The Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary") is authorized to arrange through grants to institutions of higher education, or combinations of such institutions, for the establishment, strengthening, and operation by them of graduate centers which will be national and international resources for research and training in international studies. Activities carried on in such centers may be concentrated either on specific geographical areas of the world or on particular fields or issues in international affairs which concern one or more countries, or both.

(b) Grants under this section may be used to cover part or all of the cost of establishing, strengthening, equipping, and operating research and training centers, including the cost of teaching and research materials and resources and the cost of programs for bringing visiting scholars and faculty to the center, for the training and improvement of the staff, and for the travel of the staff in foreign areas, regions, or countries with which the center may be concerned. Such grants may also include funds for stipends (in such amounts as may be determined in accordance with regulations of the Secretary) to individuals undergoing training in such centers, including allowances for dependents and for travel here and abroad. Grants under this section shall be made on such conditions as the Secretary finds necessary to carry out its purposes.

GRANTS TO STRENGTHEN UNDERGRADUATE PROGRAMS IN INTERNATIONAL STUDIES

SEC. 4. (a) The Secretary is authorized to make grants to institutions of higher education to assist them in planning, developing, and carrying out a comprehensive program to strengthen and improve undergraduate instruction in international studies. Grants made under this section may be for projects and activities which are an integral part of such a comprehensive program such as—

(1) faculty planning for the development and expansion of undergraduate programs in international studies;

(2) training of faculty members in foreign countries;

(3) expansion of foreign language courses;

(4) work in the social sciences and humanities which is related to international studies;

(5) planned and supervised student work-study-travel programs; and

(6) programs under which foreign teachers and scholars may visit institutions as visiting faculty or resource persons.

(b) A grant may be made under this section only upon application to the Secretary at such time or times and containing such information as he deems necessary. The Secretary shall not approve an application unless it—

(1) sets forth a program for carrying out one or more projects or activities for which a grant is authorized under subsection (a);

(2) sets forth policies and procedures which assure that Federal funds made available under this section for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available for purposes which meet the requirements of subsection (a), and in no case supplant such funds;

(3) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this section; and

(4) provides for making such report, in such form and containing such information, as the Secretary may require to carry out his functions under this section, and for keeping such records and for affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports.

(c) The Secretary shall allocate grants to institutions of higher education under this section in such manner and according to such plan as will most nearly provide an equitable distribution of the grants throughout the States while at the same time giving a preference to those institutions which are most in need of additional funds for programs in international studies and which show real promise of being able to use additional funds effectively.

METHOD OF PAYMENT; FEDERAL ADMINISTRATION

SEC. 5. (a) Payments under this Act may be made in installments, and in advance or by way of reimbursement with necessary adjustments on account of overpayments or underpayments.

(b) In administering the provisions of this Act, the Secretary is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution, in accordance with agreements between the Secretary and the head thereof.

FEDERAL CONTROL OF EDUCATION PROHIBITED

SEC. 6. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution.

APPROPRIATIONS AUTHORIZED

SEC. 7. For the purpose of making grants under sections 3 and 4 of this Act, there are authorized to be appropriated such sums as may be necessary for the fiscal year ending June 30, 1967, and each of the four succeeding fiscal years.

AMENDMENTS TO STRENGTHEN TITLE VI OF THE NATIONAL DEFENSE EDUCATION ACT OF 1958

Removing requirement for area centers that adequate language instruction not be readily available

SEC. 8. (a) (1) The first sentence of section 601(a) of the National Defense Education Act of 1958 is amended by striking out "(1)" and by striking out ", and (2) that adequate instruction in such language is not readily available in the United States".

(2) The first sentence of section 601(b) is amended by striking out "(with respect to which he makes the determination under clause (1) of subsection (a))" and inserting in lieu thereof "(with respect to which he makes the determination under subsection (a))".

Removing 50 per centum ceiling on Federal participation

(b) The third sentence of section 601(a) is amended by striking out "not more than 50 per centum" and inserting "all or part" in lieu thereof.

Authorizing grants as well as contracts for language and area centers

(c) Section 601(a) is amended by inserting "grants to or" after "arrange through" in the first sentence, and by inserting "grant or" before "contract" each time that it appears in the second and third sentences.

FACT SHEET: INTERNATIONAL EDUCATION ACT OF 1966—S. 2874

(Introduced on February 3, 1966, by Senator WAYNE MORSE)

BACKGROUND

In his message on international education, President Johnson recommended a program of incentive grants administered by Health, Education, and Welfare for universities and groups of universities: (a) to promote centers of excellence in dealing with particular problems and particular regions of the world; (b) to develop administrative staff and faculties adequate to maintain longtime commitments to overseas educational enterprises. The President asks for the program to give colleges and universities financial assistance to their efforts to add an international dimension to their course offerings.

World War II ended the isolationism of the United States and gave this Nation new responsibilities in all parts of the globe where we previously had only marginal interests.

Soon, both Government and private business concerns working overseas found their tasks hampered by language barriers and inadequate knowledge of the many countries where our international commitments carried us. The search for Americans well trained in modern foreign languages revealed the inadequacy of language training in our schools.

In 1958, the Congress responded to this need by passing the National Defense Education Act for title VI of this legislation provided for the establishment of language and area centers at American colleges and universities.

In 1963, our American universities were operating 55 language and area centers with a total student enrollment of 31,567. This year, there are 99 centers with an enrollment of more than 33,000 centers. This program also provided 1,035 fellowships for graduate study in non-Western languages during 1963.

This year, it is financing graduate language study by nearly 2,000 students. Further, language and area centers developed specifically to serve undergraduates went into operation for the first time at the beginning of this academic year.

Still, serious deficiencies in the international dimension of many colleges and universities continue to exist.

A little before World War II, this country exchanged ambassadors with only 17 nations, and ministers with 43. Now, we have well over 100 ambassadorial posts.

Relationships with other countries that could not have been foreseen 25 years ago have arisen. So have America's international commitments—in travel and commerce, in research and study abroad, in business and governmental relations with these countries.

During 1963–64, more than 18,000 students and more than 4,000 U.S. faculty members extended their education abroad. This is double the number of a short 10 years ago.

In 1964, 2.2 million Americans were overseas travelers, spending $3.4 billion, a figure more than double the number in 1965–66.

Further, foreign travel to the United States and foreign trade have increased dramatically. It has become clear that our colleges and universities, attempting to keep up with the demand for critically needed skills of other areas of the world, must move forward in this field to help respond to our national needs.

Last fall, President Johnson, in an address before the centennial celebration of the Smithsonian Institution, called for a new and wide-ranging endeavor in the field of international education. He then appointed a Task Force on International Education, headed by Secretary of Health, Education, and Welfare, John Gardner, and Secretary of State, Dean Rusk.

Many of the task force's recommendations were contained in the President's message on international education submitted recently to Congress.

PROPOSAL

Other Federal agencies, including the Peace Corps and the Agency for International Development, would be authorized to conduct new programs. The President's message also directs the Department of Health, Education, and Welfare to set up a Center for Educational Cooperation within the Department to be a "focal point for leadership in international education and acting as a channel for communication between the U.S. educational community and U.S. missions abroad."

The legislation proposes vesting new authority with the Secretary of Health, Education, and Welfare to carry out new legislative programs including the administration of:

A grant program to American colleges and universities to establish graduate centers of excellence equipped to be centers of national and international resources for research and training in international studies. A center might specialize in all matters affecting one geographic area instead of a previous emphasis on just language or the culture of that area. It also might concentrate on a problem common to many countries or specific areas such as overpopulation or agriculture. It might do both.

Subject matter at these graduate centers would be as far-ranging as necessary to fill the serious gaps in our knowledge of other countries. The act would underwrite travel by visiting scholars and faculty to the American centers as well as other projects and activities.

A grant program to assist colleges and universities in planning, developing and carrying out a comprehensive program to strengthen and improve undergraduate instruction in international studies. Sample programs could include such projects and activities as faculty planning for development and expansion of undergraduate programs, expansion of foreign language courses, and student work-study-travel programs.

Strengthen title VI of the National Defense Education Act of 1958. Presently, the Federal share of the cost of financing language and area centers is limited to 50 percent. This would be increased to a maximum 100 percent of Federal funding. The amendments would also remove the restrictions on language covered by the legislation. Area and language centers for Western studies could be established. Presently, these centers offer comprehensive programs of instruction dealing with one or another non-Western World region in close integration with the study of the modern languages spoken in that region including languages ranging from Arabic to Vietnamese.

INTERNATIONAL EDUCATION

Here are some additional figures on trends in international education, travel and commerce.

Basic data on international education, travel, and commerce

1. In the last few years, modern transportation and communication have brought together people from 130 nations of the world. During 1963–64, more than 18,000 students and more than 4,000 faculty members from U.S. schools were extending their education abroad. This is more than double the number of a short 10 years ago.

2. In 1964, 2.2 million Americans were overseas travelers, spending $3.4 billion. Again, this is more than double the number in 1965–66. Foreign travel to the United States also has greatly increased. This has tripled from 1955 to 1964. In 1964 alone, more than 1.1 million foreigners traveled from overseas to visit and study in this country.

3. Foreign trade also has been growing at a fantastic rate. In 1964, the combined total of exports and imports of the United States amounted to roughly $50 billion indicating a growing recognition of increased world commerce. This is an increase of 100 percent from the year 1955.

TABLE V.—*National Defense Education Act language and area centers and the critical modern foreign language offerings in 1965–66* [1]

Institution	Languages with Federal support	Languages without Federal support
American University, Washington, D.C. (Prof. Kenneth P. Landon, director, Language and Area Center for South and Southeast Asia).	Hindi, Indonesian	
Antioch College, Yellow Springs, Ohio (Prof. Raymond L. Gorden, director, Language and Area Center for Latin America).	Portuguese	Spanish.
University of Arizona, Tucson, Ariz. (Prof. Earl H. Pritchard, director, Language and Area Center in Oriental Studies).	Arabic, Chinese, Japanese, Hindi	
Boston College, Chestnut Hill, Mass. (Prof. Raymond T. McNally, director, Language and Area Center for Slavic and East European Studies).	Polish (Old Russian), Russian	
Brown University, Providence, R.I. (Prof. Lea E. Williams, director, East Asia Language and Area Center).	Chinese	
Bucknell University, Lewisburg, Pa. (Prof. David J. Lu, director, Language and Area Center for Japanese).	Japanese	
University of California, Berkeley, Calif. (Prof. David G. Mandelbaum, director, South Asia Language and Area Center).	Hindi, Hindi-Urdu, Persian	Bengali,[2] Marathi,[2] (Middle Persian), (Old Persian), (Sanskrit), (Sogdian), Tamil, Telugu.
University of California, Berkeley, Calif. (Prof. Laura Nader, acting director, Near Eastern Language and Area Center).	(Aramaic), (Canaanite dialects), Hebrew, (Hittite), Turkish.	(Akkadian), Arabic, (Classical Armenian), Armenian, (Egyptian), Hebrew, (Sumerian), (Syriac), (Ugaritic).
University of California, Berkeley, Calif. (Prof. Kathryn B. Feuer, acting director, East European Language and Area Center).	Czech, Hungarian, Polish, Russian, Serbo-Croatian.	Bulgarian, Lithuanian, (Old Church Slavic), (Old Russian), Ukrainian.
University of California, Los Angeles, Calif. (Prof. Benjamin E. Thomas, director, African Language and Area Center).	Afrikaans, Bambara, Efik, Hausa, Igbo, Shona, Sotho, Swahili, Twi, Yoruba.	
University of California, Los Angeles, Calif. (Prof. Johannes Wilbert, director, Latin American Language and Area Center).	Nahuatl, Portuguese, Quechua	Spanish.
University of California, Los Angeles, Calif. (Prof. Gustave E. von Grunebaum, director, Near Eastern Language and Area Center).	(Akkadian), Classical, Egyptian, Moroccan and Syrian Arabic, Armenian, (Classical Armenian), Georgian, Hebrew, Kabyle, Kirghiz, Persian, Tamazight, Turkish, (Ottoman Turkish), (Old Turkic [Uigur]), Urdu.	(Biblical Aramaic) Ethiopic [Amharic].
University of Chicago, Chicago, Ill. (Prof. Edwin McClellan, director, Far Eastern Language and Area Center).	Chinese, Japanese	
University of Chicago, Chicago, Ill. (Prof. Eric P. Hamp, director, Center in Slavic and Balkan Studies).	Czech, Modern Greek, Polish, Serbo-Croatian	Albanian, (Aromunian),[2] Bulgarian, (Judeo-Spanish),[2] Macedonian,[2] (Old Church Slavonic), (Romani Gypsy)[2] Rumanian, Slovak,[2] Slovenian,[2] Turkish.
University of Chicago, Chicago, Ill., (Prof. Edward C. Dimock and Prof. J. A. B. van Buitenen, codirectors, South Asia Language and Area Center).	Bengali, Hindi, Indonesian, Persian, Tamil, Urdu.	Nepali,[2] (Pali), (Prakrit),[2] (Sanskrit).
University of Colorado, Boulder, Colo. (Prof. Walter N. Vickery, director, Center for Slavic and East European Studies).	Bulgarian, Polish, Russian	(Old Church Slavic).
Columbia University, New York, N.Y. (Prof. L. Gray Cowan, director, African Language and Area Center).	Hausa, Swahili	
Columbia University, New York, N.Y. (Prof. Charles Wagley, director, Language and Area Center for Latin American Studies).	Portuguese	Spanish.
Columbia University, New York, N.Y. (Prof. Henry L. Roberts, director, Soviet and East European Language and Area Center).	Russian, Serbo-Croatian, Slovak	Bulgarian, Czech, Polish, Ukrainian.

See footnotes at end of table.

TABLE V.—*National Defense Education Act language and area centers and the critical modern foreign language offerings in 1965–66* [1]—Continued

Institution	Languages with Federal support	Languages without Federal support
Columbia University, New York, N.Y. (Prof. Wm. Theodore de Bary, director, East Asian Language and Area Center).	Atayal, Chinese, Japanese, Korean	
Columbia University, New York, N.Y. (Prof. John Lotz, director, Uralic Language and Area Center).	Finnish, Hungarian, Uralic languages	Estonian.[2]
Cornell University, Ithaca, N.Y. (Prof. Harold Shadick, director, East Asia Language and Area Center).	Cantonese,[2] (Classical Chinese), Hokkien and Mandarin Chinese, Japanese, (Classical Japanese).	
Cornell University, Ithaca, N.Y. (Prof. J. M. Stycos and Prof. T. E. Davis, codirectors, Language and Area Center for Latin American Studies).	Portuguese	Quechua, Spanish.
Cornell University, Ithaca, N.Y. (Prof. Gordon H. Fairbanks, director, South Asia Language and Area Center).	Hindi, (Indo-Aryan), Sinhalese, Telugu	Dravidian, (Pali), (Sanskrit).
Cornell University, Ithaca, N.Y. (Prof. George McT. Kahin, director, Southeast Asia Language and Area Center).	Burmese, Dutch, Indonesian, Javanese, Tagalog, Thai, Vietnamese.	Cebuano, [Bisayan].[2]
Dartmouth College, Hanover, N.H. (Prof. Francis W. Gramlich, director, Language and Area Center for East Asia).	Chinese	
Duke University, Durham, N.C. (Prof. Robert I. Crane, director, Center for Southern Asian Studies).	Hindi-Urdu, Kannada, Marathi, Telugu	
Duquesne University, Pittsburgh, Pa. (Prof. Geza Grosschmid, director, African Language and Area Center).	Hausa, Lingala, Swahili	Arabic.
Earlham College, Richmond, Ind. (Prof. Jackson H. Bailey, director, Language and Area Center for East Asia).	Japanese	
University of Florida, Gainesville, Fla. (Prof. Rene Lemarchand, director, Language and Area Center for African Studies).	African linguistics, Portuguese	
University of Florida, Gainesville, Fla. (Prof. J. V. D. Saunders, director, Latin American Language and Area Program).	Portuguese, Spanish	
Fordham University, New York, N.Y. (Rev. Walter C. Jaskievicz, S.J., director, Russian Language and Area Center).	Russian	Czech,[2] Polish.
George Washington University, Washington, D.C. (Prof. Kurt L. London, director, Language and Area Center for Sino-Soviet Studies).	Chinese, Russian	
Georgetown University, Washington, D.C. (Prof. Wallace M. Erwin, Director, Language and Area for Middle East Center).	Arabic	
Harvard University, Cambridge, Mass. (Prof. Donald H. Shively, director, Language and Area Center for East Asian Studies).	Chinese, (classical Chinese), Japanese, (classical Japanese).	Mongolian, (Classical Mongolian)[2], (Classica Tibetan).[2]
Harvard University, Cambridge, Mass. (Prof. D. W. Lockard, director, Center for Middle Eastern Studies).	Arabic, (Classical Arabic), Hebrew, Persian, Turkish, (Ottoman Turkish).	Altaic, (Classical Armenian), (Avestan), Central Asian Languages, (Biblical Hebrew), (Iranian), Pashto, Turkic, (Old Anatolian Turkish), (Old Ottoman Turkish).
Harvard University, Cambridge, Mass. (Prof. Horace G. Lunt, director, Slavic Language and Area Center).	Polish, Russian, Ukrainian	Bulgarian, Czech, (Old Church Slavonic), Serbo-Crotian.
University of Hawaii, Honolulu, Hawaii (Prof. Roland Fuchs, director, Asian Studies Language and Area Center).	Cambodian, Chinese, Indonesian, Japanese, Javanese, Korean, Thai.	Hawaiian, Hindi, (Pali), (Sanskrit), Tagalog.
Howard University, Washington, D.C. (Prof. Charles Frantz, director, African Language and Area Center).	Swahili, Tswana, Yoruba	
University of Illinois, Urbana, Ill. (Prof. Solomon B. Levine, director, Asian Studies Language and Area Center).	Arabic, Burmese, Chinese, Hindi, Indonesian, Japanese.	Persian,[2] Turkish.[2]
University of Illinois, Urbana, Ill. (Prof. John Thompson, director, Language and Area Center for Latin America).	Portuguese, Spanish	
University of Illinois, Urbana, Ill. (Prof. Ralph T. Fisher, director, Russian Language and Area Center).	Polish, Russian	(Old Church Slavonic), Serbo-Croatian, Ukrainian.
Indiana University, Bloomington, Ind. (Prof. J. Gus Liebenow, director, African Language and Area Center).	Hausa, Swahili, Yoruba	Afrikaans,[2] Krio,[2] Mende,[2] Twi,[2] Zuli.[2]
Indiana University, Bloomington, Ind. (Prof. Edward J. Brown, director, Slavic Language and Area Center).	Rumanian, Russian, Serbo-Croatian	Czech, Polish.
Indiana University, Bloomington, Ind. (Prof. Denis Sinor, director, Uralic and Altaic Language and Area Center).	Estonian, Finnish, Hungarian, Korean, (Middle Korean), Mongolian, Tibetan, Turkish, Uzbek.	Cheremis,[2] Chuvash,[2] (Manchu), Mordvin, (Old Turkish), (Osmanli), Yakut.[2]
State University of Iowa, Iowa City, Iowa (Prof. Y. P. Mei, director, Center for Far Eastern Studies).	Chinese, Japanese	
Johns Hopkins University School of Advanced International Studies, Washington, D.C. (Prof. Majid Khadduri, director, Middle East Language and Area Center).	Arabic	Hebrew,[2] Persian,[2] Turkish.
University of Kansas, Lawrence, Kans. (Prof. Thomas R. Smith, director, Language and Area Center for East Asian Studies).	Chinese, Japanese	
University of Kansas, Lawrence, Kans. (Prof. Herbert J. Ellison, director, Language and Area Center for Slavic and East European Studies).	(Old Russian), Polish	Russian.
Lincoln University, Lincoln, Pa. (Prof. John A. Marcum, director, African Language and Area Center).	Swahili	French.
Louisiana State University, Baton Rouge, La. (Prof. George F. Putnam, director, Russian Language and Area Center).	Russian	
Manhattanville College of the Sacred Heart, Purchase, N.Y. (Mother Adele Fiske, director, Language and Area Center for East Asia).	Japanese	
University of Miami, Coral Gables, Fla. (Prof. Mose L. Harvey, director, Latin American Language and Area Center).	Portuguese	Spanish.
University of Michigan, Ann Arbor, Mich. (Prof. Charles O. Hucker, director, Far Eastern Language and Area Center).	Chinese, Japanese	Cantonese, Korean.
University of Michigan, Ann Arbor, Mich. (Prof. William D. Schorger, director, Language and Area Center in Near and Middle Eastern Studies).	Arabic, Hebrew, (classical Persian), Persian, Turkish.	
University of Michigan, Ann Arbor, Mich. (Prof. Thomas Winner, director, Slavic Language and Area Center).	Polish, Russian, Serbo-Croatian	
University of Michigan, Ann Arbor, Mich. (Prof. Russell H. Fifield, director, South and Southeast Asia Language and Area Center).	Hindi-Urdu, Indonesian-Malay, Thai	(Sanskrit).
Michigan State University, East Lansing, Mich. (Prof. Charles C. Hughes, director, African Language and Area Center).	Bemba, Hausa, Igbo, Swahili, West African pidgin English, Yoruba.	
Michigan State University, East Lansing, Mich. (Prof. William T. Ross, director, South Asia Language and Area Center).	Bengali, Hindi-Urdu, (Sanskrit)	
University of Minnesota, Minneapolis, Minn. (Prof. Alrik Gustafson, director, Center for Northwest European Language and Area Studies).	Danish, (Old Danish), (Old Norse), (Old Swedish), (Old High German), Scandinavian.	Norwegian, Swedish.
University of Missouri, Columbia, Mo. (Prof. Noel P. Gist, director, South Asia Language and Area Center).	Bengali, Hindi-Urdu	
University of New Mexico, Albuquerque, N. Mex. (Prof. Albert R. Lopes, Director, Latin American Language and Area Center.	Portuguese	Spanish.
New York University, New York, N.Y. (Prof. Oscar Fernandez, acting Director, Ibero-American Language and Area Center).	do	Do.
Northwestern University, Evanston, Ill. (Prof. Gwendolen M. Carter, director, Language and Area Center for sub-Saharan Africa).	Bantu, Maninka Swahili	Ewe,[2] Ga-Adangme,[2] Krio,[2] Twi, Yoruba.
Oakland University, Rochester, Mich. (Prof. Robert C. Howes, director, Language and Area Center for Chinese Studies).	Chinese	
Oberlin College, Oberlin, Ohio (Prof. Ellsworth C. Carlson, director, East Asian Language and Area Center).	do	
Ohio University, Athens, Ohio (Prof. David B. Arnold, director, African Language and Area Center).	Hausa	
Ohio State University, Columbus, Ohio (Prof. Leon I. Twarog, director, Language and Area Center for Slavic and East European Studies).	Polish, Russian	(Old Church Slavic), Russian, Serbo-Croatian.

See footnotes at end of table.

TABLE V.—*National Defense Education Act language and area centers and the critical modern foreign language offerings in 1965–66* [1]—Continued

Institution	Languages with Federal support	Languages without Federal support
University of Pennsylvania, Philadelphia, Pa. (Prof. Moshe Greenberg, director, Middle East Language and Area Center).	Arabic, Turkish	Hebrew, Persian.
University of Pennsylvania, Philadelphia, Pa. (Prof. Alfred Senn, director, Slavic Language and Area Center).	Polish, Russian, Ukrainian	Bulgarian,[2] Czech,[2] Lithuanian, (Old Church Slavic).
University of Pennsylvania, Philadelphia, Pa. (Prof. W. Norman Brown, director, South Asia Language and Area Center).	Bengali, (classical Tamil), Gujarati, Hindi-Urdu, Marathi, Nepali, (Old Marathi).	Malayalam, (Pali), (Prakrit), (Sanskrit), Sinhalese,[2] Telugu.
Pennsylvania State University, University Park, Pa. (Prof. Vernon Aspaturian, director, Slavic and Soviet Language and Area Center).	Ukrainian	(Old church Slavic), Polish, Russian.
University of Pittsburgh, Pittsburgh, Pa. (Prof. Yi-T'ung Wang, director, East Asian Language and Area Center).	Chinese, Japanese	Thai.
Portland State College, Portland, Oreg. (Prof. Frederick J. Cox, director, Middle East Studies Center).	Arabic, Hebrew, Turkish	
Portland State College, Portland, Oreg. (Prof. H. Frederick Peters, director, Language and Area Center for Central Europe).	Czech, Polish, Serbo-Croatian	German, Russian.
Princeton University, Princeton, N.J. (Prof. Marius B. Jansen, director, Language and Area Center in East Asian Studies).	Chinese	
Princeton University, Princeton, N.J. (Prof. T. Cuyler Young, director, Language and Area Center for Near Eastern Studies).	Arabic, Persian, Turkish	(Akkadian),[2] (Biblical Hebrew), (Syriac).[2]
Princeton University, Princeton, N.J. (Prof. Richard T. Burgi, director, Language and Area Center for Russian Studies).	Russian	Serbo-Croatian.
University of Rochester, Rochester, N.Y. (Prof. McCrea Hazlett, director, South Asia Language and Area Center).	Hindi	Sanskrit.
University of Southern California, Los Angeles, Calif. (Prof. Theodore H. E. Chen, director, Asian-Slavic Studies Center).	Chinese, Japanese, Russian	
Stanford University, Stanford, Calif. (Prof. Patrick D. Hanan, director, Chinese-Japanese Language and Area Center).	Chinese, Japanese	
Stanford University, Stanford, Calif. (Prof. A. Kimball Romney, director, Latin American Language and Area Center).	Spanish	Portuguese.
University of Texas, Austin, Tex. (Prof. Edgard G. Polomé, director, South Asia Language and Area Center).	Chinese, Dravidian, Hindi, Japanese, Telugu	Marathi.
University of Texas, Austin, Tex. (Prof. Richard N. Adams, director, Language and Area Center for Latin American Studies).	Portuguese	Spanish.
University of Texas, Austin, Tex. (Prof. Walter Lehn, director, Middle East Language and Area Center).	Modern standard Arabic, Egyptian Arabic, (classical and Quranic Arabic), Hebrew, (Biblical Hebrew), Israeli Hebrew, (old Persian), Persian.	(Akkadian), (Aramaic),[2] (Avestan),[2] (Sanskrit), Uzbek.
Tulane University, New Orleans, La. (Prof. William J. Griffith, director, Latin American Studies Language and Area Center).	Portuguese, Spanish	
University of Utah, Salt Lake City, Utah (Prof. Aziz S. Atiya, director, Middle East Language and Area Center).	Arabic, Persian, Turkish	Chinese, (Classical Greek), Hindi,[2] Japanese, Russian.
Vanderbilt University, Nashville, Tenn. (Prof. Josef Rysan, director, Slavic Language and Area Center).	(Old church Slavonic), Russian	Czech, Polish, Serbo-Croatian.
University of Virginia, Charlottesville, Va. (Prof. Charles G. Reid, Jr., director, Language and Area Center for Latin America).	Portuguese, Spanish	
University of Washington, Seattle, Wash. (Prof. George E. Taylor, director, Far Eastern and Russian Language and Area Center).	Chinese, Japanese, Korean, Mongolian, Russian, Thai, Tibetan, Vietnamese.	Bulgarian, (old church Slavonic), (old Uighur), Polish, (Sanskrit), Serbo-Croatian, Turkic.
Washington University, St. Louis, Mo. (Prof. Stanley Spector, director, Language and Area Center for Chinese and Japanese).	Chinese, (classical Chinese), Japanese	(Classical Japanese).
University of Wisconsin, Madison, Wis. (Prof. Philip D. Curtin, director, African Language and Area Center).	Arabic, Swahili, Xhosa	
University of Wisconsin, Madison, Wis. (Prof. Joseph W. Elder, director, South Asian Language and Area Center).	Hindi, Hindi-Urdu, (old Hindi), Kannada, (classical Kannada), (old Kannada), Telugu, Urdu.	Buddhist Chinese, (Buddhist Sanskrit), (Prakrit), (Sanskrit), Tibetan.
University of Wisconsin, Madison, Wis. (Prof. Norman P. Sacks, director, Language and Area Center in Latin American Studies).		
University of Wisconsin, Milwaukee, Wis. (Prof. Henry W. Hoge, director, Latin American Language and Area Center).	Portuguese	Spanish.
Yale University, New Haven, Conn. (Prof. Roy A. Miller, director, East Asian Studies Language and Area Center).	Chinese	Japanese, Korean, (Mongolian), (Tibetan).
Yale University, New Haven, Conn. (Prof. Richard M. Morse, director, Language and Area Center for Latin American Studies).	Portuguese	Spanish.
Yale University, New Haven, Conn. (Prof. Karl J. Pelzer, director, Southeast Asia Studies Center).	Burmese, Tagalog, Thai, Vietnamese	Dutch,[2] Indonesian.

[1] Includes certain classical languages (shown in parentheses) necessary to an understanding of the world area.

[2] Instruction available upon request.

MADAM CHIANG SELLS WAR WITH RED CHINA

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point an ably written article—as his articles generally are; in fact, I know of no exception—by Richard Dudman, the Washington correspondent of the St. Louis Post-Dispatch, entitled "Madam Chiang Sells War With Red China," which appeared in the Sunday, January 30, 1966, issue.

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

MADAM CHIANG SELLS WAR WITH RED CHINA

(By Richard Dudman)

WASHINGTON, January 29.—As the United States moves toward a decision on a new expansion of the war in southeast Asia, the possibility of war with China is little mentioned but much pondered.

Publicly, the official position can be summed up as repeated assurance that China will stay out and warning that China would come in at its own peril

Privately, the prospect of masses of Chinese troops pouring into South Vietnam is cause for anxiety and some restraint; the bombers, for example, stay well back from the Chinese border. Among specialists in Chinese Communist affairs, the odds on Chinese entry are understood to have risen sharply.

There are a few war hawks in Congress and in the executive branch who favor carrying the war to China. They see the fighting in Vietnam as a steppingstone to an attack to knock out China's nuclear installations before they become fully operational.

Amid the worry and anxiety and occasional war cries, the voice of an important visitor from Formosa is so serene that it goes almost unnoticed. Mme. Chiang Kai-shek has been in the United States since September 6, making an occasional bland speech, meeting informally with high officials (including a 5-minute chat with President Lyndon B. Johnson at a White House tea), and avoiding press interviews.

"She has no mission here," said a spokesman for the Republic of China Embassy.

The tea at the White House was given by Mrs. Johnson shortly after Madam Chiang's arrival. The following week, Secretary of State Dean Rusk gave a dinner for her in one of the Department's eighth-floor dining rooms. Secretary of Defense Robert S. McNamara and Deputy Secretary Cyrus R. Vance also were there. Other officials have paid her courtesy calls at her suite in the Shoreham Hotel and at the house she has rented on Kalorama Road.

Officials give the impression that, since her visit is classed as unofficial, any talks with her are brief, informal and no more than social chit-chat.

Last week she spoke at the National War College before an audience of students and their wives and a sprinkling of what came to be known as the China lobby. Guests included Mrs. Claire Chennault, widow of the founder of the Flying Tigers in World War II and that line's successor, China Air Transport; Thomas Corcoran, who was counsel for General Chennault when he was lobbying for aid to Chiang in the late 1940's; and Adm. Arleigh Burke, former Chief of Naval Operations and now director of the conservative center for strategic studies of Georgetown University. Mrs. Clare Booth Luce addressed the same forum earlier this winter.

Mme. Chiang's speech was not for publication. An officer who heard it described it as inspirational rather than getting down to the brass tacks of strategy in the Far

East. He said that her approach could be described as "soft-sell."

At the Washington Wellesley Club last Saturday, she told a Biblical story that seemed to some listeners to be intended as a political allegory. She related that Joshua, who led the Jews in the wilderness, took the last choice when the land was divided among the different tribes. But the others began serving other nations and other gods and were plundered, whereas Joshua's poorer land prospered.

Her Embassy afterward expressed regret that Washington newspaper reporters had tried to read current significance into what was merely her recollection of an Old Testament story.

Behind the soft-sell, it is known that she continues to preach her version of the inevitable war with Communist China and to express her conviction that, since it must be fought sooner or later, it had better come sooner.

The administration is represented as paying no attention to this irresponsible bravery, as one rather tolerant critic calls this thesis.

Mme. Chiang's visit is the latest in a long series. She has come to the United States for stays of from several months to more than a year at critical times in the affairs of the regime on Formosa. She was in this country in 1942–1943, 1944, 1948–1950, 1954, and 1958-1959. She has not said how long her present visit will last.

Her tactics of pressure and persuasion have made both friends and enemies. Mrs. Franklin D. Roosevelt once said of her that she "could talk very convincingly about democracy, its aims and ideals, but hasn't any idea how to live it." President Harry S. Truman refused to speak to her on an official basis when she came to Washington to woo his administration after his surprise victory over the nationalists' favorite, Thomas E. Dewey.

This time, she has escaped criticism and even much public notice. A possible reason is her unusually quiet and indirect approach. Another could be deference to her advancing age. Although the China yearbook of 1935 said she was born in 1892, she is generally thought to be about 68 years old. Her husband is 78.

More important, Formosa's time is running out as the sole representative of China in the United Nations. And there is an increasing disposition by American officials to recognize the Peiping Government whenever the war in Vietnam can be ended.

Madame Chiang's persuasive efforts may be offset this time by the appearance of a new book, "Formosa Betrayed" by George H. Kerr (Houghton Miffin, 514 pp., $6.95). It tells a story of tyranny and corruption in her husband's regime.

Part of the story concerns Madame Chiang and her brother, T. V. Soong, Minister of Foreign Affairs and later Premier. When the United States prepared late in World War II to put $470 million into China aid through the United Nations Relief and Rehabilitation Agency, they insisted that Chinese officials would be sole administrators of the relief program.

Kerr reports that Madame Chiang's family dominated the warehousing and shipping interests that distributed the supplies. He says that China insisted on charging $190 million in administrative costs for distributing the donated goods.

American economic aid to Formosa has often been cited as an outstanding program. Some American officials who have seen Kerr's book complain that his firsthand observations there have not included a recent look at Formosa's success story.

His criticism of the regime is more political than economic, however. He contends that economic progress is not enough and that Formosans are restive under the domination of a regime of mainland Chinese.

American officials concede that political progress has been slower than economic progress. But they point out that Nationalist China is at war and contend that, under martial law, there can hardly be "unrestrained political progress."

Even restrained political progress is hardly the description that would fit recent incidents of political suppression cited by Kerr. He tells how the secret police, under Chiang's son and heir-apparent, Chiang Ching-kuo, harassed, beat and executed leaders of Formosan Nationalist movements.

The regime on Formosa has shown great interest in the campaign to suppress the Vietcong and is understood to have offered repeatedly to send troops.

Although South Vietnam and the United States both have felt the need for more combat troops for counterguerrilla fighting, both have rejected the idea of bringing in Chinese Nationalists.

The reasons usually given are that any Chinese are unpopular in Vietnam and that Chinese Nationalist troops would be a new provocation to Peiping.

Mr. MORSE. Mr. President, we are accustomed to the invasion of foreign propagandists, from time to time, in our country. As one reads Mr. Dudman's account of the activities of Madam Chiang, she falls, in my judgment, under that category and description.

IS SEATO A TREATY ORGANIZATION OR A FRONT FOR A WAR IN ASIA?

Mr. MORSE. Mr. President, last Friday, January 28, Secretary of State Rusk appeared before the Foreign Relations Committee. A good deal of the hearing was devoted to the question of our so-called commitment to South Vietnam.

I have spoken on this subject before, but I feel that I must do so again. And I will continue to speak out as long as the administration continues to misrepresent and misstate the legalities, not to mention the moralities, involved in our war in South Vietnam.

In his opening statement to the Committee, Secretary Rusk said:

> The United States has a clear and direct commitment to the security of Vietnam against external attack.

The Secretary was then asked what the origin and basis was for this clear and direct commitment. He began his reply by referring to the Southeast Asia Collective Defense Treaty. He was asked: "Does the treaty commit us to do what we are doing now in Vietnam?" He replied that he had "no doubt that it does." He went on to say that "a protocol state has a right to call on the members of the organization for assistance" and that "there seems to be no doubt that we are entitled to offer that assistance." Later, he said that the policy of the treaty was that we are opposed to aggression against the countries of southeast Asia. I said at this point in the hearing that I disagreed with virtually every major premise in the Secretary's prepared statement and in the subsequent remarks of the Secretary that had taken place at the hearing. I noted that I disagreed, in particular, with his interpretation of the Southeast Asia Collective Defense Treaty. I will now turn to the reasons for my statement of disagreeement last Friday.

TERMS OF SEATO TREATY

I have been over this ground several times before and will not impose on the time of Senators by beginning again at the beginning. Suffice it to say that the heart of the treaty is article IV which states the obligations of the parties when direct or indirect aggression occurs.

Paragraph one of article IV states that if there is "aggression by means of armed attack" against any of the parties or the protocol states—and South Vietnam is a protocol state—each party will then "act to meet the common danger in accordance with its constitutional processes." This is the first sentence of paragraph No. 1. The second and final sentence of paragraph 1 is also important. It states that "measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations."

Paragraph 2 of article IV refers to the case where "in the opinion of any of the parties, the inviolability or the integrity of the territory or the sovereignty or political independence of any party" or any protocol state "is threatened in any way other than by armed attack." In this case, paragraph 2 continues, "the parties shall consult immediately in order to agree on the measures which should be taken for the common defense."

UNDER WHAT SEATO LANGUAGE DOES VIETNAM FALL?

Now when the treaty first came into existence, the war going on in South Vietnam was considered to be a threat by other than armed attack. In other words, the war was considered to be a situation described in paragraph 2. The late Secretary of State Dulles, the originator of the treaty, made this plain on several occasions. Testifying before the Foreign Relations Committee, Secretary Dulles summed up the meaning of the "commitment" in paragraph 2 in these words: "That is an obligation for consultation. It is not an obligtioan for action."

Hence, under paragraph 2 there is no commitment to take any action vis-a-vis South Vietnam. There is an obligation to consult the other parties to the treaty but, let me emphasize, South Vietnam is not a party to the treaty. There is clearly not a commitment to defend South Vietnam with American Armed Forces.

Now, Secretary Rusk might want to argue that it is not paragraph 2 but paragraph 1 that applies at present in South Vietnam. I say that he might so argue because I do not know whether or not he would. To the best of my knowledge, he has never stated publicly whether he views our commitment to South Vietnam to arise from paragraph 1 or from paragraph 2. When this question was discussed last Friday, he referred to North Vietnam's moving the 325th North Vietnamese Division into South Vietnam in late 1964 and early 1965. He did not come right out and say that this constituted "aggression by means of armed attack." He has not used this important phrase, so far as I am aware.

Nor has this phrase, which is required to bring paragraph 1 into effect, ever appeared in a SEATO communique. The communique issued on May 6, 1965, at the conclusion of the last SEATO Council meeting in London mentioned "Communist aggression" but not "aggression by means of armed attack."

If the United States considers that its commitment to South Vietnam under the Southeast Asia Collective Defense Treaty arises from paragraph 1 of article IV, I think that we and the rest of the American people are entitled to know it. We are entitled to be told in no uncertain terms. We cannot be expected to divine whether our legal commitment is only to consult or whether it is to take action in accordance with our constitutional processes. It is incumbent on Secretary Rusk to make an unequivocal statement on this point. And I ask for it tonight.

It is astonishing to me that the administration is leading this country into full-scale war without ever identifying the nature and language of the commitment they claim to be following.

Our commitment cannot be two different things. If our present commitment to South Vietnam is pursuant to paragraph 2, it is a commitment only to consult and the situation we are facing is not "aggression by means of armed attack." If our commitment falls under paragraph 1 there must be "aggression by means of armed attack" and someone in this administration must so state.

NO UNILATERAL COMMITMENT UNDER SEATO

Even if Secretary Rusk had made such a statement, and had said that we were acting under paragraph 1, we would not have a unilateral commitment to defend South Vietnam. In the first place, paragraph 1 of article IV speaks of a "common danger," which certainly implies collective judgment by those who share the common danger and, second, a common response to that danger.

The most recent SEATO communique does not state any finding of common danger. Could SEATO members meet and ignore a common danger governed by their treaty organization? Not if this is really a collective defense organization.

If the Secretary wants to argue that SEATO is not a collective defense mechanism at all, but only a misrepresented hook on which to hang American military intervention anywhere in southeast Asia, let him proceed to make that case.

Certainly in terms of response, there is no agreement in SEATO that there is a common danger governed by paragraph 1 of article IV. There are eight members of the SEATO. We, the Australians, and the New Zealanders are the only members with forces in the field. We have huge forces, and they have, in comparison, token forces. The most significant military assistance we have received has come from South Korea which is not even a member of SEATO and is, of course, an American military dependency. The other five members have contributed only troops. One member, France, has publicly criticized our actions in South Vietnam.

As to South Korea, let me point out that we maintain more American soldiers there to protect South Korea against the North Koreans than South Korea has sent to Vietnam.

In the second place, we should keep clearly in mind the fact that under paragraph one we have no commitment to defend South Vietnam with our armed forces. South Vietnam is a protocol state but not a member of SEATO. An "attack by means of armed aggression" against its territory falls within the area covered by the Southeast Asia Treaty. If such an attack occurs, the parties have an obligation to act to meet the common danger in accordance with their constitutional processes. The danger involved, under paragraph one, is the danger to the "peace and safety" of each of the parties. This is quite a different thing from a commitment to defend by armed force a protocol state against aggression.

CONFLICT WITH U.N. CHARTER

Finally, I would point out that if we are currently acting under paragraph one we are violating both the treaty itself and the U.N. Charter. We are violating the treaty itself because paragraph one requires that "measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations." We have not reported our Vietnam war measures to the Security Council. We have had various communications with the President of the Security Council and with the Secretary General, but none of these communications has been identified as a report of measures taken under paragraph one of article IV of the Southeast Asia Treaty.

Mr. President, I wish to take a moment to point out that my President and my Ambassador to the United Nations, and the President and the Ambassador of 180 million people, are not acting to meet the requirements of this treaty. They are not acting to meet the requirements of the United Nations Charter, by sending Arthur Goldberg to New York City to carry on some conversations behind the scenes in the United Nations, either with U Thant, or with the President of the United Nations, or with various delegates to the United Nations.

That does not amount to taking the issue of Vietnam to the United Nations. Yet they have succeeded in some quarters in giving the impression to the American people that, prior to the action we took the other day in regard to Vietnam, we had taken our cause to the United Nations.

We have been derelict in taking our cause to the United Nations.

We have been in violation of the United Nations Charter for the past several years.

I am glad that at long last my Government has finally sent a resolution to the Security Council, asking the Security Council to proceed to assume its legal obligations under the United Nations Charter.

I regret, and am saddened, that my Government went to the United Nations with an olive branch in one hand and bombs in the other.

By so doing we have greatly weakened our cause in the United Nations; and we ask for the international criticism that we are getting because of our course of conduct in Vietnam.

But let me tell the Senate of one chapter in the history of illegal acts on the part of the United States in southeast Asia that we should have reported to the Security Council but have not reported—that is the building up of a privileged U.S. military sanctuary in Thailand. We are turning Thailand into a military dependency of the United States. From this sanctuary, in violation of our international obligations, we have been bombing South Vietnam and Laos for many months past.

Some of my colleagues in the Senate and some members of the administration are not happy when I call my country an outlaw nation for its violations of international law in southeast Asia, but we have convicted ourselves by our own illegal acts. The building up of an American military sanctuary in Thailand is no more justified than is the building up of military sanctuaries by Communist nations anywhere in Asia or elsewhere in the world.

It is always interesting to me that so many in our own country, who think so much better of themselves than the rest of the world thinks of us, are willing to ignore our own transgressions and seek to fix attention on the transgressions of our enemies. We have not, under the terms of the SEATO Treaty, lived up to our obligations to report our activities to the Security Council.

Therefore, we are violating the U.N. Charter whether we are acting in South Vietnam under paragraph 1 or under paragraph 2. In either case, we are violating article 2, paragraph 4, of the charter which states that "all members shall refrain in their international relations from the threat or use of force." We have violated article 33 of the charter which requires that parties to a dispute "shall, first of all, seek a solution by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice" and note that article 33 requires that these steps be taken "first of all."

I repeat it—article 33 requires that these steps be taken "first of all."

Mr. President, I am saddened by the fact that history will record that my Government did not take those steps first of all, and convicted herself of being a violator of the United Nations Charter.

We have violated article 37, which states that "should the parties to a dispute of the nature referred to in article 33 fail to settle it by the means indicated in that article, they shall refer it to the Security Council." We have violated article 39, which states that "the Security Council shall determine the existence of any threat to the peace, breach of the peace or act of aggression." If we are invoking SEATO, we have and are violating article 53 of the United Nations Charter which states that "no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council."

From the floor of the Senate tonight, Mr. President, I ask you: When did you, as Commander in Chief, ask for Security Council authorization for us to engage in armed conflict in southeast Asia under SEATO? Neither President Johnson nor Dean Rusk nor McNamara can erase the indelible language of the United Nations Charter, and that language is binding on us as well as on every other signatory to the charter.

Some of my colleagues and some people in the administration do not like it because I point out that our hands are not clean. Let me say that sometimes the United Nations is referred to as a tribunal of equity. I used to teach my law students that old doctrine of equity that one appears before a court of equity, if one expects to have equity done, only with clean hands.

The sad thing is that the United States cannot appear before the United Nations with clean hands, so far as our violations of the charter are concerned. It is important that we wash them. That is why I believe it is so laudable that at long last we are before the United Nations. We must accept a considerable amount of criticism, because we have it coming to us.

I would not have my ambassador hesitate to see to it that others with unclean hands have their records spread open in the United Nations.

But this stage must be put behind us. The record will have to be made against us, against our enemies, and against our potential enemies. Then the members of the United Nations must settle down, in my judgment, and reach an understanding as to how we can best bring an end to a war in southeast Asia which by the day is increasing the threat of a third world war.

For many months past I have urged that the Security Council—or in the case of a veto, the General Assembly—consider a recommendation that the members of the Geneva Conference of 1954 reconvene and seek to arrive at an arrangement whereby they can implement and effectuate the basic tenets of the Geneva accords of 1954. At long last—although for many months our administration would not hear of it—our Government now indicates that it would be willing to consider these accords.

Arthur Goldberg is now saying that if the United Nations would agree to do that, we would be at Geneva tomorrow.

This means, of course, that we would have to sit down with the Communists. What a change. This means, of course, that there would be a reconvening of the Geneva Conference. This means that there would have to be a recognition of another basic truism of international law, and that is that a Communist nation has exactly the same sovereign rights under international law as a free nation.

In spite of all the hysteria and war propaganda that is stalking this country and misleading many Americans, let us face up to the fact that we cannot wishfully think Communists and their governments off the face of the earth. Nor can we bomb them off the face of the earth. We can win military victories over them, but that will never give us peace.

The objective should be to lead mankind toward peace and not toward war, even though through war we might gain some surrenders.

So I am again pleading tonight, Mr. President, that my country recognize how important it is that we do everything we can to try to have the Geneva Conference reconvened in order to carry out the basic tenents of the 1954 accords.

When will my Government face up to the fact that the Geneva accords of 1954 not only did not provide for two governments in Vietnam, but literally prohibited it? It was pointed out in the language of the accords that the 17th parallel was only a demarcation between two military zones; that the French military were to repair to the south of the 17th parallel while the Viet Minh would remain in the north; and that then, for the next 2 years, under the direction of the International Control Commission, consultations would take place leading to an application of the principle of self-determination in July 1956, by way of a free election supervised by the International Control Commission.

The sordid, black, unfortunate chapter of American history that we wrote at that time will plague future generations of Americans because we stopped that election. We not only stopped that election but we, the United States, set up a puppet government in South Vietnam and by so doing we clearly violated the Geneva accords.

I have been reading with great interest the discussions of our spokesmen about our willingness now to see a reconvening of the Geneva Conference and the implementation and the effectuation of the agreements reached in 1954.

I wonder if they recognize the challenge that is going to be made to our action in violating the Geneva accords by taking Diem out of New York and Washington, D.C., sending him to South Vietnam, financing him, militarizing him, and creating a government there to serve our interests.

All they have to do is listen to the criticisms of us in New York City these days or go with me across Asia, and it will soon be discovered that all of the rest of the world seems to know this except the American people. Then, there will be the job of concealing from the American people the ugly facts about our unfortunate military policy in southeast Asia.

In this stormy weather in Washington, D.C., I can think of no more descriptive term than to say once again that a "snow job" has been done on the thinking of the American people.

No, Mr. President; we have violated section after section of the United Nations Charter in regard to our illegalities.

If we are invoking SEATO, we have and are violating article 53 which states:

> No enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council.

And we are violating article 103 which states:

> In the event of a conflict between the obligations of members of the United Nations under the present charter and their obligations under any other international agreement, their obligations under the present charter shall prevail.

Incidentally, this principle of the primacy of the U.N. Charter is reiterated in article VI, of the Southeast Asia Collective Defense Treaty. And article I of the treaty states:

> The parties undertake, as set forth in the charter of the United Nations, to settle any international disputes in which they may be involved by peaceful means.

REFERRAL TO U.N.

In his news conference of January 31, Secretary Rusk said that the time had come to meet the requirements of "paragraph 1 of article IV of the Southeast Asia Treaty itself to report this present situation to the Security Council." Here for the first time, we find the Secretary referring specifically to paragraph 1 of article IV of the Southeast Asia Collective Defense Treaty. But he still does not say that we are now fighting in South Vietnam under paragraph 1, and not paragraph 2, though that is the clear implication. At any rate, we are obeying the spirit if not the letter of the obligation in paragraph 1 to report the measures being taken to the Security Council after fighting there for some 2 years without doing it. I say that we are not obeying the letter of the law in this case because, as I have pointed out, paragraph 1 requires that the measures being taken under its authority shall be immediately reported to the Security Council. We have certainly not made this report immediately and "better late than never" is hardly a principle of international law.

Now that we have referred the situation in Vietnam to the Security Council, our violations of articles 33 and 37 of the U.N. Charter are no longer as blatant. We are finally seeking a solution to the dispute by mediation or arbitration, as article 33 obliges us to. We have not done this "first of all" as article 33 requires, but at least we have made a gesture in this direction. By referring the dispute to the Security Council on January 31, we are finally complying with our obligation under article 37 of the charter.

I am, of course, pleased to see this matter referred to the United Nations. I have been urging this course of action since March of 1964, and I am distressed that it has taken the administration so long to realize what our obligations are to the U.N. Charter.

Secretary's Rusk's assertions that we have a "clear and direct commitment" to South Vietnam under the Southeast Asia Collective Defense Treaty are feeble, vague, and unconvincing. In fact, we have no commitment to them for they are not a party to the treaty. What commitment we do have, is to the other parties to the treaty. It is either to consult with them, if we are acting under paragraph 2 of article IV of the treaty, or to act with them to meet the common danger if paragraph 1 applies. What we have done in South Vietnam is to intervene unilaterally when we are by no means committed to do so.

BALL MISREPRESENTATIONS OF SEATO

In a speech at Northwestern University last Sunday, Undersecretary George

Ball further obfuscated our position by saying of the SEATO Treaty:

> Under that treaty and its protocol, the United States and other treaty partners gave their joint and several pledges to guarantee existing boundaries—including the line of demarcation between North and South Vietnam established when the French relinquished their control over Indochina.

This is, too, a gross misstatement of our commitment under the SEATO Treaty. There is nothing in this treaty which says that we or our treaty partners pledged to "guarantee existing boundaries" anywhere—and George Ball knows it. Contrary to Mr. Ball's distorted interpretation, we certainly did not commit ourselves to maintain a permanently divided Vietnam.

Once again, Mr. Ball has fallen into the pit which the administration digs for itself every time it tries to endorse the 1954 Geneva agreement and an independent South Vietnam at one and the same time. The two assertions are totally contradictory.

Under the 1954 Geneva agreements which ended the war in Indochina the division of Vietnam at the 17th parallel was a "provisional military demarcation" line.

The final declaration of that conference states that this line "should not in any way be interpreted as constituting a political or territorial boundary." The final declaration went on to spell out that the "military demarcation line" was to be obliterated through unification elections to be held throughout Vietnam in July 1956. We all know why these elections were not held as promised: Because Diem and we knew that no non-Communist leader could hope to equal Ho Chi Minh at the ballot box.

To say that a divided Vietnam is guaranteed under SEATO will not strike Hanoi or Peiping as being unusual. It only proves what the Communists have been saying all along: that despite the words of President Johnson that we support the 1954 agreement, the United States has no intention of carrying out its principles and that our real objective is to maintain a divided Vietnam with an American puppet government in South Vietnam. It is little wonder that the Communists doubt our intentions. When we use doubletalk in stating our policies—as George Ball did when he spoke at Northwestern University last Sunday—that we support a return to the 1954 Geneva agreements and at the same time say that under SEATO we are committed to a divided Vietnam—there is no question about which line they will believe.

Either we support the 1954 agreements—designed to create a unified Vietnam—or we do not. The State Department's position on this point, like its policies in Vietnam generally, are ambiguous, deceptive and, although calculated to fool our own citizens, the free world, and the other side, really fool no one. But they destroy the credibility of this Government. Until the State Department and the President begin to be honest with themselves and the people there is little hope for achieving peace through the United Nations or any other means. As a first step I suggest that they hire a few people who can read the plain English in the 1954 agreements and the SEATO treaty. It does not take a Philadelphia lawyer to read them—but it does take more than the abilities of the best international lawyer in Philadelphia to make legal sense out of the State Department's position.

Undersecretary of State Ball has often been described as the leading dove in the Department of State. In the light of what Mr. Ball said at Northwestern University last Sunday, he looks more to me like a dove in hawk's feathers, unless he is a pigeon.

There was a sharp and militant edge to Mr. Ball's remarks last Sunday. He described the alliances and commitments of this country as "a barrier around the whole periphery of the Communist world." He said that the battles our soldiers and marines are fighting in South Vietnam are "skirmishes in a continuing war to prevent one Communist power after another from violating internationally recognized boundary lines fixing the outer limits of Communist dominion." He referred to the "cynical and systematic aggression by the North Vietnamese regime" and called it "one further chapter of the long and brutal chronicle of Communist efforts to extend the periphery of Communist power by force and terror." This is hardly the language of temperance. It is the same kind of name-calling that we constantly accuse our adversaries of adopting. It is not the language of statesmanship. It is evidence of emotionalism and subjectivity when dispassion and reason are needed.

I gather from Mr. Ball's remarks that he feels that the United States has a holy writ to fix the geographic limits beyond which communism will not be permitted. Do we grant our adversaries the same right? What if the course of events had proceeded differently in Indonesia and the Indonesian Communist Party, which was the third largest Communist Party in the world, had succeeded in establishing a Communist government in that country? Would that have been beyond the "outer limits" Secretary Ball mentioned? What about the new nations of Africa? Are they beyond the outer limits, are they outside the "barrier around the whole periphery of the Communist world" to which Mr. Ball referred last Sunday?

Simply stated, we are fighting a unilateral war in Vietnam that is militarily impractical, politically foolish, and morally indefensible. It must be stopped before the virulent language and the deception practiced by both sides renders all peaceful solutions impossible.

I know that there are those, even some Members of this body, who take the position that we who criticize the foreign policy of our Government are in some way letting down the boys who are fighting in South Vietnam.

Those of us who are trying to change the foreign policy course of our Government, in order to bring this Government's policy back into the framework of the Constitution of the United States, are seeking to bring an end to the killing of our boys in South Vietnam. We are seeking to prevent the development of a situation in which tens upon tens of thousands, and perhaps millions, of our boys will be sent into a massive war in Asia, to die unjustifiably and unnecessarily.

Therefore, Mr. President, the issue is being drawn as to whether the administration is to be continued to be supported in the conduct of this illegal and unconstitutional war, or whether, at long last, we shall adopt a foreign policy that will amount, in fact, to the substitution of the rule of law for America's jungle law of military force in southeast Asia.

Mr. President, I ask unanimous permission to have printed in the RECORD at this point the text of the SEATO Treaty, and the text of the Geneva accords.

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

15. SOUTHEAST ASIA COLLECTIVE DEFENSE TREATY AND PROTOCOL THERETO, SEPTEMBER 8, 1954[1]

TEXT OF TREATY

The Parties to this Treaty,

Recognizing the sovereign equality of all the Parties,

Reiterating their faith in the purposes and principles set forth in the Charter of the United Nations and their desire to live in peace with all peoples and all governments,

Reaffirming that, in accordance with the Charter of the United Nations, they uphold the principle of equal rights and self-determination of peoples, and declaring that they will earnestly strive by every peaceful means to promote self-government and to secure the independence of all countries whose peoples desire it and are able to undertake its responsibilities,

Desiring to strengthen the fabric of peace and freedom and to uphold the principles of democracy, individual liberty and the rule of law, and to promote the economic well-being and development of all peoples in the treaty area,

Intending to declare publicly and formally their sense of unity, so that any potential aggressor will appreciate that the Parties stand together in the area, and

Desiring further to coordinate their efforts for collective defense for the preservation of peace and security,

Therefore agree as follows:

Article I

The Parties undertake, as set forth in the Charter of the United Nations, to settle any international disputes in which they may be involved by peaceful means in such a manner that international peace and security and justice are not endangered, and to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations.

Article II

In order more effectively to achieve the objectives of this Treaty the Parties, separately and jointly, by means of continuous and effective self-help and mutual aid will maintain and develop their individual and collective capacity to resist armed attack and to prevent and counter subversive activities directed from without against their territorial integrity and political stability.

Article III

The Parties undertake to strengthen their free institutions and to cooperate with one

[1] 6 UST 81; Treaties and Other International Acts Series 3170.

another in the further development of economic measures, including technical assistance, designed both to promote economic progress and social well-being and to further the individual and collective efforts of governments toward these ends.

Article IV

1. Each Party recognizes that aggression by means of armed attack in the treaty area against any of the Parties or against any State or territory which the Parties by unanimous agreement may hereafter designate, would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes. Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations.

2. If, in the opinion of any of the Parties, the inviolability or the integrity of the territory or the sovereignty or political independence of any Party in the treaty area or of any other State or territory to which the provisions of paragraph 1 of this Article from time to time apply is threatened in any way other than by armed attack or is affected or threatened by any fact or situation which might endanger the peace of the area, the Parties shall consult immediately in order to agree on the measures which should be taken for the common defense.

3. It is understood that no action on the territory of any State designated by unanimous agreement under paragraph 1 of this Article or on any territory so designated shall be taken except at the invitation or with the consent of the government concerned.

Article V

The Parties hereby establish a Council, on which each of them shall be represented, to consider matters concerning the implementation of this Treaty. The Council shall provide for consultation with regard to military and any other planning as the situation obtaining in the treaty area may from time to time require. The Council shall be so organized as to be able to meet at any time.

Article VI

This Treaty does not affect and shall not be interpreted as affecting in any way the rights and obligations of any of the Parties under the Charter of the United Nations or the responsibility of the United Nations for the maintenance of international peace and security. Each Party declares that none of the international engagements now in force between it any any other of the Parties or any third party is in conflict with the provisions of this Treaty, and undertakes not to enter into any international engagements in conflict with this Treaty.

Article VII

Any other State in a position to further the objectives of this Treaty and to contribute to the security of the area may, by unanimous agreement of the Parties, be invited to accede to this Treaty. Any State so invited may become a Party to the Treaty by depositing its instrument of accession with the Government of the Republic of the Philippines. The Government of the Republic of the Philippines shall inform each of the Parties of the deposit of each such instrument of accession.

Article VIII

As used in this Treaty, the "treaty area" is the general area of Southeast Asia, including also the entire territories of the Asian Parties, and the general area of the Southwest Pacific not including the Pacific area north of 21 degrees 30 minutes north latitude. The Parties may, by unanimous agreement, amend this Article to include within the treaty area the territory of any State acceding to this Treaty in accordance with Article VII or otherwise to change the treaty area.

Article IX

1. This Treaty shall be deposited in the archives of the Government of the Republic of the Philippines. Duly certified copies thereof shall be transmitted by that government to the other signatories.

2. The Treaty shall be ratified and its provisions carried out by the Parties in accordance with their respective constitutional processes. The instruments of ratification shall be deposited as soon as possible with the Government of the Republic of the Philippines, which shall notify all of the other signatories of such deposit.

3. The Treaty shall enter into force between the States which have ratified it as soon as the instruments of ratification of a majority of the signatories shall have been deposited, and shall come into effect with respect to each other State on the date of the deposit of its instrument of ratification.

Article X

This Treaty shall remain in force indefinitely, but any Party may cease to be a Party one year after its notice of denunciation has been given to the Government of the Republic of the Philippines, which shall inform the Governments of the other Parties of the deposit of each notice of denunciation.

Article XI

The English text of this Treaty is binding on the Parties, but when the Parties have agreed to the French text thereof and have so notified the Government of the Republic of the Philippines, the French text shall be equally authentic and binding on the Parties.

UNDERSTANDING OF THE UNITED STATES OF AMERICA

The United States of America in executing the present Treaty does so with the understanding that its recognition of the effect of aggression and armed attack and its agreement with reference thereto in Article IV, paragraph 1, apply only to Communist aggression but affirms that in the event of other aggression or armed attack it will consult under the provisions of Article IV, paragraph 2.

In witness whereof, the undersigned Plenipotentiaries have signed this Treaty.

Done at Manila, this eighth day of September, 1954.

For Australia:
R. G. CASEY
For France:
G. LA CHAMBRE
For New Zealand:
CLIFTON WEBB
For Pakistan:
Signed for transmission to my Government for its consideration and action in accordance with the Constitution of Pakistan.
ZAFRULLA KHAN
For the Republic of the Philippines:
CARLOS P. GARCIA
FRANCISCO A. DELGADO
TOMAS L. CABILI
LORENZO M. TAÑADA
CORNELIO T. VILLAREAL
For the Kingdom of Thailand:
WAN WAITHAYAKON KROMMUN NARADHIP BONGSPRABANDH
For the United Kingdom of Great Britain and Northern Ireland:
READING
For the United States of America:
JOHN FOSTER DULLES
H. ALEXANDER SMITH
MICHAEL J. MANSFIELD

I CERTIFY THAT the foregoing is a true copy of the Southeast Asia Collective Defense Treaty concluded and signed in the English language at Manila, on September 8, 1954, the signed original of which is deposited in the archives of the Government of the Republic of the Philippines.

IN TESTIMONY WHEREOF, L. RAUL S. MANGLAPUS, Undersecretary of Foreign Affairs of the Republic of the Philippines, have hereunto set my hand and caused the seal of the Department of Foreign Affairs to be affixed at the City of Manila, this 14th day of October, 1954.

[SEAL] Raul S. Manglapus
RAUL S. MANGLAPUS
Undersecretary of Foreign Affairs

PROTOCOL TO THE SOUTHEAST ASIA COLLECTIVE DEFENSE TREATY

Designation of states and territory as to which provisions of article IV and article III are to be applicable

The Parties to the Southeast Asia Collective Defense Treaty unanimously designate for the purposes of Article IV of the Treaty the States of Cambodia and Laos and the free territory under the jurisdiction of the State of Vietnam.

The Parties further agree that the above mentioned states and territory shall be eligible in respect of the economic measures contemplated by Article III.

This Protocol shall enter into force simultaneously with the coming into force of the Treaty.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries have signed this Protocol to the Southeast Asia Collective Defense Treaty.

Done at Manila, this eighth day of September, 1954.

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12. FINAL DECLARATION OF GENEVA CONFERENCE, JULY 21, 1954[1]

Final declaration, dated July 21, 1954, of the Geneva Conference on the problem of restoring peace in Indo-China, in which the representatives of Cambodia, the Democratic Republic of Viet-Nam, France, Laos, the People's Republic of China, the State of Vietnam, the Union of Soviet Socialist Republics, the United Kingdom, and the United States of America took part.

1. The Conference takes note of the agreements ending hostilities in Cambodia, Laos and Viet-Nam and organizing international control and the supervision of the execution of the provisions of these agreements.

2. The Conference expresses satisfaction at the ending of hostilities in Cambodia, Laos and Viet-Nam; the Conference expresses its conviction that the execution of the provisions set out in the present declaration and in the agreements on the cessation of hostilities will permit Cambodia, Laos and Viet-Nam henceforth to play their part, in full independence and sovereignty, in the peaceful community of nations.

3. The Conference takes note of the declarations made by the Governments of Cambodia and of Laos of their intention to adopt measures permitting all citizens to take their place in the national community, in particular by participating in the next general elections, which, in conformity with the constitution of each of these countries, shall take place in the course of the year 1955, by secret ballot and in conditions of respect for fundamental freedoms.

4. The Conference takes note of the clauses in the agreement on the cessation of hostilities in Viet-Nam prohibiting the introduction into Viet-Nam of foreign troops and military personnel as well as of all kinds of arms and munitions. The Conference also takes note of the declarations made by the Governments of Cambodia and Laos of their resolution not to request foreign aid, whether in war material, in personnel or in instructors except for the purpose of the effective defence of their territory and, in the case of

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[1] IC/43/Rev. 2, 21 July 1954, Original: French.

Laos, to the extent defined by the agreements on the cessation of hostilities in Laos.

5. The Conference takes note of the clauses in the agreement on the cessation of hostilities in Viet-Nam to the effect that no military base under the control of a foreign State may be established in the regrouping zones of the two parties, the latter having the obligation to see that the zones allotted to them shall not constitute part of any military alliance and shall not be utilized for the resumption of hostilities or in the service of an aggressive policy. The Conference also takes note of the declarations of the Governments of Cambodia and Laos to the effect that they will not join in any agreement with other States if this agreement includes the obligation to participate in a military alliance not in conformity with the principles of the Charter of the United Nations or, in the case of Laos, with the principles of the agreement on the cessation of hostilities in Laos, or so long as their security is not threatened, the obligation to establish bases on Cambodian or Laotian territory for the military forces of foreign Powers.

6. The Conference recognizes that the essential purpose of the agreement relating to Viet-Nam is to settle military questions with a view to ending hostilities and that the military demarcation line is provisional and should not in any way be interpreted as constituting a political or territorial boundary. The Conference expresses its conviction that the execution of the provisions set out in the present declaration and in the agreement on the cessation of hostilities creates the necessary basis for the achievement in the near future of a political settlement in Viet-Nam.

7. The Conference declares that, so far as Viet-Nam is concerned, the settlement of political problems, effected on the basis of respect for the principles of independence, unity and territorial integrity, shall permit the Viet-Namese people to enjoy the fundamental freedoms, guaranteed by democratic institutions established as a result of free general elections by secret ballot. In order to ensure that sufficient progress in the restoration of peace has been made, and that all the necessary conditions obtain for free expression of the national will, general elections shall be held in July 1956, under the supervision of an international commission composed of representatives of the Member States of the International Supervisory Commission, referred to in the agreement on the cessation of hostilities. Consultations will be held on this subject between the competent representative authorities of the two zones from 20 July 1955 onwards.

8. The provisions of the agreements on the cessation of hostilities intended to ensure the protection of individuals and of property must be most strictly applied and must, in particular, allow everyone in Viet-Nam to decide freely in which zone he wishes to live.

9. The competent representative authorities of the Northern and Southern zones of Viet-Nam, as well as the authorities of Laos and Cambodia, must not permit any individual or collective reprisals against persons who have collaborated in any way with one of the parties during the war, or against members of such persons' families.

10. The Conference takes note of the declaration of the Government of the French Republic to the effect that it is ready to withdraw its troops from the territory of Cambodia, Laos and Viet-Nam, at the request of the governments concerned and within periods which shall be fixed by agreement between the parties except in the cases where, by agreement between the two parties, a certain number of French troops shall remain at specified points and for a specified time.

11. The Conference takes note of the declaration of the French Government to the effect that for the settlement of all the problems connected with the re-establishment and consolidation of peace in Cambodia, Laos and Viet-Nam, the French Government will proceed from the principle of respect for the independence and sovereignty, unity and territorial integrity of Cambodia, Laos and Viet-Nam.

12. In their relations with Cambodia, Laos and Viet-Nam, each member of the Geneva Conference undertakes to respect the sovereignty, the independence, the unity and the territorial integrity of the above-mentioned states, and to refrain from any interference in their internal affairs.

13. The members of the Conference agree to consult one another on any question which may be referred to them by the International Supervisory Commission in order to study such measures as may prove necessary to ensure that the agreements on the cessation of hostilities in Cambodia, Laos and Viet-Nam are respected.

RECESS UNTIL 10 A.M. TOMORROW

Mr. MORSE. Mr. President, in accordance with the order previously entered, I move that the Senate stand in recess until 10 o'clock tomorrow morning.

The motion was agreed to; and at (5 o'clock and 50 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Friday, February 4, 1966, at 10 o'clock a.m.

HOUSE OF REPRESENTATIVES

THURSDAY, FEBRUARY 3, 1966

The House met at 12 o'clock noon.

Father Patrick McCabe, Church of Christ the King, the Bronx, New York, offered the following prayer:

Almighty and provident God, look with favor upon us this day. Grant to those here assembled a share of your wisdom and grace. Give to them the light to see what must be done; the courage and resolution to do it. Make them ever aware of their responsibility to serve the best interests and welfare of your people by whom they have been chosen to rule. And in return for this dedication and commitment, O Lord, do Thou conserve and protect them and give to them the reward of satisfaction in accomplishment and that peace and tranquillity that you give to those who have voted "yea."

THE JOURNAL

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

PERSONAL EXPLANATION

Mr. DEVINE. Mr. Speaker, on January 27 I was unavoidably absent and in my district, at which time I missed rollcall No. 3, having to do with House Resolution 665, authorizing funds for the House Committee on Un-American Activities. Had I been present I would have voted "yes."

I should like to have the RECORD so indicate.

COMMITTEE ON VETERANS' AFFAIRS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Veterans' Affairs may have until midnight, tonight, to file certain reports.

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

There was no objection.

INTER-AMERICAN CULTURAL AND TRADE CENTER

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up for immediate consideration House Resolution 706.

The Clerk read the resolution, as follows:

H. RES. 706

Resolved, That immediately upon the adoption of this resolution the bill (H.R. 30) to provide for participation of the United States in the Inter-American Cultural and Trade Center in Dade County, Florida, and for other purposes, with the Senate amendments thereto, be, and the same hereby is, taken from the Speaker's table, to the end that the Senate amendments be, and the same are hereby agreed to.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 8]

Abbitt	Ford, William D.	Olsen, Mont.
Andrews, Glenn	Fuqua	Philbin
Ashley	Giaimo	Pirnie
Baldwin	Grider	Pool
Bandstra	Hagan, Ga.	Powell
Baring	Herlong	Purcell
Blatnik	Jacobs	Quie
Boland	Jennings	Quillen
Bolling	Joelson	Rhodes, Ariz.
Brademas	Johnson, Pa.	Roberts
Casey	Jones, Ala.	Rogers, Fla.
Clancy	Karth	Rogers, Tex.
Clark	King, Calif.	Ronan
Clausen, Don H.	Kluczynski	St Germain
Clawson, Del	Kornegay	Scott
Cohelan	Lipscomb	Shipley
Conyers	Long, La.	Stephens
Corbett	McClory	Thomas
Cunningham	McDade	Toll
Daddario	McMillan	Watkins
Dague	McVicker	Watson
Davis, Ga.	Mailliard	White, Idaho
Dawson	Martin, Nebr.	Willis
Dent	Mathias	Wilson, Charles H.
Farnsley	Matthews	Wright
	Miller	

The SPEAKER. On this rollcall 357 Members have answered to their names, a quorum.

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

INTER-AMERICAN CULTURAL AND TRADE CENTER

The SPEAKER. The gentleman from Florida is recognized for 1 hour.