of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 10977. A bill to amend title II of the Social Security Act to provide that Federal service otherwise excluded from coverage shall be taken into account in determining whether an individual is insured for disability insurance benefits or satisfies the disability "freeze" requirements; to the Committee on Ways and Means.

By Mr. MURPHY of New York:

H.R. 10978. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. POOL:

H.R. 10979. A bill to authorize the Postmaster General to negotiate and enter onto rental agreement with postmasters at fourth-class offices; to the Committee on Post Office and Civil Service.

H.R. 10980. A bill to promote the general welfare, foreign policy, and national security of the United States; to the Committee on Ways and Means.

By Mr. CONTE:

H.J. Res. 640. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mrs. DWYER:

H.J. Res. 641. Joint resolution requesting the President to proclaim the last week in October of every year as National Student Council Week; to the Committee on the Judiciary.

By Mr. HANLEY:

H.J. Res. 642. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. HELSTOSKI:

H.J. Res. 643. Joint resolution authorizing the President to issue a proclamation designating the first full week of October as Spring Garden Planting Week; to the Committee on the Judiciary.

By Mr. MOSS:

H.J. Res. 644. Joint resolution creating a Joint Committee to Investigate Crime; to the Committee on Rules.

By Mr. GALLAGHER:

H.J. Res. 645. Joint resolution to consent to and enter into the mid-Atlantic States air pollution compact, creating the Mid-Atlantic States Air Pollution Control Commission as an intergovernmental, Federal-State agency; to the Committee on the Judiciary.

By Mr. TAFT:

H.J. Res. 646. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BERRY:

H. Res. 590. Resolution providing for the consideration of H.R. 421; to the Committee on Rules.

By Mr. CRAMER:

H. Res. 591. Resolution requesting the President to submit to the House of Representatives recommendations for budget reductions; to the Committee on Appropriations.

By Mr. HALL:

H. Res. 592. Resolution providing for the consideration of H.R. 421; to the Committee on Rules.

By Mr. KING of New York:

H. Res. 593. Resolution directing the U.S. Tariff Commission to make an investigation of competition between domestic and imported leather and leather goods; to the Committee on Way and Means.

By Mr. MONTGOMERY:

H. Res. 594. Resolution providing for the consideration of H.R. 421; to the Committee on Rules.

By Mr. POAGE:

H. Res. 595. Resolution authorizing travel for certain members of the Committee on Agriculture; to the Committee on Rules.

By Mr. COLMER (for himself, Mr. WAGGONNER, Mr. BARING, Mr. HALEY, Mr. TUCK, Mr. MORRIS, Mr. LENNON, Mr. LONG of Louisiana, Mr. FLYNT, Mr. DORN, Mr. DOWNING, Mr. DAVIS of Georgia, Mr. BRINKLEY, Mr. MONTGOMERY, Mr. HÉBERT, Mr. HERLONG, Mr. STEPHENS, Mr. HENDERSON, Mr. ABBITT, Mr. FALLON, Mr. JONES of North Carolina, Mr. ICHORD, Mr. BURLESON, Mr. ABERNETHY, and Mr. SATTERFIELD):

H. Res. 596. A resolution providing for the consideration of H.R. 421; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

240. By the SPEAKER: Memorial of the Legislature of the State of Oregon, relative to a study of practices and policies of Federal agencies regulating the allowable harvest of timber on Federal lands; to the Committee on Agriculture.

241. Also, memorial of the Legislature of the State of Oregon, relative to the widening and deepening of the ship channels in the Columbia and Willamette Rivers; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ADDABBO:

H.R. 10981. A bill for the relief of Alfredo Licatini; to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H.R. 10982. A bill for the relief of George Gonzalez; to the Committee on the Judiciary.

By Mr. BOGGS:

H.R. 10983. A bill for the relief of Mr. and Mrs. Alexis Joseph Cole; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 10984. A bill for the relief of Eustace A. Walters, Jr.; to the Committee on the Judiciary.

By Mr. DOWDY:

H.R. 10985. A bill for the relief of Dr. Lorenzo Galatas; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 10986. A bill for the relief of Bong Hee Kim; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 10987. A bill for the relief of Emilio Porco; to the Committee on the Judiciary.

By Mr. HUNGATE:

H.R. 10988. A bill for the relief of Eileen Hannevig; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 10989. A bill for the relief of Maria de Conceicao Botelho; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 10990. A bill for the relief of Miss Bernardita Barrientos Bollozos; to the Committee on the Judiciary.

H.R. 10991. A bill for the relief of Miss Filomena del Rosario Lazaro; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 10992. A bill for the relief of Aurelio Micco; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 10993. A bill for the relief of Jock Min Woo; to the Committee on the Judiciary.

By Mr. RIEGLE:

H.R. 10994. A bill for the relief of Oscar C. Pineda; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 10995. A bill for the relief of Judy Conching Tan; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

108. By the SPEAKER: Petition of People's Republican Committee of the District of Columbia, Washington, D.C., relative to voting representation by the citizens of the District of Columbia; to the Committee on the District of Columbia.

109. Petition of Henry Stoner, Portland, Oreg., relative to unconstitutional State laws; to the Committee on Rules.

SENATE

MONDAY, JUNE 19, 1967

(Legislative day of Monday, June 12, 1967)

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.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Dear God and Father of us all, in the miracle of another dawning, our grateful hearts rejoice that, fairer than morning, lovelier than daybreak, steals upon us the sustaining consciousness that we are with Thee. Go with us into this strange new day.

We pause in the midst of thronging duties and confused issues to commune with Thee, unseen source of goodness, that the light which is the light of the world may shine upon us and illumine our path of action.

We thank Thee for the stirrings of discontent within us with things as they are, for visions of a glory still to transfigure the earth, for the hope of brotherhood and justice and abiding peace. Keep us true to our highest and to Thy unceasing challenge to our best.

Make us honest and honorable enough to bear the vision of the truth, wherever it may lead; to cast aside all pretense; and expediency which warps the soul.

Above all other acclaim or reward, we crave the assurance of Thy approving voice: "Blessed are the peacemakers, for they shall be called the children of God."

In the name of the Prince of Peace. Amen.

MESSAGES FROM THE PRESIDENT—APPROVAL OF JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on June 16, 1967, the President had

approved and signed the joint resolution (S.J. Res. 58) to provide for the reappointment of Jerome C. Hunsaker as citizen regent of the Board of Regents of the Smithsonian Institution.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawing the nomination of Donald H. Langley to be postmaster at South Easton, Mass., which nominating messages were referred to the Committee on Foreign Relations.

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House insisted upon its amendments to the bill (S. 953) to amend the Food Stamp Act of 1964 for the purpose of authorizing appropriations for fiscal years subsequent to the fiscal year ending June 30, 1967, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. POAGE, Mr. GATHINGS, Mr. STUBBLEFIELD, Mr. BELCHER, and Mr. TEAGUE of California were appointed managers on the part of the House at the conference.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of Friday, June 16, 1967, was approved.

CALL OF THE ROLL

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

The PRESIDING OFFICER (Mr. HARRIS in the chair). The clerk will call the roll.

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

[No. 146 Leg.]

Aiken	Fulbright	Metcalf
Allott	Griffin	Miller
Anderson	Gruening	Mondale
Baker	Hansen	Monroney
Bartlett	Harris	Montoya
Bayh	Hart	Morse
Bennett	Hartke	Morton
Bible	Hatfield	Moss
Boggs	Hayden	Mundt
Brooke	Hickenlooper	Murphy
Burdick	Hill	Muskie
Byrd, Va.	Holland	Nelson
Byrd, W. Va.	Hollings	Pearson
Cannon	Hruska	Percy
Carlson	Jackson	Prouty
Church	Jordan, Idaho	Proxmire
Clark	Kennedy, Mass.	Randolph
Cooper	Kennedy, N.Y.	Ribicoff
Cotton	Kuchel	Russell
Curtis	Lausche	Scott
Dirksen	Long, La.	Smathers
Dodd	Magnuson	Smith
Dominick	Mansfield	Sparkman
Eastland	McCarthy	Spong
Ellender	McClellan	Stennis
Ervin	McGee	Symington
Fannin	McGovern	Thurmond
Fong	McIntyre	Tower
Tydings	Williams, Del.	Young, N. Dak.
Williams, N.J.	Yarborough	Young, Ohio

Mr. BYRD of West Virginia. I announce that the Senator from Missouri [Mr. LONG], the Senator from Georgia [Mr. TALMADGE], the Senator from Maryland [Mr. BREWSTER], the Senator from Tennessee [Mr. GORE], and the Senator from Rhode Island [Mr. PELL] are necessarily absent.

I also announce that the Senator from Hawaii [Mr. INOUYE] and the Senator from North Carolina [Mr. JORDAN] are absent because of illness.

I further announce that the Senator from Rhode Island [Mr. PASTORE] is absent because of the death of his mother.

Mr. KUCHEL. I announce that the Senator from New Jersey [Mr. CASE], and the Senator from New York [Mr. JAVITS] are necessarily absent.

The PRESIDING OFFICER (Mr. CLARK in the chair). A quorum is present.

THE DODD CENSURE RESOLUTION

The Senate resumed the consideration of the resolution (S. Res. 112) relative to censure of Senator THOMAS J. DODD.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished senior Senator from Oklahoma [Mr. MONRONEY] be recognized at this time, to be followed by the distinguished Senator from Louisiana [Mr. LONG].

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

Mr. MONRONEY. Mr. President, the Senate must perform a hard and unpleasant task. It must judge the conduct of one of its members. This is not the first time the Senate has been compelled to exercise this responsibility. In fact, many of the Senators present today during their tenure in the Senate have had to counsel with their consciences about the conduct of a colleague.

Serious allegations of misconduct were made against the senior Senator from Connecticut in the early part of 1966. These charges were brought to the attention of the Senate Select Committee on Standards and Conduct, which was authorized by the Senate in 1964 to investigate allegations of improper conduct by Members and employees of the Senate. The senior Senator from Connecticut himself requested the select committee to look into certain of the charges and allegations made against him.

The select committee members have investigated these charges thoroughly, have considered and weighed them carefully, and, as a member of the committee I can say, have searched their souls to arrive at a decision that was fair to their colleague and in accord with the duty imposed upon them by the Senate.

Of the several allegations made against the senior Senator from Connecticut, the committee concluded that two were well founded and that the senior Senator from Connecticut deserved the censure of the Senate, because of conduct contrary to accepted morals, which derogates from the public trust expected of a Senator, and which tends to bring the Senate into dishonor and disrepute.

I believe the select committee has acted with fairness. It certainly did not act with malice, because the senior Senator from Connecticut is an old and popular colleague of every member of the committee. The committee offered the senior Senator from Connecticut every opportunity to be heard and to present his position with respect to the allegations made against him. It afforded him the right to counsel and, I believe, granted him adequate notice and time to prepare for the investigation made by the committee.

The committee acted pursuant to the powers conferred upon it by Senate Resolution 338 of the 88th Congress and in accordance with the requirements of article I of the Constitution.

The committee has recommended censure only on those allegations for which there was direct proof or admitted fact. Allegations regarding possible violations of law have been referred to proper authority for consideration. Allegations with no basis in cold, hard fact were disregarded.

The select committee has performed its function and has met its responsibility to the Senate. It has investigated the charges; it has provided a record of personal testimony and admitted fact for the Senate to review; it has drawn its conclusions and made its recommendations, all as required by Senate Resolution 338. The burden of judgment resides now in the Senate, in each member individually and this body collectively.

I do not believe, therefore, that the committee or its members should now act as prosecutors, in any sense, of the senior Senator from Connecticut. I do believe the members of the committee have an obligation to explain their reasons for arriving at their decision and to tell the Senators who now must exercise judgment why they believe the senior Senator from Connecticut deserves censure.

That is the purpose of my addressing the Senate today. The decision I made as a member of the committee and the remarks I make today are difficult and painful actions for each of us.

The consideration by the Senate of the alleged misconduct of a Senator is, in a sense, extralegal in nature, although it is based on the Constitution. In the case of the senior Senator from Connecticut we are not considering the violation of any law, nor the breach of any written code of conduct. We are considering something far more difficult than that, more nebulous and elusive; yet of supreme importance to a society such as ours, whose government is representative and whose fundamental strength lies in the trust and confidence its citizens must have in their elected officials.

It is a signal tribute to the wisdom of our citizenry and the ethics of those whom they have elected that this type of proceeding is rare. But when an occasion does arise that requires us to examine our values and decide what our standards shall be, we should not hesitate to do so; because our whole system of government is in jeopardy, if the public

trust and confidence in the institutions which govern them should ever waver.

We must reflect not only on our own conscience and ideals, but on that of the people whom we represent and serve. We must consider a Senator's responsibility and duty to himself, to his constituents and to the Senate, as one of the coequal branches of Government under our tripartite system.

I believe the Senate has a clear responsibility to act when the conduct of one of its Members has been brought into question to the degree it has in the case of the senior Senator from Connecticut. For if the Senate does not act on matters such as this, who shall? And if acts of impropriety are permitted to go unchallenged and unpunished, the Senate as a whole deserves whatever distrust or lack of confidence that may arise in the minds of the public. At a time in our history when many believe the Congress is in need of strengthening, so that it may fulfill more effectively the duties prescribed by the Constitution, the public trust and confidence in the integrity of its Members is paramount.

Are there special standards of conduct which Senators must meet? A Senator must, of course, obey the laws of the land and abide by the rules and regulations of the Senate. Beyond this there are now no specific, written standards that have been adopted by the Senate which would apply to the charges made against the senior Senator from Connecticut.

But I firmly believe there is a higher standard of conduct which must guide us as individuals, as well as in our role as Senators—a standard accepted and expected by our society. It exists and, nebulous though it may be, we must pay the price when we breach it.

The select committee is considering the establishment of a code of conduct for Members of the Senate. It will, I am confident, recommend such a code as soon as possible. Any code the committee recommends and the Senate adopts will necessarily be general in nature.

The senior Senator from Connecticut has charged that he has not been afforded due process of law and that the committee's action amounts to the application of an ex post facto law against him. It is true there is no Senate rule which states that a Senator cannot convert political campaign funds to his personal use. The absence of a written rule does not, in my opinion, mean that such a practice is proper.

The code of conduct which the select committee will recommend will try to establish broad principles of conduct to govern the Members of the Senate and, insofar as possible, state the "shall nots" for which a Senator would be subject to censure. But whatever code is approved by the Senate cannot cover all situations which may arise in the future for which punishment would be deserved. None of us can predict what specific actions may be taken by an individual Senator 25 years from now which may be considered improper.

The lack of a specific, written rule in no way justifies or excuses improper conduct, especially in this body. We are not talking about criminal sanctions against Senators. Although censure is a punishment, it is not the type of punishment intended to be covered by constitutional provisions relied upon by the senior Senator from Connecticut.

The Senate is called upon to express its opinion with respect to the conduct of the senior Senator from Connecticut. If the Senate decides to censure him, none of his senatorial prerogatives and privileges will be withdrawn. He will remain the senior Senator from Connecticut. He will continue to draw his salary and be entitled to all the allowances of his office. He will retain his seniority and his position on all committees. The censure action merely expresses the Senate's condemnation of the course of conduct in which the senior Senator from Connecticut engaged. It is, therefore, hard for me to equate constitutional guarantees with respect to ex post facto laws and due process with the recommendations made by the committee.

It is impossible to anticipate all possible types of conduct and to prescribe detailed rules with respect to every aspect of the performance of our public duties. Any code of conduct is necessarily subject to change, because our mores and standards refine as our society evolves. What was not considered censurable conduct 100 years ago, may be so today. And the same holds true with whatever decision the Senate makes with respect to the senior Senator from Connecticut and with respect to any specific code it may later adopt.

Our ethical standards have, I believe, risen, certainly when compared to 100 years ago or even 25. This is good, because it means we are making progress toward attaining the high ideals set forth in the documents establishing this Nation.

Does the lack of any specific, written standard covering the conduct of the senior Senator from Connecticut mean that the Senate should take no action? I think clearly not. For an affirmative answer to that question would mean that the very persons responsible for writing a code of conduct could evade punishment for clearly unethical actions merely by failing or refusing to adopt rules of ethical conduct. If that were the case, we would be a law unto ourselves. As the lawmakers in our society, we would be above any law, above any mores, above any reproach for our actions. We cannot adopt such an attitude.

The Senate recognized when it passed Senate Resolution 338 in 1964 that there can be conduct deserving investigation and punishment even though it constituted no violation of law or of Senate rules and regulations. The language of the resolution is unequivocal. Section 2(a) says:

> It shall be the duty of the select committee to—
>
> (1) receive complaints and investigate allegations of improper conduct which may reflect upon the Senate, violations of law, and violations of rules and regulations of the Senate . . .

The Senate has made a clear distinction and it placed investigation of improper conduct reflecting on the Senate as the first duty of the select committee. To what was the Senate referring, if not to that unwritten and unchanging code which governs us all and which imposes upon us a higher duty and a deeper trust than any written law can ever do?

We are each guided by our conscience and our personal ethics. But as Members of this body, our actions cannot be controlled solely by our personal beliefs. The public trust and confidence in the institution of the Senate depends upon the actions of each of its Members. There is a minimum standard of conduct expected by the public to which the personal beliefs of all 100 Members must conform.

It is not easy to define that minimum standard, but it does exist. It requires the Senate, as an institution, to develop a collective conscience and, in addition to the constitutional responsibility of the Senate to judge the conduct of its Members, it requires us to pass upon the charges made against the senior Senator from Connecticut.

It is true that, as Senators, we are responsible to the citizens who elect us. They can express their disapproval of our conduct by refusing to reelect us. But the Senate is a national institution. Its reputation and its esteem in the minds of the citizens of this Nation and, in our era, the citizens of the world rest on more than election of one Member in any one State. This was recognized by the writers of our Constitution. The power to punish or expel a Member would not have been granted, if the responsibility for judging a Member's conduct was thought to reside only in his constituents.

By virtue of their election to office, Senators are given great power and great prestige. Their office in return imposes upon them grave responsibilities. There is no sterner duty or higher trust than that imposed upon the lawmaker under our system of government.

When a lawmaker's actions exceed the bounds of proper conduct, his actions reflect upon the body in which he serves and upon the system itself. If the improper conduct is of such degree it brings the reputation of the institution itself into question, there is serious doubt the institution can remain effective and influential in the affairs of governments. If such conduct is permitted to go unnoticed and unpunished, no other conclusion can be drawn, but that the institution condones improper conduct.

The specific issue before the Senate is the conduct of the senior Senator from Connecticut. Was his conduct improper to such a degree it has reflected upon the Senate and, if so, does it deserve the censure of the Senate?

The committee concluded unanimously that the senior Senator from Connecticut used the influence and power of his office to obtain funds from the public through political testimonials and a political campaign, which were used for his personal benefit. The use of these funds for private and personal purposes was admitted in testimony and by stipulation.

The character of the testimonial dinners and receptions and the purposes for which the funds were to be used are in

dispute. But the committee concluded, and I believe rightly, from all the circumstances and publicity surrounding the fundraising events, that they were political in character and that Senator DODD'S knowledge of their political nature must be presumed.

The solicitation letters sent out to the public, the newspaper publicity about the events, the exclusive control by members of the Senator's staff of the events and the money raised, the close political relationship between the Senator and the sponsors of the events, the concern over the Senator's political debts, and the partisan political nature of the printed programs leave no other conclusion in my mind but that the money was being raised ostensibly to help the senior Senator from Connecticut pay off past campaign debts and finance future campaigns. There was a holding out to the public that these were political events, no matter what the private intent of the senior Senator from Connecticut and his close private associates might have been.

I believe it is improper to solicit and accept funds for political purposes and then convert those funds to personal use to the extent and with the consistency practiced by the senior Senator from Connecticut. If funds are to be used for personal benefit, I believe the persons solicited and the public in general are entitled to know. There was no such notice given by the senior Senator from Connecticut or by his staff or his political associates.

In the heat of a campaign or in the course of a Senator's busy schedule, mistakes can be made and things can transpire about which a Senator may not be aware. But in the case of the senior Senator from Connecticut, there was a consistent course of conduct over a period of 5 years of holding events, ostensibly for political purposes, and the funds which were raised were used in large part for personal purposes.

A pattern developed, which the Senator either knew or should have known, of raising money which for all outward purposes was to help him in his campaign for office, but which he intended to spend for personal benefit. Much of the money raised was indeed used for political purposes. A great amount—at least $116,000 out of a total of $450,000—was converted to private and personal use. At least another $45,000 was used for purposes which were neither clearly personal nor political.

We are not talking about an occasional or accidental conversion of campaign funds for personal use. We are judging a deliberate and consistent conversion over a number of years of large amounts of what were outwardly campaign funds to personal use. If a Senator desires to engage in that kind of activity to supplement his salary, I think, at a minimum, there is an obligation to give notice to the people whose money is being used to maintain a Senator's standard of living.

A Senator must apprise himself of the activities and the motives of his staff, as well as his close personal and political associates. For he must bear the consequences of actions they take in his name. It would be a wonderful thing if we could be unfettered from any concern about financial obligations and not have to worry about the details of our campaigns. But we are not. This is not the nature of our system of government. It was not intended that political and public life be easy and all the Members of this body know that it is not.

The committee believed that the general public and the persons from whom funds are solicited by a public official are entitled to know the purposes for which the funds are to be used and that if those funds are to be used for personal benefit, the public should be given clear notice. We cannot presume that persons who contribute money to an affair which is political in nature are giving money to us freely for us to use in any manner we see fit. A person may not be willing to contribute money to help us maintain what we think our standard of living should be, although they might be willing to contribute money to help us win an election.

The senior Senator from Connecticut characterized the use of much of the money as being political—personal in nature. He stated in testimony that during his tenure as a U.S. Senator he was unable to distinguish between his personal and his political life. I think we all understand what he meant, because we are all politicians. Almost all our waking hours are devoted to the performance of the duties required by our office.

We cannot fail to distinguish, however, between our personal and political lives, between our personal and political obligations, between our personal and political needs. This is particularly true with respect to our finances. We cannot equate a personal, financial need with a political need, because who is to decide what the standard of personal need shall be? And who is to distinguish a personal, financial need from a personal desire or want?

Of course, most of us need more money than we have authorized ourselves as salary. We certainly cannot finance campaigns on our salary. Yet, we cannot presume that the expenses and burdens of our office entitle us to a sum of money, either in salary or raised from contributions, sufficient to permit us to live a politician's life. If we need more money for private purposes, we should work to persuade our constituents to pay us more money as salary or in the form of other allowances.

It has been strongly argued that in addition to regular political fundraising banquets, there is the testimonial dinner which is different in that moneys raised under this banner can be used for needs as determined by the honoree. The personal needs as well as the political needs of the candidate, we are told, can be thus taken care of out of funds if the dinner is a testimonial affair.

We are told that there is a double standard and that the testimonial benefits can be used legally to help a candidate or a Member maintain higher standards of living.

I am sure you all realize that the Government does have a duty to pay us enough to keep us fed—but it does not owe us an obligation to keep us housed as we might wish to be housed. Or to entertain as we wish to entertain, or to travel or to drive the kind of car we might wish.

But I fear if we embark on the approval of a system of funds for the personal betterment of the Members' living standards, we will be setting dangerous precedents.

Like many other Members, I do not like the system we have to use to conduct our campaigns. I wish the cost could be so low we could finance them ourselves. I deplore and regret the necessity of accepting help from friends, business, or commercial interests to finance an election. But elections are necessary and certain expenditures are indispensable.

Because of dangers from conflict of interest, we have for scores of years had legislation of one kind or another requiring identification and disclosure of the financial help given directly to a Senator to help secure election so as to limit the impact on a Senator's responsibility to his office. There are both State and Federal laws. Both need strengthening.

If we accept the theory of the distinguished senior Senator from Connecticut, advanced on the floor and in the hearings and in his written briefs, we must accept another system that would entail dangers and evils which go far beyond any we now experience under our system of campaign donations and election financing.

We are asked to accept—and because of the vital importance of the debate on this motion of censure and its impact upon future Senators and their supporters—to adopt a new standard, one that can lead us into grave dangers and invite contamination in the not too distant future of the well of democracy itself.

The senior Senator from Connecticut has repeated time and time again the doctrine that there is not and should not be any requirements that funds made as "gifts" at testimonial dinners honoring men in high political office necessarily be spent for political uses.

Time and time again it has been repeated on the floor by the senior Senator from Connecticut and advocated in written briefs that funds so given under the banquet title of "testimonial" are funds for the use of the Senator for any purpose he might choose to make of them.

While the committee has calculated that $116,000 over the 1961, 1963, 1965 period was used for personal purposes, it is not that figure which is challenged by the Senator. It is his right to fully decide to what use they are to be put and for what personal purposes they are to be spent. You have heard this matter ably presented by our distinguished chairman, Senator STENNIS, and I will not dwell further on the accounting in the case.

It is the precedent which may be set in this case—rather than the money involved—that to me appears to be of gravest importance.

If we accept the right of Senators to sponsor their own testimonial dinners, if we accept the accompanying right to

spend as he chooses so strongly insisted upon by the senior Senator from Connecticut and his counsel and our distinguished majority whip and his counsel we will have embarked down a road that will plague this body and all other free legislative bodies for scores of years.

Remember these funds were raised with some fair understanding that they were for political purpose and for paying political campaign expenses either past or future.

Our sanction of this system of fundraising occasions—whether they are called deficit lifting banquets, campaign expense banquets or testimonial dinners—where the funds in whole or in part are eligible for personal expenses of the honoree—to be spent as he chooses—leads us down a dangerous path for democracy.

The dangers of giant corporations with special interests corrupting State legislatures—and even some few in the Congress as happened in the earlier days of our Nation—would again be possible under this system, if we adopt an ethical standard that sanctions the raising of any amount of funds, from any source, at any time, for any purpose the honoree of a testimonial wants to use them for.

Such testimonial funds would be unreportable in the regular accounting of campaign expenditures—particularly if they were used for the betterment of the candidate's personal living. They would, I believe, be nontaxable as income on the basis that such subscriptions are "gifts." They would be legal and thus their receipt in any amount, high or low, would put their acceptance by a sitting Member or a candidate beyond the reach of the Corrupt Practices Act.

If we approve the acceptance of testimonial funds as gifts to be used at the personal discretion and for the personal purposes of the recipient, the future implications should be considered carefully now. What is to prevent these present modest donations of $25 or $100 by the party faithful from growing into outright attempts to use vast sums of money to influence votes in this or other legislative bodies by staging testimonials—the income from which, as gifts, would be outside the reach of present statutes. What would the ante be and how rapidly would it grow into a major scandal of attempted vote buying in legislative bodies.

If the future testimonial gifts of cash in extremely large amounts, as well as in small amounts, is legal, nontaxable, what are the limits—if any? If cash is acceptable, what about something nicer such as gilt-edge stocks or bonds or real estate or buildings or mineral properties.

We must act with the full knowledge of the dangers that can come from an unwise policy—a dangerous policy that could snowball. We have had cases in our history of gigantic efforts at corruption of our political system by despoilers. Our laws against bribery were passed to prevent the use of money or other things of value from securing special favors from the Congress. It was the danger of personal use of funds by Members that led to their passage.

We must not open for the future another avenue where men of no principle can corrupt for their special interests any Member of this body. We dare not open such an avenue which would establish this local Connecticut testimonial affair of friends as a precedent that could come.

The committee also concluded that the senior Senator from Connecticut acted plague us and our traditions for years to improperly in connection with the payment of travel allowances to him by the Senate. There is no dispute that the senior Senator from Connecticut did accept money from the Senate and from private organizations for the same travel.

There is great dispute as to how this came about and who was at fault. There can be no disagreement though, about whose responsibility it was to see that such things did not happen. At the least, the senior Senator from Connecticut did not maintain close enough surveillance over the activities of his employees to assure that they were not perpetrating a fraud against the Senate.

We cannot handle all the details and paperwork which run through our offices on a day-to-day basis. We must rely on staff work to a great degree and it is shocking when our faith in the ability and loyalty of our staff is abused, as it was in the case of the senior Senator from Connecticut.

The supervision of our staffs and the financial affairs of our offices is the individual responsibility of a Senator. When our staffs commit acts of wrongdoing we must bear the consequences. This is a risk which all men in positions of importance and power must assume, especially those in public life.

It would be understandable, again, for an occasional, careless mistake to be made in the billing of the Senate for travel. But in the case of the senior Senator from Connecticut the acts occurred frequently enough to constitute a practice which clearly cannot be condoned. If we expect the public to trust us in the expenditure of billions of dollars of the Nation's wealth, we have to demonstrate that we can control the relatively minor expenditures of our office. In my opinion, the senior Senator from Connecticut did not meet the degree of care required in the accounting of his official expenditures.

It is sad and tragic when circumstances require this body to examine the conduct of a Senator, especially one with as distinguished a record of loyal and devoted service to the Senate and the Nation as that possessed by the senior Senator from Connecticut. I want to make clear that I have the highest regard for the senior Senator from Connecticut as a legislator and have great admiration for his many accomplishments. He has been a vigilant watchman of the Nation's security and has on many occasions pointed out the danger to this country, at home and abroad, of permitting communism to go unchecked and unrestrained. The Nation's youth owe him a debt of gratitude for his endeavors to combat juvenile delinquency. He has served our country with distinction in the field of foreign relations. The senior Senator from Connecticut's distinguished record entitles him to the fullest and fairest consideration the Senate can give. But it does not make him immune from punishment for the improper conduct with which he has been charged.

The Senate must, I believe, consider the stresses and strains under which we all operate. It must take into account the pressures which are brought to bear upon us all. There never seems to be enough time to do all that we wish. We are pushed and pulled from all directions and, perhaps, too much is expected of us. At times the burdens seem too heavy and the temptations to ease them too great.

We must remember, however, that we willingly and knowingly sought our office with a full awareness of the burdens, responsibilities, and difficulties inherent in it. Certainly a Senator who has served in this body and runs for reelection knows what he is letting himself in for. He does not have to run and he does not have to serve if he believes the burdens are overwhelming.

Our system may require too much of us. It may be in need of revision. Clearer rules of conduct may need to be devised, and I believe they will. But until the system is revised, we must take it as it is. As Senators, we must meet the standards of conduct, written or unwritten, expected of a Senator by the public and we have a duty to punish those who do not.

I sincerely believe the senior Senator from Connecticut did not meet those standards of conduct required by our representative form of government and expected by the public. As a consequence his acts have derogated from the public trust expected of a Senator and have tended to bring dishonor and disrepute on the Senate.

Having examined all the evidence and testimony as thoroughly as I can, I cannot condone the conduct of the senior Senator from Connecticut. Unless the Senate is prepared to condone the specific acts of the senior Senator from Connecticut as proper conduct—conduct befitting and becoming the office of a U.S. Senator—it must, in my opinion, censure the senior Senator from Connecticut. I believe censure is deserved and I will vote accordingly.

That is my decision, Mr. President. I have tried to explain to my colleagues my reasons for arriving at it and believing it just and fair. Each Senator must now decide for himself and I do not envy you the agony it will cause.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. MONRONEY. I am glad to yield to the distinguished majority whip.

Mr. LONG of Louisiana. Mr. President, I agree with the logic of the Senator's argument that the committee should not regard itself as a prosecutor. We should not feel that the honor of the committee is at stake in any event with regard to this matter. We should, however, feel that it is the duty of each Senator to look into his own conscience and hear the facts and decide for himself what he thinks about the matter.

I applaud the Senator for that view, because I think he is entirely right about the matter.

I ask the Senator if he read the argu-

ment that I made in taking the contrary point of view concerning the fundraising dinners. It appears on pages 16119 through 16134 of the RECORD on Friday.

Mr. MONRONEY. I heard all the remarks of the Senator except those which he made after 6:35 on Friday evening. Will the Senator identify the matter to which he refers? I do not wish to delay the Senate while I am reading it.

Mr. LONG of Louisiana. Is the Senator familiar with the illustration I gave about the sheriff and the help we gave to assist him in getting elected?

Mr. MONRONEY. Yes. That concerned taking the rubberband off the wad of bills.

Mr. LONG of Louisiana. That is not the case I have in mind.

I referred to an election in which we helped to raise the man's personal and political expenses. We helped to pick up some of his debts in order that he might be able to run for sheriff.

Mr. MONRONEY. I am familiar with that.

Mr. LONG of Louisiana. Did the Senator hear or read the illustration I gave concerning the knowledge of John F. Kennedy of the circumstances under which Senator Webster had been necessarily subsidized by the people of Massachusetts in an amount that would constitute millions of dollars of purchasing power today in order that he might be able to afford to be in the U.S. Senate? Notwithstanding those circumstances, he was placed in a position of honor and was honored by the United States.

Mr. MONRONEY. I do not understand that the amount was given by the late President Kennedy, or that there was anything other than the reference to a letter from Daniel Webster that had been found in the papers. That letter asked that his stipend which he had exacted from the Bank of the United States be more prompt in its arrival.

I mentioned in my speech that matters that applied 100 years ago do not necessarily apply today in the ethical conduct of Congress.

I recall the salary of Members of the Senate and the House of Representatives in those days was so very low that Congressmen lived in boarding houses and many of them did not have enough funds to support themselves unless they happened to be men of great wealth and had come here with that wealth.

I can remember when Members of Congress were raised from, I believe, a $7,000 salary to $10,000.

I had a part in helping to increase the salary in the first Reorganization Act to a more realistic figure.

I feel that the other increases that have been voted were quite proper in view of the accelerating cost of living that, as all know, has occurred.

Mr. LONG of Louisiana. I agree with the Senator on that part of it.

I applaud the Senator for his courageous effort to get salaries increased to an amount that is more nearly what they should be.

As a matter of fact, is it not correct that 30 years ago a Senator making $12,000 a year was being paid a lot better in terms of purchasing power, especially when we consider that one session consisted of 90 days and the other session consisted of about 5 months. He was, therefore, doing less than 1 year's work in the period of 2 years.

Did the Senator hear or read the concluding portions of my speech?

Mr. MONRONEY. I left at 6:35 on Friday evening. I missed the concluding portion. However, I stayed as long as I possibly could. I had some people waiting for me.

Will the Senator describe the particular point that he raised?

Mr. LONG of Louisiana. I will outline it later. However, I wanted to know if the Senator had read it.

Mr. MONRONEY. I think I missed about 35 minutes during the entire proceedings.

Mr. LONG of Louisiana. I thank the Senator.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. MONRONEY. Mr. President, I yield to the distinguished Senator from Utah.

Mr. BENNETT. Mr. President, I have listened to the Senator's explanation of the explanations which were given for the testimonial dinners.

I wonder if the Senator emphasized enough the fact that, on the other side, there has been no indication in any printed material or newspaper reports that the actual purpose was to raise money for the Senator to use as he pleased.

Mr. MONRONEY. I think the Senator raises a very important point.

I have studied, as he has, all of the newspaper publicity that was made available to the committee. While there are a number of references to campaigns and the raising of campaign funds to pay a campaign deficit, I could not find one single line in any of the publicity either before or after, that indicated in any way, shape, form, or manner that the funds being raised were to be used for the personal uses of the distinguished senior Senator from Connecticut.

This fact was not mentioned even in the mailings which went to a confidential list of longtime, loyal, dedicated supporters.

Mr. BENNETT. Was there any reference to it in the printed material and the programs?

Mr. MONRONEY. I saw no mention of anything in the program that would indicate it.

We do have evidence that not many people knew what the funds would be used for. That was the impression I believe that has been made on every reader of the material, and none of the publicity indicates in any way a correction of this situation, had it been desired to have that made public.

So I see no way to identify this as a banquet from which the funds would be used personally.

If there are no other questions, Mr. President, I yield the floor.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. MONRONEY. I am happy to yield.

Mr. THURMOND. I should like to put to the Senator an inquiry I made of the chairman of the committee on last Friday evening, about 6 o'clock. It was rather late, and not many Senators were in the Chamber. I also directed the inquiry to any other member of the committee.

Did the committee conclude that testimonial dinners are wrong per se and that Senator DODD was acting improperly and would bring the Senate into disrepute if such dinners were held?

The second question is this: If such testimonial dinners were held, and he did not affirmatively state that the money was for his personal use, did that bring the Senate into disrepute?

Then, the third category: If the dinners were held and announcements were made that they were for campaign purposes, although some of the funds were used for personal purposes, with possibly an intermingling, did the committee base its finding on that category?

In other words, what is the position of the committee with regard to testimonial dinners? Where is the line of demarcation? Just how far can one go? I have heard of dinners being held when people retired, and they were given automobiles. I have heard of dinners being held when people have retired, and they have been given homes. No announcements were made to that effect, just the announcement that it was to be a testimonial dinner.

Did the Senator from Connecticut have an obligation to inform the public that the funds from this dinner were to be used for personal purposes, or was it only necessary that an announcement be made that a testimonial dinner would be held? I am wondering what was in the minds of the committee as to the standard, as to the criteria, as to the line of demarcation with respect to these matters. I believe it is important that we know. If the Senator from Connecticut announced—or if it was announced for him—that dinners were to be held for campaign purposes and he used the money for personal purposes, not reimbursing political expenses, and the donors were deceived, that is one situation. But if the only announcement was that dinners were to be held for Senator DODD, and the people who attended knew that the money would go to him and they were not particular about what he used it for—I presume they would feel it would be chiefly for campaign purposes, since he is in public life; but if that were not announced, that is another category.

Would the Senator care to elaborate on those matters?

Mr. MONRONEY. I can only say what my impression was in serving for many weeks on the committee. The committee's decision to censure on this point was based upon the fact that the dinners and other affairs were consistently held, some seven in number in which the ostensible purpose was, so far as the public knowledge or information were concerned—not unanimously in all publicity or all letters, but a sufficient amount to leave the public impression—that these were fundraising dinners for which the money was to be used for paying old cam-

paign debts or to take care of, prepare, and carry on an existing campaign.

This, I believe, is the case today before the Senate. These were the affairs that we studied and investigated, and we based the first count in the motion to censure on the facts as they were presented to us, and largely stipulated, and the existing publicity that we have accumulated and examined, and the letters that went out.

I do not believe the committee is prepared to go further than the facts before it. If we presume to write in this case a standard of ethics, we would be going beyond the matter laid before us in the investigation. We could consider only this one case, and this is what the committee has done.

For myself, if the Senator from South Carolina wishes my ideas, I believe that we certainly should prohibit the use of testimonial dinners as personal fundraising events in our political system, about which I spoke at some length, and I gave the reasons in my speech a few moments ago: that it can lead to opening a door, with no control, for the personal enrichment of a Member of the Senate or other political body, without proper accounting, which would put it beyond the bounds of the present Corrupt Practices Act, and other acts of that nature. That is my personal belief.

Other members of the committee might be willing, in writing a code of ethics—to which I hope we can get—to say that a testimonial dinner may be held with respect to which it is announced that all the funds or half of the funds or one-fourth of the funds will be used for the personal use of the honoree; and if that is the decision of a majority of the Committee on Standards and Ethics, that will be brought to the Senate.

I believe that this would not be good public policy, as I stated earlier, because it would open an avenue which, when expanded to its ultimate limits, could be very dangerous to our political system and could be detrimental to the prestige, dignity, and standing that the Senate and other legislative bodies must have.

We have before us for consideration the facts in the case, which have been so ably discussed by the distinguished chairman and the distinguished vice chairman of the committee, the stipulations which are before the Senate, and the evidentiary matters that are contained in all the publicity accounts of these banquets, not one of which mentioned that the funds were for personal use of the honoree. This is the question that I believe we have before us today.

Mr. GRIFFIN. Mr. President, will the Senator yield?

Mr. MONRONEY. I am happy to yield.

Mr. GRIFFIN. My inquiry concerns the charge in the censure resolution relating to the so-called double billing.

As I recall the statement made by the senior Senator from Connecticut, he said there were some 21 times when he would have been entitled to reimbursement, under Senate rules, for the cost of travel to and from his State. I am aware that on page 866 of the hearings, No. 108 of the stipulations, the committee counsel and the counsel for the senior Senator from Connecticut stipulated that this is the fact—that there were 21 trips to and from Connecticut to which the senior Senator from Connecticut would have been entitled to reimbursement; and, according to his statement, he did not seek or request reimbursement.

In seeking to evaluate the seriousness of the charge of double billing on seven occasions, it is difficult, I believe, not to consider the fact that the senior Senator from Connecticut apparently did not claim reimbursement on 21 different occasions.

My question is, Did the committee check into this claim before the stipulation was made; and, if so, how does the committee account for the fact that, as I understand the rules of the Senate, having made some inquiries, up until last year each Senator was entitled to be paid for only two trips to his State and, as I understand, last year it was increased to six?

If the arithmetic is correct, it would seem to me that he would have been entitled to reimbursement for 16 trips. Can the Senator give us some enlightenment on that matter?

Mr. MONRONEY. I believe that up until a year ago or 2 years ago, we were entitled to two trips a year, which come up rather fast, and then it was increased to six, as I recall, in the present lineup. The reimbursement was allowed to Members who made those trips and who filed through the disbursing office, a voucher and the ticket receipt that you get on an airline ticket. I understand that Senator BENNETT will discuss this matter rather minutely.

However, the 21 trips—we do not question that he was entitled to reimbursement—have nothing to do with the charge of double billing that is made with respect to the seven trips which were connected with the speeches that were made for private organizations, for which a fee was usually accepted.

The only place this matter might be considered in the case was that the office or the Senator himself did not bill his entitlement and return the carbon copy of his tickets for those 21 trips for which he was entitled. We are compelled to be on a use-it-or-lose-it basis. I have lost trips in the past because I failed to file in due time. I have not always kept track of them.

Certainly, it was within the Senator's responsibility to file for those and not let them expire. I do not see what this has to do with the case except that it would be evidentiary on the fact that there was a very careless pattern of handling travel in the office, which the Senator claimed. But as to the Senator losing his 21 trips or having a double billing on the seven, that is his responsibility. That is our duty. I have to make out my income tax. If I found a considerable amount in my income tax return as receipts I think I would recognize it in due checking of the account. We all have that to do, no matter how busy we are.

It would be a matter presented to the committee in which the committee rightfully recommended the matter be laid before the Senate and if they feel this is the case, a motion to censure would lie in connection with charge 1 in the resolution before us.

Mr. GRIFFIN. As I understand the response of the Senator from Oklahoma there were 2 years in which he was entitled to six trips, apparently; and that increased the total to 21.

Mr. MONRONEY. We do not question that. What we say does not have a strict bearing on this.

Mr. GRIFFIN. I assume it must have been of some relevance. It was included in the stipulations. While I recognize it is not directly related to the matter of the truth or inaccuracy of the seven so-called instances of double billing, I would imagine that there would be a more serious charge before the Senate if the senior Senator from Connecticut were accused of deliberately and intentionally defrauding the U.S. Treasury. To the extent we are called upon to make that kind of judgment and to evaluate the seriousness of the charge of double billing, it seems to me it would be appropriate to take this into account, if, as the Senator from Oklahoma indicated there is no question that the committee looked into it and there were 21 trips to which he was entitled and did not seek reimbursement.

Mr. MONRONEY. A Senator is entitled to it if he submits a voucher.

Mr. GRIFFIN. I understand.

Mr. MONRONEY. I think that Senator BENNETT is waiting to speak on that subject.

I think it is a matter of interest. The committee observed there were 21 instances. We were interested in double billing which was the pattern for 7 out of 10 instances which could be made that the double billing was practiced.

Mr. GRIFFIN. The question which haunts the junior Senator from Michigan, and I am sure others, is: Was this negligence and oversight or was it intentional and deliberate, to get money to which the senior Senator from Connecticut was not entitled? To the extent it relates to that issue is the point.

Mr. BENNETT. Mr. President, I ask unanimous consent that I may ask the senior Senator from Oklahoma to yield to me.

Mr. MONRONEY. I yield the floor.

Mr. STENNIS. Mr. President, before the Senator yields——

Mr. LAUSCHE. Mr. President——

The PRESIDING OFFICER. The Senator from Oklahoma has the floor. Does the Senator from Oklahoma yield?

Mr. LAUSCHE. Mr. President, will the Senator yield to me.

The PRESIDING OFFICER. The Senator from Oklahoma has the floor. To whom does the Senator from Oklahoma yield.

Mr. MONRONEY. Mr. President, I yield to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I direct the attention of the Senator to page 971 of the hearings, which contains exhibit appendix 30, identified as "Reservation Form for 1965 Dinner." It reads:

[Appendix 30. Reservation Form for 1965 Dinner]

TESTIMONIAL DINNER FOR HON. THOMAS J. DODD

SATURDAY, MARCH 6TH, 1965—STATLER HILTON HOTEL, HARTFORD

Matthew M. Moriarty, Treasurer:

I desire to subscribe to this dinner as a sponsor.

Enclosed is check in the amount of $———, for which send me ——— sponsors' tickets at $100.00 each.
Name (please print) ----------
Address ----------

I also direct the Senator's attention to the exhibit identified as appendix 32 on page 973. It reads:

[Appendix 32. Ticket for 1965 Dinner]

TESTIMONIAL DINNER FOR HON. THOMAS J. DODD

UNITED STATES SENATOR

Saturday, March 6th, 1965—7:00 p.m., Statler Hotel, Hartford, Connecticut, Table No.——

No. 2250.

[Ticket stub]

Table No. ——

SEN. THOMAS J. DODD

Guest ----------
No. 2250
Testimonial Dinner, March 6th, 1965

It seems that there is a stub to the ticket which is set forth in appendix 32.

Appendix 33 on page 974 is a picture of Senator DODD, with the following statement below the picture:

Testimonial dinner for Honorable Thomas J. Dodd, United States Senator.

With that prefatory matter, I ask the Senator whether the committee attempted to define the term "testimonial dinner," and I ask him to assume that there is no collateral evidence of any character whatsoever, and that the only testimony upon which the decision is to be made is the information provided on these several exhibits I have identified to try to define the term "testimonial" in approaching the problem.

Mr. MONRONEY. I would refer the Senator to page 970, the letter sent out by the general chairman for that dinner, and particularly paragraph 2 in which they announce the dinner. I quote from the letter:

[Appendix 29. Barbieri Letter Dated Feb. 3, 1965—1965 Dinner]

TESTIMONIAL DINNER FOR HON. THOMAS J. DODD, U.S. SENATOR

Arthur T. Barbieri, *General Chairman.*
Gene Tunney, *Honorary Chairman.*
Matthew M. Moriarty, *Treasurer.*

FEBRUARY 3, 1965.

DEAR FRIEND: Tom Dodd was re-elected to the Senate of the United States by an overwhelming majority last November.

His vigorous campaign made a significant contribution to the unparalleled landslide in Connecticut. He spared himself no personal efforts and sacrifice, and undertook every financial expense necessary to bring to the people his record and platform.

The result justified the efforts and expense but a considerable deficit was incurred and must now be met.

A testimonial dinner will be held at the Statler-Hilton Hotel in Hartford, Connecticut on Saturday, March 6th. This affair will celebrate his record-breaking majority and assist in meeting the campaign deficit.

There is enclosed for your use a reservation card and a business reply envelope.

We hope you can participate in this most deserving event for a great Senator.

I think that answers the question.

Mr. LAUSCHE. Yes.

Mr. MONRONEY. It illustrates that nothing in the ticket part would describe that it was strictly for the benefit of the Senator.

Mr. LAUSCHE. I am familiar with the letter. I have it marginalized in my book.

My question was: Did the committee try to ascertain the meaning of "testimonial" considering all other circumstances and the material contained in the letter?

Mr. MONRONEY. I can only speak for this member of the committee. In our examination of all of these preponderances of publicity that came out describing these events, they say that it was to pay off past deficits or to get a war chest ready for the next campaign, but not one single line of publicity anywhere we found mentioned it was for personal use or that the funds were to be used for the personal use of the senior Senator from Connecticut.

Mr. LAUSCHE. I understand.

Mr. MONRONEY. However, we found a very large number——

Mr. LAUSCHE. I understand.

Mr. MONRONEY. Also referring to the existing campaign debts or future needs for campaign funds. This was not universal because the papers, generally, apparently accepted the testimonial as being synonymous with a campaign dinner. But in the Senate, we are now told that the word "testimonial" is given a new connotation that we do not realize. It might be interesting to the distinguished Senator from Ohio to recognize that in the State of Connecticut both houses of the legislature, I now understand, have refined and defined the giving of testimonial dinners, providing that no part of any of such funds provided therein can inure to the individual.

Mr. LAUSCHE. If I understand the Senator correctly, then he recognizes that the word "testimonial" in and of itself has a different connotation than the conclusion the committee reached, which conclusion of the committee is based upon matters in addition to the word "testimonial"?

Mr. MONRONEY. Call it by any other name we wish, a rose is still a rose. Call it a money-raising political dinner with all the political trappings of a political dinner; then, unless there is great evidence to the contrary that it is to be used for the personal benefit of the honoree, certainly the word "testimonial" does not meet this above and beyond the customary efforts that go into normal fundraising dinners which are political in nature.

Mr. LAUSCHE. The word "testimonial" taken in and of itself would not have justified the conclusion reached by the committee; but the committee, according to what the Senator from Oklahoma has just said, has taken into considerable circumstances the collateral matters having relationship to the general statements made on the ticket, the invitation, and otherwise.

Mr. MONRONEY. If the invitation says that the testimonial dinner is to raise funds to meet a campaign deficit, then such a testimonial dinner is to raise funds to meet a campaign deficit. If it is to raise funds for the individual Senator, then it should so state. Thus, we will not have any confusion. We cannot justify these things by calling them "appreciation dinners" or "testimonial dinners," or call them what we will. It is a matter of whether we have the right to have our own people go out and raise money for our own personal use, or we do not have that right.

Mr. LAUSCHE. I understand that thoroughly. I am only trying to find out to what extent the committee attempted to distinguish the implication and express statement contained in the invitation and on the ticket, and then compare it with the language contained in the letter of February 3.

Mr. MONRONEY. We think, in these fundraising things, particularly where it is specified that a testimonial dinner, a fundraising dinner, a campaign dinner, a Jefferson-Jackson Day dinner, call it what we will, is still for the purpose of raising funds for a political campaign. I doubt seriously whether any of these would have been so successful. I am practically certain that the Vice President, who came up to address the testimonial dinner, would not have done so had he thought or felt that it was going to be a personal benefit, or a personal testimonial, or a personal appreciation, and that the funds they were helping to raise would be used to meet the personal expenditures of a Member of the Senate.

Mr. LAUSCHE. I understand.

I understand the thinking of the committee and why it reached its conclusions. All I have been asking for is, Did the Senator, by the word itself "testimonial," try to find out the definition during the deliberations? That is my only question.

Mr. MONRONEY. We certainly did.

Mr. LAUSCHE. Then that answers my question.

Mr. MONRONEY. It is in the RECORD, on the definition. The use to which the money shall be put is the important and controlling item.

There is no identification in any of the literature that calls for the personal enrichment of an individual Member.

Mr. BENNETT. Mr. President, I have before me a list of the entitlements by years, supplied by the disbursing office. I also remind Senators that Mr. O'Hare became the Senator's bookkeeper in 1961. His employment ceased in 1965. During those years, the Senator was entitled to only 10 reimbursable trips. During the first year, fiscal year 1961, he received—what?—10, two reimbursable trips in each of the 5 years.

During the first year, he received reimbursement for one trip, leaving one unreimbursed.

During the remaining 4 years, he received reimbursement for none.

The 12 additional trips necessary to add up to 21 became available in fiscal years 1966 and 1967, after Mr. O'Hare had left the Senator's employ.

Mr. President, when I get the floor in my own right, I want to discuss the whole question again of the seven so-called double billings.

In that discussion, I want to discuss the relationship between the double billings and the fact that reimbursement was not supplied to the Senator on the trips back home, but this will require a great deal of preliminary explanation.

At this point, I just want to make clear to the Senate that if we are talking

about the failure of Mr. O'Hare to protect the Senator's interests, we cannot talk about 21 trips. The limit is, at the most, 10. I think, on the record, the limit is nine.

I will go into the reasons why the Senator from Connecticut did not claim those reimbursement when I take the floor in my own right.

Mr. PERCY. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I am happy to yield to the Senator from Illinois.

Mr. PERCY. Mr. President, I asked the Senator from Connecticut a number of questions the other day. I did so, certainly not enjoying having to ask those questions. Like every other Senator, I find this whole proceeding exceedingly painful and distressing. However, I could think of nothing more unfair to the Senator from Connecticut than to allow doubts to linger in our minds without giving him every chance to clear up those doubts. I raise questions very much like the questions raised by the Senator from Ohio just now, in an effort to try to determine truly whether the precedent in Connecticut, whether the impressions left in the minds of contributors, was something other than funds contributed for campaign purposes.

I looked very carefully at the memorandum of the Senator from Connecticut, dated May 17, entitled "Ethics Committee Resolution on Testimonial Funds," wherein he stated, on page 4:

> In my home state of Connecticut testimonials are exceedingly commonplace affairs, and it is universally known by those who are in the habit of attending political functions that the proceeds of testimonials are intended as personal gifts.

I think, therefore, it is very important that if this is customary, we look to see whether the press, who should be conversant with what is customary in a State, looked upon these as anything other than political dinners.

And in looking through the press commentary, I think it would be important to see what they said on that one point.

The October 20, 1963, edition of the Hartford Courant stated:

> The various fund-raising events could yield the Dodd campaign treasury up to $65,000 or $75,000.

Two days later, the October 22, 1963, edition of the Hartford Times stated:

> More than 400 persons are expected here Saturday at the $100-a-plate breakfast to hear Vice President Lyndon Johnson kick off the fund raising drive for the reelection of U.S. Senator Thomas J. Dodd.

The same day the Hartford Courant of October 22, 1963, stated:

> The breakfast is one of a series of fund-raising events for the renomination and re-election of U.S. Senator Thomas J. Dodd that will be held throughout the state that day.

On the same day, October 22, 1963, the Associated Press reported in the New Haven Journal-Courier:

> The breakfast is one of a series of fund-raising events for the renomination and re-election of U.S. Senator Thomas J. Dodd that will be held throughout the state that day.

Three days later, the October 25, 1963, edition of the Hartford Times stated:

> Vice President Lyndon B. Johnson and "Lady Bird" will be in Connecticut all day Saturday to help bolster the campaign war chest of U.S. Senator Thomas J. Dodd who will be seeking reelection next year.

The October 26, 1963, edition of the Hartford Courant stated:

> With little more ado, LBJ and Ladybird got into a maroon Cadillac and purred off to the Statler Hilton Hotel, where this morning he'll pay $100 for eggs—a contribution to Sen. Dodd's campaign barrel.

The same day, October 26, 1963, the Hartford Times stated:

> The Vice President and his wife, Ladybird, are in Connecticut today to help bolster Senator Dodd's campaign fund for reelection to his Senate seat in 1964.

The same day, the October 26, 1963, edition of the New Haven Register-Journal-Courier stated:

> Vice President Lyndon B. Johnson takes his Texas drawl on a tour of Connecticut today aimed at drumming up some dollars for the 1964 re-election campaign of U.S. Senator Thomas J. Dodd. . . Indications were that the Johnson visit will raise a sizeable sum of cash for the Dodd 1964 electioneering. . . The Vice President and his wife fly back to Washington late tonight. Dodd supporters hope that behind him he will have left a path that raised $40,000 or more for the senator's campaign.

The October 28, 1963, edition of the Willimantic stated:

> Senator Thomas J. Dodd's campaign war chest for next year's election was fortified considerably by Saturday's fund-raising tour by Vice President Lyndon B. Johnson . . . The money raised during Johnson's visit is earmarked for battle with a Republican candidate, not a Democratic insurgent. The unusual feature was that the war chest was raised so early—a full year before the campaign.

Then I would like to repeat a story which has been denied in veracity and its correctness by Senator DODD after I gave it the other day. I quote it again:

The October 27, 1963, edition of the Hartford Courant stated:

> Vice President Lyndon Johnson, campaigning as if he were running for first selectman or constable, barnstormed through Connecticut Saturday in behalf of U.S. Senator Thomas J. Dodd. The Vice President's fund-raising efforts raised $75,000 for Sen. Dodd's 1964 renomination and reelection campaign.

This is the particular section that I was interested in:

> Throughout the trip, Senator Dodd expressed his "gratitude" to Vice President and Mrs. Johnson for coming to the state to help him build up a campaign war chest for 1964.

When Senator DODD indicated that he had not said that and that this was not a true account, I telephoned the political editor, who is a highly respected political editor, to ask him, in fairness to Senator DODD, to look at the story again to see whether or not it was an accurate story. Certainly we were only seeking the truth in this case. He replied the next day as follows:

> In response to your inquiry about the story I wrote in 1963 during a visit by President Johnson to help Senator DODD raise campaign funds, which appears on page 920 and 921 of the committee report, I stand by the story and the quotation I attributed to Senator DODD. This quotation has never, up to this moment, been questioned by anyone, including Senator DODD, nor has any other story I wrote about Senator DODD's campaign dinners either before, during or after the dinners. I attended the Johnson breakfast for Senator DODD in Hartford, I took notes on what was said and, as I recall, the meal was excellent, the crowd was big and enthusiastic, and I wrote a story that, until this day, has never been challenged.

I think that it would be exceedingly helpful if sometime during the remarks of the Senator from Connecticut today, he could comment further on these articles, whether or not that was the impression of the donor and everything in the mind of the donor as given out by all the press reports, by the letters that were sent out by those soliciting funds, by his own letter, which was reprinted in the New York Times, to the Vice President, urging that he attend in order to raise campaign funds; whether or not, in fairness, the conclusions drawn by the committee have not been based on the most thoroughgoing analysis and study of what any reasonable man would be assuming, that these were not personal contributions, but they were for campaign purposes.

I would respectfully like to ask the Senator why he believes the Connecticut press so consistently interpreted the testimonials as campaign fundraising events if, as he says, it is "universally known" that "the proceeds of testimonials are intended as personal gifts."

Mr. DODD. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield to the Senator from Connecticut.

Mr. DODD. I intend to go into this subject in greater detail in answer to the questions raised by the Senator from Illinois. I do not want to do it at this moment. This was really to the Senator from Oklahoma, but I may say to the Senator from Illinois, who posed the question, that I noted with interest the questions of the Senator from Ohio [Mr. LAUSCHE]——

Mr. COTTON. Mr. President, will the Senator speak a little louder? We cannot hear him.

Mr. DODD. I will try to speak a little louder. I will do my best to do so. I looked up the meaning of the word "testimonial" in Webster's New International Dictionary, Unabridged, Second Edition, in which, on page 1886, the definition of "testimonials" is given as follows:

> A gift raised by subscription in acknowledgement of an individual's services or as a token or respect for his worth, presented to him in the form of a sum of money, piece of plate, his portrait, or the like.

I think that is the accepted definition of the word "testimonial." I had the idea that is what the Senator from Ohio may have been inquiring about. In any event, I will answer the newspaper publicity later, except to add this at this time. The testimony of the treasurer, I think it was, of the 1961 dinner was that he never made any such statement as the newspaper articles read into the RECORD stated. Then we have the sworn testimony of the chairman of the 1965 dinner in which he said he made no such statement to the press.

That is a matter of record, in both instances.

Also, I point out at this point, without going into detail, that I know of no publicity committee—I do not believe there was any—that ever put out any publicity. This was the opinion of a newspaper reporter who wrote what he says he thought he heard.

But I shall address myself more thoroughly to that matter at a time more convenient.

Several Senators addressed the Chair.

Mr. MONRONEY. I yield first to the distinguished chairman of the committee.

Mr. STENNIS. Mr. President, I yield to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, my questions a moment ago were intended to exercise my purpose to point out for the information of the Senate all sides of the argument. I am not here to form an impulsive judgment. I wish to accord to Senator DODD every consideration that justice demands. When I asked whether the committee considered the connotation of the word "testimonial," separate and apart from the circumstances and other statements, I wanted to make certain that all aspects of the problem were considered.

As I say, I do not intend to form an impulsive judgment on this floor. I will neither favor nor be prejudiced against Senator DODD. I will try to decide this issue on the testimony analyzed by myself, with the purpose of doing justice to the Senate, to the people of the United States, to myself, and to Senator DODD.

When I put the questions, they were interpreted to mean that I was engaging in an argument with the Senator from Oklahoma. I asked the simple question: "Separate and apart from documents and collateral testimony, and circumstances, did you try to ascertain what the word 'testimonial' meant?"

I think that sort of inquiry is completely proper, because it reveals the various facets of the problem: the tickets themselves, the letters, the newspapers, the letters written by the Senator. All of them have to be considered in attempting to reach a judgment.

I was on the bench for 10 years, and I tried consistently to develop all that was good in a cause and all that was bad for a litigant, and then reach a final judgment. I do not intend to do anything less as a U.S. Senator, acting as a judge or a juror on this case of Senator DODD's now pending before the Senate.

Mr. MONRONEY. Mr. President, I yield to the distinguished chairman of the committee.

Mr. STENNIS. Mr. President and fellow Senators: I shall be quite brief. There are two points that I wish to refer to just briefly.

I say to the Senator from Ohio, I thought his inquiry was completely justified. I did not hear anybody question it in any way, as I understood the response of the Senate.

These tickets, invitations and solicitation letter are part of the record and were put in to help show the representations to the public. They do not say anything one way or the other. To the extent that they favor Senator DODD, he is certainly entitled to have them in the RECORD. Here is the solicitation letter, though, that goes along with it.

If I may point out to the Senate, on this testimonial dinner proposition and what it means, in the resolution we use the words "through political testimonial," meaning that whatever a testimonial dinner may mean generally, we were convinced by the proof—overwhelmingly, I might say—that these testimonials were wrapped up in the political formula, the political brand, and the political meanings from top to bottom. That is why we limit our language here to "political testimonials."

But the main reason I rose, Mr. President, was that I wish to address myself now to the Senator from South Carolina, if I may have his attention, and others who have raised the same issue.

Late Friday afternoon, the Senator from South Carolina asked me to state the committee's position with reference to whether or not testimonials were wrong per se or bad per se; and I responded to him then extemporaneously, as best I could. I did not have available the statement that I had made on that very point in the early part of my opening remarks the first time I appeared. With the indulgence of the Senate, and for the benefit of those who were not present, I read from my remarks in the RECORD of June 13, 1967, at page 15663.

Let me state this with emphasis as to the overall nature of this charge. I shall not go into the sadness in anyone's heart in the situation with which we are confronted. I am sure that is shared by all Senators.

But the overall nature of this charge in the resolution is not a general condemnation of testimonial dinner as such. It does not base any charge against the Senator from Connecticut because of a testimonial dinner or any other kind of dinner—just the fact that it was held. The basis of the charge is on the use of the money collected. That is the sole basis of the charge.

There is no attempt to convict him of violating Federal law, Connecticut law, or any other law, or failing to pay income tax or failing to file a report. This goes solely to the use of the money. This is money collected under all the banners and trappings of campaign expenses, past or future, especially so far as the public was concerned, and then a great part of it was spent indiscriminately for personal use and personal debt. That is the basis of the charge.

Mr. President, I shall speak as briefly as I can. On Friday, the Senator from Louisiana [Mr. LONG] quoted from the book "Profiles in Courage," written by the late, lamented John F. Kennedy, at page 84, regarding Daniel Webster. He read from the paragraph that begins:

And Daniel Webster was not as great as he looked.

To avoid repetition, I ask unanimous consent that the entire paragraph be printed at this point in the RECORD.

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

And Daniel Webster was not as great as he looked. The flaw in the granite was the failure of his moral senses to develop as acutely as his other faculties. He could see nothing improper in writing to the President of the Bank of the United States—at the very time when the Senate was engaged in debate over a renewal of the Bank's charter—noting that "my retainer has not been received or refreshed as usual." But Webster accepted favors not as gifts but as services which he believed were rightly due him. When he tried to resign from the Senate in 1836 to recoup speculative losses through his law practice, his Massachusetts businessmen friends joined to pay his debts to retain him in office. Even at his deathbed, legend tells us, there was a knock at his door, and a large roll of bills was thrust in by an old gentleman, who said that "At such time as this, there should be no shortage of money in the house."

Mr. STENNIS. Mr. President, I now read the next paragraph, to continue with the thought of the late President. He wrote:

Webster took it all and more. What is difficult to comprehend is that he saw no wrong in it—morally or otherwise. He probably believed that he was greatly underpaid, and it never occurred to him that by his own free choice he had sold his services and his talents, however extraordinary they might have been, to the people of the United States, and no one else, when he drew his salary as United States Senator. But Webster's support of the business interests of New England was not the result of the money he obtained, but of his personal convictions. Money meant little to him except as a means to gratify his peculiar tastes. He never accumulated a fortune. He never was out of debt. And he never was troubled by his debtor status. Sometimes he paid, and he always did so when it was convenient, but as Gerald W. Johnson says, "Unfortunately he sometimes paid in the wrong coin—not in legal tender—but in the confidence that the people reposed in him."

I have read that paragraph, not because I am impressed by the illustration given of Mr. Webster, although others may be, but I include that paragraph in deference to the memory of the late President Kennedy. I thought that the continuation of his thought should be reflected in the record. I am sure that the Senator from Louisiana had in mind no purpose except one of fairness, even though he omitted it.

I thank the Senator from Oklahoma for yielding. I commend him for the clarity of his thought and the logic of his reasoning concerning something that is a difficult part of the whole picture.

Mr. MONRONEY. I thank the Senator from Mississippi.

Mr. COTTON. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I am happy to yield to the Senator from New Hampshire.

Mr. COTTON. I shall take but a few moments of the Senator's time.

It has become increasingly puzzling to me why in the midst of this debate there should be a discussion of the case of Daniel Webster. Daniel Webster is not on trial before the Senate. He is a son of the State that I represent. His name is revered there. The desk behind which I sit is the desk he used in the Senate of the United States. His picture hangs here, as the distinguished Senator from Louisiana [Mr. LONG] has correctly said. There was much logic and cogency in the Senator's illustrative argument.

However, Daniel Webster lived in a time far different from today.

As a matter of fact, in the day in which he lived and in the relatively poverty-stricken communities in which he was born and reared—and I know them because I was born and reared there—it was very rare that a son of a poor family showed the talent and ability that justified his being sent to college.

When a son of such a family was sent to college, the father, mother, brothers, and sisters, the whole family, contributed to the cost. They were proud of a brilliant son, and they willingly contributed to his education. This happened in the case of Daniel Webster.

A person so educated begins to think that he is entitled to certain support by his family and friends.

For example, Daniel Webster's brother contributed to the payment of the bills of Daniel Webster when his distinguished brother was in the Senate, almost to the last day of his life.

Such a man takes almost as a matter of course the fact that because of his genius and ability he has received from childhood, and continues to receive, certain emoluments to enable him to pursue his brilliant career. It is engraved in him, whether it be right or wrong.

We do not take that into consideration, nor do we take into consideration the fact that in Daniel Webster's day, the Senate was probably in session only a month or 2 or 3 months at the most during the period of a year. The pay was very small, but all the Members of the Senate, or probably most of them, pursued their vocations and professions during the time of their service and received retainers and fees.

I merely mention this for the record. I know that I am taking time away from the debate in the Senate, but I do not want to sit here silent while the name of Daniel Webster is derogated and he is referred to as being venal. While reference is made to him in the book "Profiles in Courage," by the late President Kennedy, it was so explained by him that it was fair. I do not think the late President Kennedy intended to cast aspersions on this great American.

Daniel Webster is a part of the tradition of the Senate.

I appreciate having two minutes in which to remind the Senate of what the Senator from Oklahoma has so well said, that the standards and conditions existing 100 years ago cannot be applied today and there can be no real analogy drawn between Daniel Webster and the modern Senator.

As a representative of New Hampshire, that still glories in his fearlessness, in his genius, in his eloquence, and in his contributions to the growth of America in its infancy, on behalf of my State I do not want to see this debate result in any diminution of the glory which I believe is justly due Daniel Webster.

Mr. MONRONEY. I thank my distinguished colleague and friend for his mention of Daniel Webster.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. HOLLAND. I fully support the remarks of my distinguished friend, the Senator from New Hampshire.

I have on the wall in my office, where any Senator can see it, a picture of the historic debate in which Senator Webster took the position for which John F. Kennedy placed him among the ones whom he recognized in his book, "Profiles in Courage."

Mr. President, in order that the RECORD may show rather clearly just what it was that was involved in this recognition, I ask the Senator if he will give me permission to read two paragraphs which appear on page 91 of the book "Profiles in Courage."

Mr. MONRONEY. Mr. President, I ask unanimous consent that I may yield to the distinguished senior Senator from Florida for that purpose.

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

Mr. HOLLAND. Mr. President, these are the words of John F. Kennedy in seeking out Daniel Webster for inclusion in this remarkable book.

I read from page 91:

> In his moments of magnificent inspiration, as Emerson once described him, Webster was truly "the great cannon loaded to the lips." Summoning for the last time that spellbinding oratorical ability, he abandoned his previous opposition to slavery in the territories, abandoned his constituents' abhorrence of the Fugitive Slave Law, abandoned his own place in the history and hearts of his countrymen and abandoned his last chance for the goal that had eluded him for over twenty years—the Presidency, Daniel Webster preferred to risk his career and his reputation rather than risk the Union.
>
> "Mr. President," he began, "I wish to speak today, not as a Massachusetts man, nor as a Northern man, but as an American and a Member of the Senate of the United States. . . . I speak today for the preservation of the Union. Hear me for my cause."

Mr. President, regardless of what many of us may think about the issues that preceded the Civil War and regardless of what we may think of other positions taken by Daniel Webster on other occasions, or by any other Senator for that matter, the position which Daniel Webster took in that great California resolution debate in 1850 was clearly for the purpose that he announced—for the preservation of the Union. And I wanted this debate to show that at this time.

I thank the Senator for yielding.

Mr. MONRONEY. Mr. President, I yield to the distinguished senior Senator from New Hampshire.

Mr. COTTON. Mr. President, I thank the distinguished senior Senator from Florida for his contribution.

Words that I have never forgotten ring in my memory today when, after that deed of sacrifice by Daniel Webster, John Greenleaf Whittier, the great abolitionist poet in New England, voiced the fury that swept over Daniel Webster's State of Massachusetts and all of New England when he condemned him in the poem Ichabod, and said:

> So fallen! so lost! the light withdrawn
> Which once he wore!
> The glory from his gray hairs gone
> Forevermore!

Daniel Webster was attacked and hated by his own people for a period of years with a hatred and venom that has rarely been equaled.

I simply want to leave with the Senate today this recollection of Daniel Webster so that people who read the CONGRESSIONAL RECORD and hear the reverberations of this debate will realize that no man capable of that kind of sacrifice and patriotism can be accused of being really corrupt. Whatever his faults were—and he had them, of course—they were typical of the age in which he lived.

Mr. MONRONEY. I thank the Senator.

I yield the floor, Mr. President.

The PRESIDING OFFICER. Pursuant to the unanimous-consent request heretofore entered, the Senator from Louisiana is entitled to the floor.

Mr. LONG of Louisiana. Mr. President, I shall speak briefly at this time, not more than 10 or 15 minutes. I would not speak now if we had had a full attendance of the Senate on late Friday afternoon, when Senators had to depart to fulfill commitments.

I am not complaining about the absence of a number of Senators, but, in the hope that a few additional Senators might be attracted, I will suggest the absence of a quorum in due course. I will ask that the clerk read the roll as rapidly as possible, and I will add to the RECORD the names of the Senators who subsequently appear. But I ask that the clerk proceed with the call of the roll as rapidly as possible.

I now suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SPONG in the chair). The clerk will call the roll.

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

[No. 147 Leg.]

Aiken	Fong	Moss
Anderson	Griffin	Mundt
Baker	Hansen	Murphy
Bartlett	Harris	Muskie
Bennett	Hart	Pearson
Bible	Hatfield	Prouty
Boggs	Hickenlooper	Proxmire
Brooke	Hill	Randolph
Burdick	Holland	Ribicoff
Byrd, Va.	Hollings	Russell
Byrd, W. Va.	Hruska	Scott
Cannon	Jackson	Smathers
Carlson	Jordan, Idaho	Smith
Clark	Kuchel	Sparkman
Cooper	Lausche	Spong
Cotton	Long, La.	Stennis
Curtis	Mansfield	Symington
Dirksen	Miller	Tower
Dodd	Mondale	Young, N. Dak.
Dominick	Monroney	Young, Ohio
Ellender	Morse	
Fannin	Morton	

The PRESIDING OFFICER. A quorum is present.

Mr. MANSFIELD subsequently said: Mr. President, I ask unanimous consent that a list of Senators who arrived in the Senate Chamber immediately after the last quorum call, which took 7 minutes, be printed in the RECORD at the appropriate place.

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

The list is as follows:

Allott	Kennedy, Mass.	Montoya
Bayh	Kennedy, N.Y.	Nelson
Church	Magnuson	Percy
Eastland	McCarthy	Thurmond
Ervin	McClellan	Tydings
Fulbright	McGee	Williams, N.J.
Gruening	McGovern	Williams, Del.
Hartke	McIntyre	Yarborough
Hayden	Metcalf	

Mr. LONG of Louisiana. Mr. President, I will speak briefly, and then we will adjourn for lunch.

I tried to get the clerk to call the roll as rapidly as possible, for fear that we might have the result which in fact occurred. Fewer Senators are present now than when I suggested the absence of a quorum. That is why I wanted the clerk to call the roll with great rapidity, to call it with machinegun staccato, but perhaps by tradition he could not call it that fast. I wanted to have a quick listing of names made and I would have added the names of Senators who came in after the quorum call was made.

Mr. President, my insistence and my determination that Senators should hear rather than read the speech made by Senator DODD does not apply to my speech. I do not insist that Senators hear my speech or my argument, as long as they will read it, but not out of the press.

Unfortunately many times what most Senators read, and certainly what their wives read—and their wives discuss it with the Senators—and constituents read and discuss with Senators, is what appears in the newspapers. I must say that many newspaper accounts which most people read, and particularly the Washington Post, are somewhat distorted.

I must say that was a good picture of me in the Washington Post this morning. I think it get my nose in the proper perspective. It has an oil well for a dunce cap and a bag of gold—I assume that would be gold in the bag. I would say that it all is a very complimentary picture. I thank the editors and publishers of the Washington Post for that generous consideration in this beautiful drawing by David Levine. If fortune favored me, perhaps I could have the original of it for my wall.

Mr. ERVIN. Mr. President, will the Senator from Louisiana yield to me without losing his right to the floor?

Mr. LONG of Louisiana. I yield to the Senator for a question.

Mr. ERVIN. I would like to say that in my considered judgment the Senator from Louisiana is much more handsome than that picture.

Mr. LONG of Louisiana. I do not claim that. I think it is a beautiful picture, absolutely lovely. I would not claim that. I would not want to hurt their feelings by saying that it does not do me justice. It is a beautiful picture, in my judgment.

The press accounts, particularly in the morning press—and we have only one morning paper in Washington—have been badly distorted, and I do not know for what purpose. Either the writers are badly prejudiced or they are being told to do that. I doubt that the latter is true.

In any event, I would urge that if Senators cannot hear what is said in the Chamber, they at least read it in the CONGRESSIONAL RECORD.

In my judgment, the Pearson articles have been badly distorted. Mr. Pearson has favored me with attention since I started speaking for Senator DODD. I appreciate it, but some of the things he has said are in error. I may some day correct some of them.

I do not mind if he twists and distorts his stories. I do not mind, knowing what he is. What I object to is people pretending to be something they are not. But Mr. Pearson does not fly under false colors. I have noticed that the Washington Post does not print his articles on the front page; they print his articles in the back of the paper on the comics page. I ask people to judge his column for what it is. That being the case, we can forget him and have no hard feelings about it. He is a lovable crocodile.

I believe I should also explain something for those who do not understand why this Senator does some of the things he does. These things seem to have some people so upset that they think there will be a Long censure instead of a Dodd censure.

In the first place, they ask: Why does he sit on the Republican side of the Chamber? If one wants to hear what a Republican is saying while he is talking to some fellow on that side of the aisle, rather than getting up and shouting, "Speak louder" and interrupting, I feel that he should go over and sit between those two fellows and then you will hear what they are saying.

They say that LONG walks away from his seat and walks down the aisle, and they ask: Why does he do that? As a boy, I used to sit in the gallery and watch the proceedings in the Senate. It always frustrated me that I could not see the man who was speaking. It seemed unfortunate to me that when people spend a lot of money to come to Washington, and come to see the Senate, that they are unable to see the Senator who is speaking. This morning the Senator from Oklahoma [Mr. MONRONEY] made a lovely speech. I am sure that no one in the Diplomatic Gallery or in the Visitors Gallery could see him.

The rules do not prescribe that a Senator must speak from his desk.

Mr. ANDERSON. Yes; they do.

Mr. LONG of Louisiana. That Senator is in error about that. The rules do not so provide. We tried to have Mr. HILL speak from his desk at one time when the filibuster against the tidelands bill was before the Senate and we found that the rules do not so require. A Senator can be anywhere he wishes.

This Senator, over a period of time, has learned a few things about how to conduct himself by watching people that he thought were effective. One thing that I have noticed is that if you think the views of a particular person are in doubt, and that is the only man in doubt, direct your conversation to him as if he is the only Senator who is going to vote.

Senators do things like that for reasons. Sometimes, when one is a junior Senator and he has a fight for his life on his hands, he get advice, or he might get a suggestion or two from his seniors, just as I might say the Senator from Georgia [Mr. RUSSELL] has favored me from time to time, with advice, as have others. The Senator from Mississippi has also told me how I should conduct myself and what I should do under certain circumstances. I exonerate them for any responsibility for my conduct at this moment, however.

The statement was made quite correctly on the floor today that this committee should not be prosecutors. That is entirely correct. Nor should this fine committee be lobbyists.

The chairman stated that the committee has no burden of proof; it had merely a burden to proceed. If that be the case, the committee has taken itself from the role of prosecutor and I think from the role of lobbyist, and does not say, "You must redeem our honor here."

The committee is not on trial. If it is, I want to take it off trial. I want to vote for the committee, and I think that others do. The members of this committee are six of the finest men we could have selected. We pleaded for them to serve. They are six of the finest men we have. By the same token, we do not want an injustice done to other Senators.

When the Watkins committee, of which the Senator from Mississippi was a member, brought the McCarthy resolution in, the Senator from Utah, Mr. Watkins, stood before this body and said: This is what we thought after we looked at the evidence. But he did say: If you think we are in error I invite you to vote against our recommendation; we merely bring this before you, saying this is how it appears to us; here is the testimony and the evidence.

There is a very unfortunate misunderstanding among some Senators who think that TOM DODD stipulated himself guilty on the advice of counsel. Nothing could be further from the truth. The men who serve as his counsel are good lawyers. They have pleaded many, many criminal lawsuits and they have done so very effectively. I am well advised by counsel, by a lawyer whom I admire.

We say with confidence that Senator DODD has not been stipulated guilty. Certain facts have been stipulated here but one would have to find Senator DODD had a wrongful motive; that he intended to do something wrong, or deliberately failed to do what he should have done; that he committed a culpable omission, in order to find him deserving of censure. He has not stipulated himself guilty. He has only stipulated certain facts.

I wish to address a question to the junior Senator from Illinois, who is not paying attention to me at this moment.

Mr. President, I ask unanimous consent that I may address a question to the junior Senator from Illinois, or perhaps two questions, and that he might respond to them without my losing my right to the floor.

The PRESIDING OFFICER (Mr. GRIFFIN in the chair). Without objection, it is so ordered.

Mr. LONG of Louisiana. I may say to the Senator that I have discovered the Senator from Connecticut [Mr. DODD] was in error when he testified with regard to the Lyndon B. Johnson letter that was read in the RECORD by the Senator from Illinois, and that there had been no prior testimony in the RECORD about that letter.

How did the Senator from Illinois come into possession of that letter?

Mr. PERCY. It was in the New York Times. I have forgotten the date. I saw it

in the New York Times the day it occurred.

Mr. LONG of Louisiana. Does the Senator have any information as to how the New York Times came into possession of that letter?

Mr. PERCY. I have no information whatsoever. I saw it in the New York Times and I was actually surprised it is not a part of the hearing either.

Mr. LONG of Louisiana. I ask the Senator if he knows whether that letter originally was stolen from Senator DODD's files originally?

Mr. PERCY. I have no personal knowledge of any of that.

Mr. LONG of Louisiana. I thank the Senator, and that satisfies my desire to ascertain what the Senator knows. I will check from that point forward to determine just where that did come from. I thank the Senator.

Mr. PERCY. May I also ask the Senator if I could just insert this one comment. I have also been asked the name of the political editor. Apparently, I omitted his name when I read the telegram. I should like to have permission to show in the RECORD the name of Jack Zaiman, political writer for the Hartford Courant.

Mr. LONG of Louisiana. Does the Senator have available the name of the writer of the New York Times article pertaining to the alleged letter from Senator DODD to then Vice President Lyndon B. Johnson?

Mr. PERCY. I may have it among my papers here.

Mr. LONG of Louisiana. That is fine. I thank the Senator.

Mr. PERCY. Yes, I have it right here: E. W. Kenworthy. That was written on May 28, 1967.

Mr. LONG of Louisiana. I thank the Senator.

Mr. President it is not the purpose of Senator DODD's supporters to contend that certain facts did not happen. Senator DODD stipulated certain things, and we think he should have, for they are true. We do not quarrel about that.

In due course, we will show, however, that even if the dinners in question were political dinners every step of the way, there is still no moral problem. Assuming that the committee is correct in saying that these were campaign fund-raising dinners, a strong argument still can be made that Senator DODD was free to use such proceeds in any way he saw fit.

Without going into great detail, there is one point I would like to reiterate in connection with the 1961 Hartford dinner. I fail to understand how anyone could brand that affair a partisan dinner, when the Honorable Styles Bridges, at that time the ranking Republican in the Senate, had agreed to be a guest of honor and was mentioned in the letter of solicitation as such.

Unfortunately, Senator Bridges became ill and was forced to cancel his appearance at the dinner. But what matters is the fact that he planned to attend, and his intentions were widely publicized.

Everyone knows that Senator Styles Bridges was a responsible Republican statesman. He was a man who was willing to rise above partisan politics, but no one ever accused him of being disloyal to the Republican Party. He was the kind of Senator who exhorted great personal efforts for the success of his party.

Particularly in view of this last fact, which no Member on either side of the aisle will contest, it is patently absurd to contend that Styles Bridges would have lent his good name to a "partisan" dinner given for a member of the rival party.

He was the kind of man who would not be willing to attend a dinner to raise money to elect Democratic candidates, yet he would be willing to help a friend, even one on the other side of the aisle, who had financial problems.

What I am thinking at this moment is that the case against TOM DODD has been tried in the press. It has been tried in the Drew Pearson column appearing in some 600 newspapers. It has been tried by newspapers who felt that they had a responsibility to print this story since it was in the public interest, and which relayed and reprinted some of the statements initially found in Pearson's column.

This man was convicted in the eyes of the people. He was convicted in the eyes of the press, long before this case ever came to the Ethics Committee. In fact, the Senate itself was faced with what could be suggested as a parallel to a lynch mob situation where the public demanded that something be done about a circumstance, and the Senator from Connecticut himself took the case to the committee—which I think he was correct in doing, and which I certainly advised him to do.

But, Mr. President, a man who stands in the way of the kind of lynch mob that was being drawn together nationwide against Senator DODD is likely to get hurt himself, perhaps even be lynched along with the intended victim. This is so because the mob had convinced itself that the man is guilty and wanted what it calls "justice" done, regardless of who else got hurt. The mob had made up its mind.

I have been asked by responsible people in the press, in the Senate, by the wives of Senators, and other good friends, "Why would you defend this man?" "Are you crazy?" "What is the matter with you that you would do this?"

My answer to that is that I am positive this man is innocent, that he is not a villain, but that he is a victim. I am convinced that this man never for a moment had the benefit of the presumption of innocence or even the assumption of innocence which, I believe, will be made clear later on.

I am convinced that the press has convicted this innocent man in the public mind by reliance upon half-truths, distortions, falsehoods, erroneous statements, of documents stolen from the man's files, and the quotation of those documents out of context.

Mr. President, when I say "the press," I am not referring to the responsible elements of the press who would never do a thing like that. I am referring to those who did. I have in mind a particular column which had this man's files made exclusively available to it; namely, the Pearson-Anderson column.

But the web of falsehoods, the morass of distortions and unfounded allegations now covers so much territory that it will take a very courageous Senate composed of great Senators, to do justice to the man on trial here.

Certain elements of the press have printed so many misleading and untrue stories that they have the victim on the gallows. They would hang him in a hurry, and injure or destroy anyone who would would dare interfere with what they are seeking to do here, or even anyone who would tell the truthful story of what happened after it happened.

Now, Mr. President, in spite of my best efforts to compel the attendance of Senators in this Chamber, last Friday I was compelled on occasions to speak to a more or less empty Chamber—with perhaps a dozen Senators present. I will not insist on compelling attendance again today.

One Senator felt that I had used a phrase so many times that, in irritation, about 6 o'clock on Friday afternoon I believe it was, after most people had gone home, that loyal Senator suggested that I move on to another subject.

I am not going to insist on reading or repeating what I had been saying. If Senators can assure me that they have read it—it is only 14 pages—I could have no complaint. The part I have in mind starts on the bottom of page 16120 and continues over to page 16134 of the RECORD.

As far as I am concerned, this portion is the refutation of the charge that TOM DODD did something improper with regard to these testimonial dinners.

Mr. President, we who are standing beside Senator DODD are ready to go to bat and vote today as far as the double billing charge is concerned. That is an alleged criminal act. If Senator DODD is guilty of that, he deserves worse than censure; he should be prosecuted. We think he is as innocent as a lamb. We think we can prove it. We think it would be unfair to Senator DODD to have the unproven charge hanging over him while he is facing the other charge, which is of an entirely different nature.

Actually, however, in my judgment, he is charged with one thing. He is charged with not having a good bookkeeper. That is what he is really charged with in both counts, because a good bookkeeper would have prevented either one of those from having occurred.

Mr. President, we are ready to go to a judgment on the second charge first, if the committee sees fit to agree with that suggestion. After we vote on it, I do not see why we should take more than another day to decide on the other.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. BENNETT. Is the Senator aware, from our recent conversation, that I am prepared to speak on that subject right after lunch?

Mr. LONG of Louisiana. Yes. Let me make it clear, as far as I am concerned,

those of us who speak for Senator DODD on the double-billing charge are ready to go to a vote at any time the committee wants to go to a vote on it, allowing time for both sides to make brief statements—something like a half hour for both sides, or however the Senate wants to do it. We are willing to do that. We are willing to make a request that after the Senator finishes his speech that we proceed first to direct our attention exclusively to one count, and then, having decided that one, direct our attention to the other.

May I say that the vote on the double billing, if it goes against Senator DODD, will automatically indicate the decision on the other.

Therefore, the time spent on that charge would be very little. On the other hand, if Senator DODD is voted innocent with regard to the double-billing charge, then it is entirely likely that the Senate may vote him innocent on the other charge. Those of us who think him innocent on both charges would be justified in taking a little more time to make sure the Senate understands the charge regarding the testimonial funds. But we are willing to go to a vote on double billing today.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. LAUSCHE. That is, the Senator believes the second count should be put to a vote, with some limitation to be put on the time used in argument?

Mr. LONG of Louisiana. Yes.

Mr. LAUSCHE. Is he willing to go a step further and say, if the second count shall be voted on first, that there shall be a limitation on count No. 1 in debate?

Mr. LONG of Louisiana. Yes; I would be willing to do so.

Mr. LAUSCHE. The argument has been made that there will be a filibuster, and I would like to know if the Senator from Louisiana, speaking for himself, is willing to put a limitation on the time on count No. 1 if we first vote on count No. 2.

Mr. LONG of Louisiana. Surely. I am willing to agree to a limitation on both of them, provided we take count No. 2 first. I think it would be extremely unfair to vote first on count No. 1. I think the Senator from Connecticut would be done an injustice if we did so. But I do think that those Senators who feel their case is stronger on double billing then we think it is have a right to complete their case in chief before we ask for a time limit. Perhaps we might want to respond to their arguments. But I see no reason why we cannot vote on the double billing charge today. I am willing to cooperate, with the understanding that count No. 2 is the first one we take up.

Frankly, speaking for the defense, I do not think that charge will stand up. It is our thought that it should be brushed aside, and then we should turn to the one that has a stronger chance of being adopted, and we should devote our attention to that one and vote on it as soon as the record is amply clear.

Mr. LAUSCHE. How much time does the Senator think should be allowed on the second vote if a consent agreement is reached?

Mr. LONG of Louisiana. My thought is that we should allow a reasonable amount of time. In fairness to everyone, we probably would need 1 day to debate it, and then a division of time of perhaps 1 or 2 hours for each side.

This talk about filibuster is some figment of the imagination of the press. It springs perhaps from the fact that I have participated in filibusters on occasion. I have been on both sides of them. I have been in them and I have been against them. It is more fun to be in one than outside, but I have been on both sides.

I would say to the Senator, in all deference, we have never had any intention whatsoever of denying the Senate the right to vote on this matter. All we want is the right for Senator Dodd and those Senators who speak for him to be heard and understood. We accord the same privilege to others. That being the case, we are ready to vote and dispose of it.

Mr. LAUSCHE. May I put one more question?

Mr. LONG of Louisiana. Yes.

Mr. LAUSCHE. Was it ever the intention on the part of the Senator from Louisiana to engage in a filibuster?

Mr. LONG of Louisiana. Never once; never ever. The only way the press ever got that impression—and I do not know that many of them did—was that Friday afternoon, against the advice of counsel, I thought it was well, even though only a dozen Senators were present, to go ahead and make my case for Senator DODD against the first censure count. I did so. The fact that I did so kept the session until well after 6 o'clock Friday afternoon, when Senators had commitments to keep. Some of them had committed themselves to make graduation speeches. Some had to be somewhere for Father's Day. With those commitments hanging fire, Senators had to leave.

I did not ask to be permitted to finish my speech today. The Senator from West Virginia [Mr. BYRD] did. I guess someone got the impression I intended to filibuster. I did not so intend.

Incidentally, for Mr. Drew Pearson's information, my counsel's name is Mr. Eberhard Deutsch, not Albert Deutsch as he reported in his column. Moreover, he did not meet with Gen. David Sarnoff. He does not know General Sarnoff. He was not at the luncheon when General Sarnoff allegedly persuaded Albert Deutsch to come from New York down here to help Mr. DODD. Mr. Deutsch was persuaded by RUSSELL LONG to come from New Orleans to Washington, not from New York to Washington, to help in this case. I hope Mr. Pearson will get his story straight. Maybe he can even embellish the fact that it was Eberhard Deutsch, and not Albert Deutsch. I think it would straighten out the story if he stated that my counsel is Eberhard Deutsch of New Orleans.

Mr. Fern advised Mr. Deutsch, who in turn advised me, that I should explain the difference between a Governor and a Senator insofar as campaign money is concerned, and the reason for it. The reason why that was pertinent was that the Senator from Illinois [Mr. DIRKSEN] made reference to this matter. I thought the Senator from Illinois was going to be present. I believe I see him in the cloakroom. I think we will persuade him to come here in a moment or two. May I say I have the highest regard for him. I always have and always will. I made reference on Friday to the fact that the Senator from Illinois [Mr. DIRKSEN], who in my judgment is a very great Member of this body, who will be remembered and revered long after he has departed from here, no matter how long he serves here, was a witness in the Stratton case.

In the Stratton case, he made the statement that in his judgment, the question was whether Governor Stratton had the right to use money that was raised in campaigns for political purposes and other fund-raising events, perhaps, for such things as buying a summer home, buying a horse for his daughter, or buying expensive clothes for his wife, with politically oriented money.

Senator DIRKSEN testified—I put it in the RECORD here—that it was the donative intent—I like to accent that word on the second syllable, to stress the "donate"—that counted here, and that those people meant to give that money with no strings attached; even though they did anticipate that it was to be used for political purposes, Governor Stratton had the right to use that money however he wanted, and that it was a gift, it was not earned income, to Governor Stratton, which would be taxable.

Governor Stratton was cleared by the jury. The courts have upheld the theory that taxability of money such as this depends on the donative intent.

Counsel Fern asked the counsel for this Senator to have me explain the difference between the job of Governor and the job of Senator, the idea being that the Governor's job is a ceremonial job, and presumably the Senator's job is not.

Mr. President, I think I am qualified to discuss the matter. My father was a Governor. I lived in the Governor's mansion from age 10 until age 14. My uncle was Governor three times. For about 60 days, I was on the State payroll as his lawyer, before I resigned to run for the U.S. Senate. Several good friends of mine have been Governor, and I have been in their homes. From time to time, I have thought about running for Governor myself.

As far as knowing about the Senator's job, I have been here 18 years. My mother was a Senator; so was my father, and I have had the privilege of knowing how Senators live.

Mr. President, a Senator also has ceremonial responsibilities. He is invited to attend White House receptions; and the kind of dress he has to buy his wife to go to one of those receptions is no less expensive than if he were Governor, putting on a reception for the folks around town. He has to attend the inauguration of a President; he is not putting it on, but he has to be there, and it is important that he dress properly. He must go out in white tie and tails on occasion. I never had a full dress suit in my life until I came to Washington, and remember, my father had been the Governor of a State.

Mr. President, as a Senator, I deduct money for entertainment expenses. So, Mr. President, as to the question of what

is the difference between a Senator's job and that of a Governor, my reaction is that there is practically none, although the Governor does have more expenses along that line than does a Senator for which the Governor usually receives a larger allowance.

There is really no difference whatever in the principle, however. The Governor oftentimes receives an allowance, and also free help to go along with it.

Mr. President, that is all I care to say about the subject at the moment. If the Senator from Illinois has a question he may state it.

Mr. DIRKSEN. Mr. President, I have no questions, but I should like to explain a thing or two for the Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, I yield the floor.

Mr. DIRKSEN. I ask for recognition.

The PRESIDING OFFICER. (Mr. GRIFFIN in the chair). The Senator from Illinois is recognized.

Mr. DIRKSEN. Mr. President, I shall not detain the Senate very long, but I am afraid that the distinguished Senator from Louisiana probably read about that criminal trial in Chicago in the newspapers, and that he has probably not had the advantage of a certified copy of the record of the trial. Has the Senator seen the record or not?

Mr. LONG of Louisiana. I have not seen a certified record of the trial, the Senator is correct.

Mr. DIRKSEN. It is not easy to capsulize testimony that went all day. Actually, I was probably the only witness for the defense. The former Governor of Illinois, whom I esteemed as a friend, wanted me to come and testify. I said I would.

Mr. STENNIS. Mr. President, will the Senator yield? Will he speak just a little bit louder? And let us have quiet, please, Mr. President.

The PRESIDING OFFICER. The Senate will be in order.

Mr. DIRKSEN. So I spent the day on the witness stand.

First, Senators should know what the Stratton trial was about. The Governor carried a single account. In the account, he placed his salary, the expense allowance that the State made available to him by statute, and then those contributions that came to him from time to time from friends. There were no testimonial dinners; none whatsoever. These were merely individual contributions to the Governor. A person would walk into the mansion, or would send him a check and say, "Well, I suppose you have a lot of expense, and it is rather hard to accommodate yourself to your salary and the expense allowance provided by the State. I would like to help you a little; so what about giving you a hundred dollar bill?"

That is the way the account was carried. It was a commingled account.

Out of it, the Governor spent for those things that he thought he had a right to spend for. I point out, now, the difference between a Governor and a Senator.

In the first place, Mr. President, the Governor is the ambassador of the State; and that places upon him responsibilities that a Senator does not particularly have. He is the No. 1 man in the State, and if he feels that he can do his State some good, industrywise, by going to some other State, in the hope of bringing an industry back, or doing anything that subserves the interests and the well-being of his State, it is in the nature of a duty upon the Governor to do so. So he may go off to California and attend some kind of convention, in the hope of bringing those people back to the city of Chicago next year. One regards those as extracurricular duties, but nonetheless realistic, pragmatic duties of a Governor. So he is an ambassador.

No 2, he is a greeter.

I served as a greeter here, once upon a time, when I became the unofficial mayor of Washington in, I think, 1947, by virtue of the fact that I was chairman of the House District Committee. That made me, in a sense, the No. 1 greeter of the District of Columbia. Did the nurses have a convention here? Well, get the chairman of the District Committee to come down and lay out the welcome mat in great big letters, and make them a nice, fancy speech, tell them a story or two, and tell them how glad we are they are here. Did the doctors come for a convention? You go down to the Mayflower, and you make a speech, "Welcome to the Nation's Capital." Do the teamsters come to Washington? You go down and make them a speech, and tell them we love every one of them, because their coming here helps the revenues, along with everything else; and the District was always commiserating itself that there were never revenues enough to go around.

So come one, come all, to the District of Columbia.

So, you see, he is an ambassador, and he is a greeter. Then he is a Governor. He is the No. 1 man in the State. He goes on the theory that when time is short, he can go to all manner of meetings in order to expose himself for political purposes as much as possible. But in his capacity as Governor, do not forget that there will be invitational affairs and noninvitational affairs. As an example, when the Governors' conference met during his administration in Chicago, obviously the Governor felt that each visiting Governor ought to have some kind of a table favor, perhaps something more impressive.

I think in 1 year he gave every Governor a bowling ball. I got one of them, too. I did not know what they cost, but I know you do not buy them for 20 cents down at the five and dime.

Does he pay that out of his pocket, or is it a chargeable item? I thought it was a chargeable item. The Governors on their own decided to come out there. What do you want him to do? Do you want him to loaf in the basement of the mansion and not showup and not act like a civilized Governor? That was his business.

Chicago has conventions and meetings constantly. So does the State. It is a big State and has well over 10 million people. They are coming all the time from near and far.

Sometimes these are people who come from foreign lands in order to hold that kind of convention.

This was not campaigning as such. He was doing his duty as the Governor of the State. At the same time, he was getting an excellent political exposure.

Can you imagine anything better than going to the auditorium on the lake front, that burned recently, and seeing 25,000 people who came to attend a shoe retailers' convention. What better exposure would you want than that?

The Governor is No. 1 on the list. And that costs money. He has to dress for it. He has to spend accordingly.

However, more than that, the Govnor's wife is the No. 1 lady in the State. We cannot expect her to wear for lunch the same frock that she wore for breakfast when she was entertaining a group of people. We would not expect her to wear the same frock at dinner that she wore at luncheon. It is not being done.

That is why I gave a lot of attention to the six ladies on the jury, and I tell you they listened very earnestly.

Here were these expenditures out of his fund. They even made a point of a girdle that was bought. There was one item of $35 for a girdle for Shirley Stratton.

Government counsel asked me: "Do you think that is a proper expenditure?"

I said, "I do. The Governor's wife has a most attractive figure. I hope she keeps it, and if that girdle helps a little, why I am all for it, because we want her to look nice. I want my Governor's wife to look nice under any circumstances."

Here was a $35 item for the most advertised girdle that I have ever heard of anywhere in the world.

Government counsel then said to me: "Would you do it?"

I said: " No, I would not do it. I am not the No. 1 man in my State, and my wife is not the No. 1 lady in the State. I am not the State's ambassador. It makes all the difference in the world."

So, it was not a question of testimonial dinners. It was a case of the income tax people going out there and looking at the checks. And that is where they started.

They started looking at the expenditures out of the fund. They said, "Well, here is a girdle. She should not have bought that girdle."

That raises a great big question mark. "Did she buy a fancy dress at Marshall Field?"

It did not take very much for the income tax people to come up with the idea that there were expenditures which may have totaled as much as $100,000. I think the assessment, including penalties and interest, was about $150,000. That is the basis on which he was indicted.

I did not think the Government had a case, and I put my political life on the table in a crowded courtroom and said: This, I believe.

And I am glad I went. I would do so again.

There are all these distinctions between the Stratton case and the case we are considering.

While I am on my feet, I shall detain you a few minutes longer, and then I shall not weary you any more.

I have a personal interest in this matter, even as does the majority leader. For, when the Cooper resolution was en-

acted, and the vote was 50 to 33, with 17 not voting, it became the duty of the distinguished majority leader and myself to select the members of this committee.

We did not do so in a hurry. We took our time.

We selected, as you well know, the distinguished Senator from Mississippi, who has had an enviable record.

He is a Phi Beta Kappa, if I remember. He served as county judge. He served as a circuit judge.

Honors in great numbers have come to him. Everybody knows JOHN STENNIS.

We selected MIKE MONRONEY.

MIKE MONRONEY and I served on the Joint Committee of Legislative Reorganization in 1945 and 1946. That was known as the LaFollette-Monroney committee. For 2 long years six Senators and six Representatives served on that committee.

That is where we got our congressional retirement system. That is where we got the first increment in the congressional increase in pay.

We brought in that measure, and I think he has authored every pay increase since that time.

But when you sit with a fellow on a joint committee day after day, you get to know something about him. He has a degree from the University of Oklahoma. He was a newspaperman. We served long in the House together; now we serve in the Senate together.

Then there is the distinguished senior Senator from Minnesota [Mr. MCCARTHY]. He is one of the most delightful, durable persons I ever knew. He has charm and a sense of humor. He is a scholarly person, if I ever saw one. He was a longtime teacher, instructor, and professor, among other things, in economics and in sociology. I know some of the colleges where GENE MCCARTHY taught. One of them was the College of St. Thomas, at St. Paul. I used to go there occasionally to listen to some interesting debates when I was a student at the University of Minnesota.

So could anyone find three Senators on the Democratic side of the aisle who could have served better in this instance?

Now I turn to my own side of the aisle. I selected JOHN COOPER first, because he was the author of the resolution. Second, he had been a judge and a circuit judge. He was a practicing lawyer. President Eisenhower honored him by making him our Ambassador to India. He is a scholarly, restrained, slow-spoken person, whom everybody loves. There is only one whimsical thing I can say about him. He is the most elected man in the Senate, because JOHN had the misfortune to be elected to several short terms. He was sore of in and out, but he always came back with renewed vitality, rectitude, and great vision.

Then I selected the distinguished senior Senator from Utah [Mr. BENNETT], who is active in the Mormon Church. He teaches Sunday school even today in the Church of Jesus Christ of Latter Day Saints, out on 16th Street. He has a large family and many grandchildren. It is almost a platoon when the Bennett family get together, I can tell you. His wife is the daughter of Heber Grant, who was president of the Mormon Church. WALLACE BENNETT is one of the most successful businessmen in the country. Some years back, he was honored by being elected a president of the National Association of Manufacturers. He has been in the paint business in a big way, selling not only in the domestic market, but even in the export market. He had one of the largest car dealerships in Salt Lake City, employing more than 150 persons. He is a man of superb talent and great restraint and has a judicial outlook.

Finally, I picked JIM PEARSON, of Kansas, for whom I have durable affection. JIM started out in Tennessee. That is where my grandchildren live and where my son-in-law lives. That is where Estes used to live—the late Senator Kefauver, of Tennessee. But JIM did his law work at the University of Virginia, and then, at long last, went out to Kansas. He has been a practicing lawyer and also a prosecutor. He was State chairman for his Party, and he brings a fine restraint to his responsibility. I was glad to appoint him.

There, then, are the six Senators. When we talk about trying a Senator, do not forget that for 14 months this committee has been on trial. They found cynics here, there, and everywhere. They heard it said: "Do not hold your breath until they come in with something. You know what is going to happen. It is a club. They will whitewash members of the club. They will find a way around it."

We could read it in just about every newspaper in the land, and we do yet.

But the six members of this committee, without complaint and without weeping on the shoulder of any other Senator, without coming to Senators for compassion and sympathy, fought it out among themselves and worked hard and long examining the documents.

So do not forget that for 14 months, from the time Jack Anderson's letter hit that committee and they had the documents, that committee has steadily been on trial. And all six of them came in here with a judgment that is embodied in the resolution that is before us.

I do not tell you how to vote. I just tell you that is one thing.

Second, do not forget that the Senate of the United States is on trial, too. I am proud of this institution, and I want nothing to happen to it, nothing to impair its credibility with people.

I used to think that the Republic was going to be saved at the other end of the Capitol. I am not so sure. I think that when the chips are down, it will be saved in this body and no other place, because here the restraints have got to be exercised; and along with it, we have the time to impose those restraints and also to discuss them. So this institution will be on trial.

Now, I lament the fact that documents were stolen and that, somehow, nothing seems to be done about it. Something ought to be done.

Mr. Drew Pearson is no stranger to me. When I left because of eye trouble, I went to Florida, in the hope that in 2 weeks I could assemble a fresh idea about Abraham Lincoln. This was back in 1948. I could not. The thought of blindness was on me so bad that I could not reconstruct a single fresh note. I came back.

I was in the Mayflower Hotel lobby. We lived there a long time. A fellow came up to me and said, "You have a car?"

I said, "Yes. It's a Buick Roadmaster."

"Do you want to sell it?"

I said, "I sell anything I have."

He said, "Without seeing it, I'll give you $2,600."

I said, "Mister, you just bought a car."

Two nights later, Mr. Pearson called me. He said, "Ev, do you think I'm a Communist?"

"No. I think you're a lot of things, but I don't think you're a Communist."

He said, "I'm in trouble, and I need help."

"What kind of help?"

Then I found out what it was about. He had gone to Charles Town, W. Va., to make a speech to the Regional Womens Club, and there he called the son of Winston Churchill "the bastard son." Technically, he was correct, because I think the books will show that there was the taint of illegitimacy there, so in calling him the bastard son, he could make it stick.

But it did not stick with Funkhauser, the editor of the Charles Town paper; because that night he sat in the sanctorum and burned the midnight oil and dashed off an editorial, the title of which was "The Salmon-Bellied Commie from Washington." That was Drew Pearson.

Drew Pearson called me as a witness. I said, "I'll be a witness. I have to hire a limousine to get out there." The next morning, snow fell; but I went to Charles Town.

There was the President of the American Bar Association. I walked into the court room, and he said, "EVERETT, what are you doing here?"

I said, "I came to testify for Pearson."

He said, "Wait 'til I tell the leadership on you back in Washington."

There were 11 lawyers in that case, and they had topflight lawyers flown in. I testified all day—sometimes in the chamber, sometimes out, sometimes stipulating. The jury was so close I could touch them. And about 5 o'clock the judge directed a verdict for Drew Pearson.

I do not believe Drew Pearson even paid me for the limousine. I went there on my own. Now, he hacks at me from time to time. He made a remark in Alabama and also in Chicago that EVERETT DIRKSEN is next on his list. Well, we want to see. I am more than ready.

I know he wanted to raise a question about my making the Government of Haiti pay its bills to American citizens. I went before an open meeting of the Committee on Foreign Relations with an amendment. You can ask BILL FULBRIGHT or any other member of the committee. I brought that amendment in here. There was a little modification on it. But it said no aid unless they pay their bills, if the bill is ascertained.

Well, an architect friend out home went down and built 300 homes. The Government took them away, rented every one of them, was drawing the rents, and then refused to pay him. I am not going to let any country do that to us or our citizens, if I can help it. I said, "We'll see."

I dragged the Haitian Ambassador to

my office. I said, "Mister, you better get ready to do some business. You better pay responsible American citizens their bills."

And I made him pay, including the interest on the money that had to be borrowed.

Now, Mr. Pearson had part of the story. I met him on the street one day, and he said, "Wait 'til I take after you on that one." Let us see when he takes after me on that one. He has said in his column, from time to time, that I am in a law partnership out in Peoria. He does not know the half of it. I have not been a partner in that firm for 17 years.

I had ignored all this business in his column until we got a chap confirmed from Peoria for U.S. District Court judge. Even the Chicago Tribune made a mistake—"Dirksen's law partner nominated to be Federal judge." He was not my law partner. He was not even around when I was in that firm.

I went in that firm when I thought I was going blind; and I got elected to the Senate, and I said, "The partnership is off." Now they have my name on the door as of counsel. You will find that all over the United States. There are three names on that door—of counsel. If they want to counsel with me, I am glad to do it for free; and if there is anything Federal involved, there will be no emoluments from that law firm, I can tell you.

I keep a pretty careful set of books, and I do not have a sloppy bookkeeper, if you want to put it on that basis, because I keep them in part myself, and Mrs. Dirksen, who was a professional auditor, does the rest. So, you see, I know where I stand and what I am doing. You ought to read the record. I do not take that sort of business lying down.

So, you see, Drew Pearson is no stranger to me, and neither is Jack Anderson, who used to rib me and rifle me from cellar to breakfast when I was holding the Kefauver hearings on the drug bills. Senator HRUSKA was at my elbow almost constantly. He could tell you that story, if he wanted to.

That is the kind of irresponsible reporting you can get when the whole truth is not known.

But I say, notwithstanding all this and all the threats about whether I am on the list, let it come. There is still enough fight left in this old carcass, even though I had my 71st birthday last January, to enjoy a good fight.

As a result, we will see where we go. I did not think I would have a chance to speak on this matter; I did not want to speak. But I did want to remind Senators that I picked the three Senators on this side of the aisle who serve on that committee, and I have a deep sense of gratitude to them for what they have done. I know that they have been on trial and, in a sense are still on trial; and I know that the Senate, as an institution is on trial, and I want to be sure its name is not sullied and tarnished. That would not be much of a legacy to leave to a pair of precious grandchildren who I hope will have the same kind of country their grandpappy had.

This country was set up under a Constitution, under all of its safeguards, and so carefully worked out with checks and balances, to always keep this Government on the high road. I trust it will always be that way.

I remind Senators again: Yes, TOM DODD is on trial, but so is this committee, and so is the Senate, as an institution. Do not be insensible of those verities when the time comes for you to consult your own heart and conscience before coming to a conclusion.

Mr. LONG of Louisiana. Mr. President, I wish to second all the fine things the Senator said about the members of the committee. They are everything he said about them; they are some of the finest men it has been my privilege to know.

I have before me the testimony of the Senator in the Stratton case. I find that the Senator from Illinois did take the view that he felt the Governor was entitled to claim deductions for tax purposes and to use funds that had been given to him without paying taxes on those funds to a greater extent than would a Senator. This testimony also indicates that counsel for Governor Stratton did not see the difference between the position of a Governor and the position of a Senator, and reflects how the Senator felt, with regard to the deductibility of the expenses of a Senator.

The Senator from Illinois inferred that it was a matter of individual judgment whether he could deduct the cost of buying the same kind of clothes for his wife that Mrs. Stratton would need for a function, such as for a White House reception. He would not propose to deduct such costs.

Mr. President, I ask unanimous consent that after the Senator from Illinois has seen the excerpts I propose to mark, I have permission to place in the RECORD those parts of the testimony of the Senator from Illinois that are relevant. I think it was a courageous thing when the Senator from Illinois testified as he did in that case. It was not only courageous, it was right.

The PRESIDING OFFICER. Has the Senator from Louisiana asked permission to insert material in the RECORD?

Mr. LONG of Louisiana. After the Senator from Illinois has seen it.

Mr. DIRKSEN. I do not have to see it. It is a public record.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed the material which I shall mark.

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

By Mr. Barnett:

Q. Have you had occasion to confer with the Governor by telephone at odd hours of the day or night?

A. Many times.

Q. As a legislator and a political campaigner, are you familiar with federal laws regulating the soliciting of political contributions by candidates for state office and federal laws pertaining to the taxability of such political contributions?

Mr. John Crowley: Your Honor, I will object to that question. I think——

The Court: He just asked whether he was familiar. Overruled.

Are you familiar, Senator, with these various laws that have been enumerated?

By the witness:

A. I am quite familiar, of course, with the federal laws because I have been filing under the Federal Corrupt Practices Act, and the forms required under that Act, ever since I took the Oath of Office as a member of the Congress.

Now, of course, it applies only to members of the United States Senate, representatives in Congress, delegates from the territories, and so forth. It has no immediate application to any state official as such.

By Mr. Barnett:

Q. Do you know whether there are any laws in the State of Illinois regulating contributions to officers or candidates for state office for the State of Illinois?

A. Insofar as I know, no.

By Mr. Barnett:

Q. Senator, do you consider yourself an expert as to whether or not political contributions are taxable?

Mr. John Crowley: I will object.

The Court: No. I think that is a more restricted question. Overruled.

Mr. John Crowley: I will withdraw the objection to that.

The Court: All right.

By the witness:

A. I think so, because I have had occasion to examine into it more than casually over a long period of years.

By Mr. Barnett:

Q. Has Congress passed any legislation taxing political contributions?

Mr. John Crowley: Objection, your Honor.

The Court: Overruled. That is a specific question.

By the witness:

A. As such, no.

By Mr. Barnett:

Q. Senator, where a candidate for office has received political contributions personally himself, in your opinion does he have any obligation to include such contributions in income on his federal tax returns?

A. If they are contributions and the Federal Corrupt Practices Act specifically uses the word contribution, the answer is no, they are not included.

Q. Now, in your opinion would this be true regardless of what use to which he put those contributions? . . .

By the witness:

A. Well, I think it is a matter of the donative intent of the contributor and if he places no restriction on it, then, of course, the donee or the recipient of the contribution is free to use it as he sees fit, and that, of course, is a matter of individual judgment.

By Mr. Barnett:

Q. Where a candidate receives a contribution from a supporter, is there any requirement with respect to how he uses that money?

A. By requirement I would assume you mean a ruling or a regulation or an interpretation of existing law.

There could be such rulings, of course, by the Internal Revenue Service, but I know of nothing in existing law with respect to an interpretation that very specifically puts a restriction on him as to how he uses it once the contribution or the gift has been made for that purpose . . .

By Mr. Barnett:

Q. Senator, you referred to requests prior to this time. Is the salary of a public official sufficient to meet the demands financially made upon a man in the position of governor or senator?

Mr. John Crowley: Same objection, your Honor.

The Court: Same ruling.

By Mr. Barnett:

Q. Senator, with respect to the demands that are made upon a man in public office, how does he normally meet those demands?

Mr. John Crowley: Object to that, your Honor.

The Court: Overruled.

Mr. John Crowley: The phraseology, how he meets it.

The Court: If there is a norm the Senator can state it. If there isn't, he can state to the contrary.

Overruled.

By the witness:

A It is wholly a matter of judgment and capacity, and if counsel will permit, I can only say that I got rather curious about the demands on myself over a period of time, and we clocked them for a period of about six months, and generally speaking they ran at the rate of roughly a hundred dollars a day. Those are all forms of demands, for political purposes, for non-political purposes, contributions where a church burned down or where a church wanted a new pipe organ or where they wanted to send a girls' basketball game to a league performance out east somewhere, and they are as varied as human activity.

So we just lumped them all together and they ran at the rate of a hundred dollars a day.

Well, manifestly that would exceed your entire salary, and how would you meet it unless you had sustaining funds out of which you could take care of it?

So you have to become very selective about meeting demands of that kind.

Q And from where are such funds obtained?

A Well, there are helpful contributions from those who recognize the difficulty that public service interposes for you, and you undertake to use such funds, if you can, for that purpose.

Q Now, these funds that are given to you from helpful supporters, do you consider those to be taxable or non-taxable?

A Perhaps I ought to make one distinction, and that is it is a matter of individual judgment in every case, I suppose, as to how they are used and whether they are used unequivocally, but human judgment, being what it is, you can segregate it one way or another or you can put it in a lump sum and use it freely for all the purposes that come along, seeking, of course, to identify them as something that advances your political cause, your political ambitions and your political future.

Q Incidentally, Senator, is the campaign of an officeholder limited to the period of time between his announcement and his election?

Mr. John Crowley: Your Honor, I am going to object. Mr. Barnett is constantly leading the witness. I think this is a leading question.

Mr. Barnett: I will rephrase it, your Honor.

The Court: All right.

By Mr. Barnett:

Q. What is the period of campaign with respect to a politician?

A. If I may venture the speculation, the federal government, I think, recognizes that once you are in public office there is something of a presumption that you are always a candidate, and as Thomas Jefferson once described, "In office few die and none resign."

Q. Now, Senator, there has been testimony in this trial that while Governor Stratton was in office as Governor, in addition to residing, as required by the Constitution, in the Mansion House at Springfield, he maintained a home in Morris, Illinois, and voted from that residence, and there is testimony that he prepared rooms in that house for his security guard when traveling in that area, and that his mother maintained open house at this residence to receive callers at least part of every day, and that he maintained an office in that home and that he used it as—that he used the home as an election night headquarters.

Would you regard the rehabilitation and——

Mr. John Crowley: I am going to object to this question. I don't think there is any basis for it.

The Witness: Where is the waterboy?

The Court: Would you get the Senator some water?

Mr. John Crowley: I have some for him right here.

The Witness: Thank you.

The Court: You are not asking for a tax opinion from the Senator; you are asking for a political opinion?

Mr. Barnett: That is right.

The Court: Overruled.

By the Witness:

A. Your home becomes a political center, whether you like it or not, and mine has been so long that I haven't known anything differently for over 30 years, except for that period when added responsibilities as Minority Leader of the Senate has virtually immobilized me in Washington, but when there was opportunity for me to be back here, your home was a scene of constant conferences and delegations day after day and night after night . . .

By Mr. Barnett:

Q. Are you acquainted, Senator, with a houseboat that Governor Stratton owned during the years that he was in office as governor?

A. I know as of conversation.

Q. And have you been invited there?

A. Yes, sir.

Q. And do you know the use to which he put it?

Mr. John Crowley: Objection.

The Court: Same ruling. Sustained.

By Mr. Barnett:

Q. Senator, there has been testimony in this trial that Governor Stratton from time to time had meetings at the lodge with persons of official or political nature, that he had entertainments for people of that nature at the lodge, from time to time, and that he entertained officials—or members of the State Supreme Court on his houseboat, and that he entertained other state officials, political leaders, and out of state people on his houseboat.

A. I so understand from reports.

Q. How, Senator, with respect to expenditures to keep up and maintain such a place as the lodge, or to buy and maintain such a commodity as a houseboat, would you consider those to be political in nature, or personal? . . .

By the witness:

A. To make sure that the record is clear, assuming the existence of such a houseboat, and assuming the existence of such a lodge, they can very well be centers of political activity, and can have an extraordinary usefulness for purposes of political conferences, as well as official conferences involving the business of the state . . .

By Mr. Barnett:

Q. Now, Senator, do you know the Governor's wife, Shirley Stratton?

A. Quite well.

Q. And are you acquainted with her activities while the Governor was in office?

A. Reasonably so.

Q. Will you tell us what you know of her activities?

A. She performed all the duties and functions and responsibilities that one would normally expect of the First Lady of the state. She toured with the Governor on so many, many occasions, which could involve, for instance, the dedication of a bridge, it might involve the dedication of a new state building, it might be in attendance on the Governors' conference, it could be a political mass meeting, it could be a financial rally, it could be any one of a hundred different kinds of affairs.

And Mrs. Stratton was so very, very frequently in attendance at those. And I might add, as a P.S., that she was an excellent campaigner.

Q. An excellent campaigner?

A. Excellent campaigner?

Q. Would you consider the apparel of a person in that position to be of a political expense?

Mr. John Crowley: I am going to object to that, your Honor.

The Court: The wearing apparel of the wife of the Governor be a political expense? Overruled. I am going to let the Senator answer that.

By the witness:

A. Well, if counsel don't mind, let me amplify the answer in this respect. I have said a thousand times that Mrs. Dirksen is the most important unsalaried member of my staff. And that was true of my daughter when she worked for me as a receptionist, but was never on the public payroll.

Now, when they render service of that kind, then what is your obligation and your responsibility? To make sure that they fit into the scheme of things, and that in their public appearances when they attend you, that they look the part, let us say, and that's notably true where you have these ceremonial occasions. In consequence, expenditures of that kind, I think, are a reasonable request for political character, for how else would you do it?

And if I may go a little further, let's assume that the Governors' Conference meets in Chicago and they are here for a week. The Governor's wife attends every luncheon and every dinner. Well, she is there in her official capacity, as well as in a social capacity. You know how it is with the ladies. If they appear at two functions in the same dress, then the next time around there ought to be a new gown.

And you can well go on the theory that that is a very proper expense, and, therefore, could be deductible.

Q. Senator, do you consider your wife's clothing to be a deductible item?

A. Let me put it in this frame: I think it is a matter of personal judgment in every case. In——

Q. Senator, do you deduct your wife's clothing?

Mr. Barnett: Your Honor, I object to interrupting the Senator's response.

The Witness: If counsel——

Mr. John Crowley: I am sorry. I didn't realize you had not finished your answer.

The Witness: If counsel would permit me——

Mr. John Crowley: Certainly, Senator.

By the witness:

A. (Continuing). Let me lay a little foundation for the answer. I am a legislator, and I always have been. I have never regarded myself as a ceremonial officer except once, and that was when I was the Chairman of the District of Columbia Committee in the House of Representatives. Since, of course, they have no government of their own, that makes you automatically the mayor, the unofficial mayor of Washington.

In that capacity I had to preside over a good many meetings and functions that came there. Now, the Governor is pretty much in the same position. I have always said that the mayor of a large city like Chicago and the Governor of the State are in cubicles that you have to set apart from probably any other public official. They have to be aboard. There comes a nurses' convention or a governors' convention, there comes a dedication of a building—it is just as numerous as the imagination will permit—and he is expected to be there. His First Lady is expected to be there. That is not true of me, and for that reason I do make that ceremonial distinction, and it would occur to me that under those circumstances that you, the people of the state who have a pride in their governor and a pride in the first lady, would expect her to make the best kind of an appearance, and so as a matter of personal judgment that may be the judgment as to whether it is a deductible expense or whether it can be taken out of a common fund.

By Mr. John Crowley:

Q. Senator, in your function as a legislator and as Minority Leader of the United States Senate, you are called upon to be present at many public ceremonies, are you not?

A. Yes.

Q. Do you consider your own clothing to be a deductible expense?

Mr. Barnett: Object to that, your Honor.

The Court: Overruled.

Mr. Barnett: There is no testimony in this case that any deductions for clothing were taken against a return.

The Court: Overruled.

By the witness:

A. I would assume you would have to particularize that question a little if I was to give you a responsive answer. If, for some reason, I was on a committee or a delegation that was in charge of a function, I would appear there in a ceremonial capacity. That might be one thing. But if I appear in just the normal capacity as a member of the United States Senate, regardless of whether I am the Minority Leader or not, the answer might well be no.

By Mr. John Crowley:

Q. Well, Senator, then when you say you appear in a formal capacity or ceremonial capacity, do you mean in a full dress tuxedo, white tie and tails, as distinguished from the ordinary business suit which you wear every day as United States Senator?

A. I am afraid I can give you no generalized answer to that, and for a reason, because functions at the White House are white tie affairs. They are not necessarily ceremonial. They are given only because of a visiting potentate. You are not exhibited to public view in the presence of large crowds. You have no particular interest in projecting an image or furthering a political ambition of some kind. And so a generalized answer, may I respectfully submit, is just a little difficult.

Q. Senator, you have a home in Pekin, Illinois?

A. Yes, sir.

Q. And is that your ancestral home?

A. No, it is not.

Q. And did you build that home, sir?

A. No, sir.

Q. Did you purchase it while you were a Congressman or a United State Senator?

A. No, sir.

Q. It was there before then?

A. Yes, sir.

Q. And——

A. But you ought to follow up with your question, may I respectfully submit.

Q. Fine, Senator. It is your home?

A. Yes and no. The home actually belongs to my mother-in-law. But it is our home no less, because she has been a widow for a long, long time.

Q. And, Senator, there was a program on television a few weeks ago, a tribute to you, and you were photographed at a home in Florida. Is that your property, Senator?

A. May I respectfully submit, counsel, that belongs to Mrs. Dirksen.

Q. And, Senator, where do you live when you are in Washington, in performing your duties?

A. We have a home in Virginia roughly thirty miles from the Capitol, better designated as Broad Run Farms, Virginia.

Q. And is that yours, Senator?

A. That is a joint venture between Mrs. Dirksen and myself.

Q. And, Senator, the home in Virginia or the home in Florida, you didn't pay for either of those homes with campaign funds, did you?

A. No, sir . . .

Mr. John Crowley: I have no further questions of Senator Dirksen.

By Mr. Barnett:

Q. With respect to clothing which you buy or wear during a campaign, or even after a campaign, do you consider whether that is deductible or not on your return, that that would be a proper expenditure politically?

Mr. John Crowley: Objection. Leading.

By Mr. Barnett:

Q. Do you consider that to be a political or a personal expenditure?

Mr. John Crowley: Objection, leading. It is the same——

By Mr. Barnett:

Q. What type of expenditure do you consider that to be?

The Court: You may answer that. That is not leading, although it has certainly been led up to.

By the witness:

A. It would appear to me that in every case it is a matter of personal judgment. One person may do it, another person may not. I think it depends somewhat on the type of office you hold or the type of office to which you aspire . . .

By Mr. Barnett:

Q. Senator, as a political expert, do you consider the purchase of clothing by a man that is frequently and constantly campaigning to be a personal or political expense?

A. It could well be a political expense.

Q. Very good.

A. And I make, of course, this qualification: I try always to put the Governor in a rather unique position because of his relationship to the people of the state and his ceremonial capacity as distinguished from my capacity as a legislator.

It makes quite a lot of difference, I think.

Mr. Barnett: Thank you, Senator.

Mr. John Crowley: Senator, just one further question:

RECROSS EXAMINATION

By Mr. John Crowley:

Q. When you were, as it were, Mayor of the District of Columbia did you deduct the cost of your wife's and your daughter's clothing?

A. No.

By the court:

Q. I have a question or two, Senator:

You discussed earlier two types of contributions which I understood you recognized as typically received by candidates or political leaders, politicians, one, campaign contribution and, two, general gifts, if I understood you correctly.

Is that right?

A. Yes.

Q. In your experience do you have contributions received which are of two different types?

A. Yes, I think so, and may it please the Court, let me illustrate for example: There are such committees as the National Senatorial Campaign Committee, which both parties maintain. A man may send a contribution to that committee that may be earmarked for me or for any other Senator. There is no interdiction on it, no indication as to how it shall be spent.

So if that contribution does reach me I would feel free to spend it in any way that my personal judgment dictated.

Now in addition to that you get contributions that come directly to you, intended, of course, for the campaign that happens to be at hand, so there is a little bit of distinction there, I am quite sure. However, I don't know that there is any particular prohibition on how you should spend either one of these contributions.

Q. Well, you are aware, I am sure, of the Internal Revenue ruling—I think it is 54–80—which provides that a campaign contribution or political contribution which is applied to a personal use, and the example given is the payment of a portion of an indebtedness on a mortgage on a residence, a personal residence, constitutes the receipt of taxable income.

You are familiar with that?

A. Yes.

Q. Now, that would indicate that if something is received as a campaign contribution it is received with something of a restriction upon its use.

Is it your experience that you receive contributions which are properly classified as campaign contributions as distinguished from general gifts or unrestricted contributions?

A. Generally speaking they would come to you, of course—if they come in check form—written out to your order or to your campaign committee or as a campaign expenditure or to the campaign fund. They can sometimes be made out just to you as an individual, with an accompanying letter to indicate the intention of the contribution.

Now, I think I should point out, and probably importantly so, because of the possibilities that this particular case may have on the future, that in 1944 I was confronted with that very problem because there were forty-one members of the House of Representatives who thought that I ought to be a candidate for the national ticket of my party.

Well, I was a bit of a tyro in that respect and I wanted to be sure that I wasn't getting on false ground.

I actually went to see the general counsel of the Internal Revenue Service and also the general counsel of the Treasury Department to ascertain exactly what would happen if contributions came to me as a candidate for the vice presidency of the United States, and then I wanted to know particularly if any funds were left over what the disposition of these funds would be.

At that time I did secure in letter form a ruling to the effect that I could spend these funds any way I saw fit, and even if I appropriated them unto myself and then disposed them to various charities, they might be regarded as income; however, they would regard them as contributions and therefore they would not be taxable as such.

Now, that, mind you, was in 1944 and antedates 54–80 by at least ten years.

The Bureau has spoken on that subject on a number of occasions and particularly when I was a chairman of the senatorial campaign committee I had to give a good deal of attention to it and I had some consultations, not only with the Secretary of the Treasurer and the Commissioner of Internal Revenue, but with the general counsel, both of the Treasury and the Bureau at the time.

It did develop a ruling which I have pasted in the campaign ledger. I made copies of it to make sure that it would go to everybody in the Senate on our side of the aisle who would be a candidate, and as I remember now the import of that ruling was that when contributions came there would be no interdiction on their expenditure.

Now, it could well be that there has been a modification since that time, but my own judgment impels me to the belief, and I think to the conviction, that when these contributions come the candidate, of course, has to follow his best judgment as to what constitutes a political expenditure, and that could very well be membership in a lodge on the ground that he is going to meet people, it could very well be an expenditure for a piece of artistry, which in my case was done, I think, by the committee itself.

I have scrawled thousands of inscribed photographs that have gone to every section of the country. I didn't have to pay for it, but I used it. The committee did.

If I am not out of character and I am not offensive in what I say, when this matter of the so-called houseboat came up, I don't know how many hundreds of times I have been on one of at least four different Government vessels on the Potomac, where the Secretary of State, the Secretary of the Army, the Secretary of the Navy, the President of the United States, would ask you to meet him at the dock at five o'clock along with other people. You would go down the Potomac. You would have some food, but you would be discussing official matters.

Now, you could well be discussing political matters, and so who shall make the judgment as to whether it is a political expenditure fully justified and deductible or whether it isn't deductible?

Q. There are government vessels?

A. That is right. The government owns

them. The Navy supplies the personnel for them and the whole thing is paid for out of the taxpayers' treasury.

Q. Let me ask you, Senator, have you ever used campaign contributions for the purpose of clothing or other personal expenditures?

A. If it pleases the Court, and if my answer is not offensive in that it is too long, I came so close to it on one occasion and it might have been a very substantial sum, but I went to Washington without a long-tailed coat and a white tie, and the first White House reception I attended, I had no such equipment.

I made inquiry. Some thought a black tie and tuxedo was sufficient. Others thought I should have a white tie and long-tailed coat. The result was I was photographed and it went all over the country that I appeared at the first Roosevelt reception in a rented dress suit.

It was a matter of frightful embarrassment, I must say, to the court, and promptly they took up a collection in Peoria. As I recall, they raised $2,700, and then I was in difficulty, because I finally had to say to them, divide the funds and give part of it to the Salvation Army, part to the Red Cross, part to the American Legion, part to other charities, and so I was left finally to buy my own formal wear.

I came that close to making a deduction, but at long last I didn't. However, I felt that I might have been justified in so doing in view of the harassment and the embarrassment that I suffered.

Q. All right. That must have been some years ago because public acceptance of rental formal wear has risen since those days.

A. May I say to the Court it happened in 1933.

Q. If I understand your answer to my question, it is that you have not used campaign funds for personal expenditures.

A. There could have been occasions.

Q. Yes.

A. When it might have been identified as a personal matter. I have obviously tried to be careful about it, but it is a matter of judgment, finally, depending on your duties, your responsibilities, your ceremonial character, and what you think you have to do as a representative abroad and among other states, administratively and ceremonially, ten and one-half million people, and it does make a lot of difference in my judgment.

The Court: Any further questions?

Mr. John Crowley: No, your Honor.

The Court: All right, Senator. Thank you. You may be excused.

The Witness: Thank you.

(Witness excused.)

The Court: We will recess until two.

The Witness: Thank you, sir.

(Whereupon a recess was taken herein until 2:00 p.m. of the same day.)

Mr. LONG of Louisiana. Mr. President, a Senator, under the old Articles of Confederation, was in fact the ambassador from a State and did have the responsibility of representing his State here. As the Senator said, a Senator may not be required to entertain as much as a Governor must and to do the various things which a Governor must do, but there is a parallel here.

In my case, I have gone to New York many times with business groups from Louisiana seeking to bring industries to my State. I assume that other Senators have done the same thing. I have greeted doctors and labor people who have come to Washington from Louisiana. While the Governor is the No. 1 greeter in his State, the Senator is the No. 1 greeter for his State in Washington. He gives gifts. For example, Senators give graduation gifts, and things of that sort. Long ago I determined it was better to send a $1 book containing a certain philosophy of idealism to friends and constituents who were graduating. A Senator's wife has to have good clothes for certain occasions for which it would be unnecessary if he were not a Senator. I think there is something to the argument.

Counsel for Governor Stratton asked the Senator, and Senator DIRKSEN testified that this was a matter for individual judgment. It is fair to state—and I would not propose to say that Senator EVERETT DIRKSEN would agree with my view—that there is little difference between the kinds of expenses of a Senator's office and of a Governor's office. I had been informed that Senator DIRKSEN did not agree with what I was going to say. That being the case, I wanted him in the Chamber to hear what I was going to say. If he disagreed, I did not want to use the testimony of EVERETT DIRKSEN out of order, without his knowing about it.

Mr. DIRKSEN. I thank the Senator for the courtesy. It is in the best tradition of Louisiana.

Mr. LONG of Louisiana. I thank the Senator very much.

One of the functions the Senator from Illinois was forced to attend over and above the call of duty which, perhaps, imposed some additional burden on the household budget of the Senator was when he brought Mrs. Dirksen to the Louisiana Mardi Gras. The people of Louisiana will be forever grateful, because we felt Senator and Mrs. Dirksen dignified the occasion. Their presence was noted by all, and the entire State of Louisiana was proud that they would come to the Mardi Gras. My daughter was the queen, which makes me all the more grateful.

Mr. DIRKSEN. I never did enjoy anything so much.

Mr. LONG of Louisiana. I thank the Senator.

ORDER OF BUSINESS

Mr. MANSFIELD. I ask unanimous consent that at the conclusion of the recess which I am about to ask for, the distinguished Senator from Utah [Mr. BENNETT] be recognized and have the floor.

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

RECESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess for 1 hour.

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

At 1:17 p.m., the Senate took a recess until 2:17 p.m., the same day.

At 2:17 p.m., the Senate reassembled, when called to order by the Presiding Officer (Mr. BYRD of West Virginia in the chair).

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.

[No. 148 Leg.]

Aiken	Gruening	Montoya
Allott	Hansen	Morse
Anderson	Harris	Morton
Baker	Hart	Moss
Bartlett	Hartke	Mundt
Bayh	Hatfield	Murphy
Bennett	Hayden	Muskie
Bible	Hickenlooper	Nelson
Boggs	Hill	Pearson
Brooke	Holland	Percy
Burdick	Hollings	Prouty
Byrd, Va.	Hruska	Proxmire
Byrd, W. Va.	Jackson	Randolph
Cannon	Jordan, Idaho	Ribicoff
Carlson	Kennedy, Mass.	Russell
Case	Kennedy, N.Y.	Scott
Church	Kuchel	Smathers
Clark	Lausche	Smith
Cooper	Long, Mo.	Sparkman
Cotton	Long, La.	Spong
Curtis	Magnuson	Stennis
Dirksen	Mansfield	Symington
Dodd	McCarthy	Thurmond
Dominick	McClellan	Tower
Eastland	McGee	Tydings
Ellender	McGovern	Williams, N.J.
Ervin	McIntyre	Williams, Del.
Fannin	Metcalf	Yarborough
Fong	Miller	Young, N. Dak.
Fulbright	Mondale	Young, Ohio
Griffin	Monroney	

The PRESIDING OFFICER (Mr. BURDICK in the chair). A quorum is present.

CLARIFICATION OF DOUBLE BILLING SECTION

Mr. BENNETT. Mr. President, I think we have come to the point now at which the committee's position on the second reason for censure should be restated and developed in depth. Both Senator DODD and Senator LONG have given us their reasons for opposing it, in some of which they have contradicted each other. But up to this time the committee's position has only been presented during comparatively brief interruptions while Senators DODD and LONG have held the floor. Senator PEARSON, for the committee, very ably presented the basic answers to some of the opposition's arguments, but did so before their whole case was in. We can assume that by now they have presented all their arguments and interpretations, and so, with the floor in my own right, I am prepared to build upon Senator PEARSON's excellent foundation—and will try to examine the whole problem in much greater depth than his opportunities permitted.

I should say I am using a prepared text. A copy of that text has been placed on every Senator's desk.

First, let me review and try to analyze the essentials of the combined defense against this charge as presented by Senators DODD and LONG. It seems to me they based their cases on these seven arguments:

First. That the whole thing is frivolous and inconsequential—and could be called "penny ante" since it only involved seven examples and only $1,763 compared with the more than $116,000 involved in the first charge.

Second. That it had really nothing to do with Senator DODD because it grew out of a bad O'Hare bookkeeping practice, called "double billing," in which Senator DODD obviously was not involved.

Third. Anyway there really was no intended wrongdoing. All we are dealing with are undesirable errors caused by sloppy, careless, and unskilled bookkeeping.

Fourth. While the charge that O'Hare

was careless may have been bad enough in itself, it was also hinted we might actually be dealing here with forgery—because the double billing might have been made possible by O'Hare's forging of Senator DODD's signature.

Fifth. As evidence of O'Hare's complete inefficiency and carelessness, we were told that he even failed to secure for Senator DODD the proper number of Senate allowances for 21 trips to Connecticut to which the Senator was entitled.

Sixth. By no stretch of the imagination can it be called "a course of conduct," they say, since the regrettable error was only made in seven cases out of a possible 80.

Seventh. Anyway, bad as the error may have been, it has been corrected. Senator DODD, in his own definition of himself as "the captain of the ship," has assumed the responsibility and returned the money. So why not forget the whole thing?

Mr. President, I shall try to challenge all seven of what are to me deceptively attractive assumptions and I shall try to explode every one of them.

First, is this charge frivolous and inconsequential? I do not think so. On the contrary, it could be the more serious of the two, because apparently it involves a studied practice, repeated at every available opportunity, to take money out of the Senate funds improperly; yes, one might even say by fraud, and put it into the Senator's own personal bank account. And to me the fact that these actions yielded only $1,763 is beside the point. One or even two such happenings might qualify as mistakes, but not seven or 10 or 13—not every possible one. All this will be flushed out with detail as I proceed.

At this point may I say that it is not necessary for me to prove that seven of these double reimbursements involving the Senate actually happened. Nor is it necessary for me to prove the amounts involved in each. These facts are contained in Senator DODD's stipulation from pages 863 to 866 in part 2 of the hearings.

There were six double billings which did not involve Senate funds, and these are set forth in the later stipulations on pages 1015 to 1018 of the hearings.

Mr. LONG of Louisiana. Mr. President, will the Senator yield at that point?

Mr. BENNETT. I am trying to develop a carefully reasoned presentation, and I realize the ability of my friend from Louisiana to pull any presentation off the track. So, recognizing my own weakness as compared with his ability, I prefer to continue to develop my case and yield for questions afterward. I think the Senator from Louisiana can understand why, as I go along.

Now, let us turn to the second assumption.

The second assumption is that all this had *nothing* to do with Senator DODD, but grew out of a bad bookkeeping practice called "double billing" in which he obviously was not involved.

In answer to this, it should be pointed out that obviously Senator DODD had to be involved, essentially and inescapably. This will become crystal clear as I go along, but let me point out first that it was he—not O'Hare—who was enriched by the scheme. It was into his bank account that the improper double reimbursement went. Not only has he never denied this, but by paying it back only 10 days ago he has acknowledged it.

One of the reasons so many of my colleagues have been confused and deceived lies in the connotations of the phrase "double billing." This is Senator DODD's phrase, not the committee's, and to me it gives a completely false picture of what we must assume really happened. I do not know what picture the phrase "double billing" creates in your mind, but the picture it causes me to see in my mind's eye is O'Hare at his desk writing out two identical bills—or vouchers—for the same amount, one of which he sends to the private organization to which Senator DODD spoke, for an honorarium, and the other to the Senator's Judiciary Subcommittee. Every imaginary bill would state the amount which the Senator spent on travel and related expenses on the particular trip from which he had just returned so that when both responded, the Senator will have been reimbursed for his actual expenses plus a similar amount which he is free to add to his bank balance—or as he has said so frequently during the last week, to do with as he pleased. If this were really what were done, it could, by a great stretch of the imagination, be considered an error by a bookkeeper ignorant of committee procedures. But I cannot conceive of anyone handling a Senator's books or capable of balancing a ledger being that ignorant. You cannot balance one charge with two identical credits.

That conception of how this kind of problem must be handled is as erroneous as the explanation given to defend the practice. If you will draw on your memory of how the problem of securing reimbursement is handled in your own office, you will see just why the explanation thus given just does not fit the facts.

To begin with, I make the flat statement that O'Hare never had a chance to make a double billing. The very process prevented it, because the two charges had to be handled in completely different ways, and in one of these processes he could have had no essential part.

Let us look first at the process in which O'Hare could, and probably did, participate. This was the process of securing reimbursement from the private source. After the Senator had made the trip and returned, he could have asked O'Hare to notify the people before whom he spoke what the Senator's actual expenses were, and bill them for the amount. This he probably did.

Parenthetically, as a Senator who has made such trips and similar arrangements for reimbursement, it seems to me that the word "bill" is a little bit commercial and somewhat hard to describe the relationship between the Senator and the organization for which he spoke. I think a better word would be to "remind" them or "inform" them of the amount of his expenses.

But we have now reached a second point in which Senator DODD was involved, one which required him to have knowledge. In fact his knowledge was the indispensable ingredient because only he could tell O'Hare directly or through another staff man the name and address and the organization to be billed and particularly the amount to be charged. This is of vital importance. Let me repeat it. Only Senator DODD could tell O'Hare how much to claim for reimbursement.

Senator DODD's position has been stated to mean that O'Hare billed the private organizations for the honoraria and the expenses without his—Senator DODD's—knowledge. Obviously this is impossible because since Senator DODD made the original arrangements and since Senator DODD incurred the actual incidental expenses on the trip in addition to those represented by an airplane ticket purchased in advance either with a credit card or cash, or a check, he had to supply those figures to O'Hare in order that O'Hare could properly notify the organization what it was expected to pay.

Of course, and as a matter of fact, O'Hare's participation was not actually necessary even to this step. Senator DODD could have written the people himself, as I do, and I think most of you do. But no matter how it was handled he had to know that this claim for reimbursement was being made.

When you examine the other or official half of the process of securing double reimbursement, the problem becomes more complicated, and Senator DODD's participation really indispensable.

There are two ways in which the original charge for expenses on official travel can be incurred—and I shall discuss each separately.

The first way involves the use, by the Senator, or the committee staff—not O'Hare—of a committee airline credit card. In this case the debt is incurred by the committee—not Senator DODD—before he ever leaves on his trip. The only money Senator DODD spends is for incidental expenses while traveling—and if it is on official committee business, he is usually reimbursed on the basis of per diem.

When Senator DODD returns he must fill out a standard committee voucher form—which must be signed by the committee chairman and must also contain three other signatures, one to show who authorized it, the second to show the name of the payee, and the third, the chairman of the Committee on Rules and Administration. These four signatures must appear on the vouchers. I repeat, there is the chairman of the full committee, the chairman of the Committee on Rules and Administration, the person within the subcommittee who authorized the travel, and the name of the payee. There are four lines to be filled in.

When Senator DODD traveled as vice chairman of his own subcommittee he has been in a position to authorize his own expenses. In other cases as shown in the stipulations there were various other signatures. But of course the voucher always shows the name of the Senator who traveled. When a committee credit card is used, the airline used becomes the payee. In such a case the Senator never puts up any money, so a book-

keeper has nothing to record in his books and no one to bill.

How does double reimbursement occur when costs are handled in this way? Since the Senator never put out any personal money for official travel he is not reimbursed by the committee. But he can still bill the private source which has no knowledge that he did not spend any money of his own for travel, and that any money he may receive from that private source for travel, is in fact, over and above his cost for travel, which was zero. This involves the cost of transportation only, because even though the committee provided him with an airplane ticket charged on the committee's credit card, but he may put out some private funds for incidental expenses which will be reimbursed by the committee, as I have said, usually on a per diem allowance. And so far as this amount is concerned, he will be paid by the committee, and this gives him a double cash receipt, but a much more limited one. In this situation he does actually receive two checks, one from the private source and one from the committee, and his bookkeeper could deposit both of them.

If he uses any method of payment for transportation other than a committee credit card, such as his own credit card or his own check, the staff of the committee usually arranges the transportation anyway on official travel. In this situation, when the Senator returns, he submits a voucher to the committee—not to his own bookkeeper—and in that case his name appears on the voucher as payee, and when the voucher has been processed by the committee, not his own bookkeeper, and he receives a check. In such a case, the bookkeeper does not send out what might be called a bill.

An example of this is the much discussed Villanova case of 1961. The stipulation shows that Senator DODD received from Villanova $28.50 for "transportation and miscellaneous expenses" in connection with his speech to the Villanova law forum. The stipulation shows that American Airlines was paid $24.53, so I think it is logical to assume that the difference between these two figures, $2.97, is represented by the phrase, "miscellaneous expenses," and this could only have been supplied to Senator DODD from the committee voucher.

This interpretation I have been making of the process by which double reimbursement was secured, was not spelled out in the hearing record, but it is based on what must be usual Senate practice, and the application of commonsense.

One very significant feature of the handling of the committee side of this sort of double dealing is that it is the Senator himself who must make all the arrangements, report the expenses, and sign the vouchers. His bookkeeper has no proper part to play, no function to perform. The necessary detail in preparing the vouchers is or should be done by the staff of the committee. The only way the Senator's bookkeeper can get into the act is as a messenger.

I have gone into this at great lengths and in great detail in order to demonstrate clearly:

First. That while the bookkeeper can participate in part of the double billing involving the private source, he can have no essential part in the committee side. In fact, if the Senator will write his own letters to the private source, the bookkeeper is completely unnecessary. On the other hand, neither attempt to get reimbursement can be carried out without the Senator's full knowledge and his active participation.

During this debate the point has been made that during the period involving the late part of 1963 and the year 1964, there was no example of double billing involving the funds of the Senate.

This may seem to be strange until we realize the process of double billing really did not stop during the 1-year period.

What really happened was that there were six cases in which the Senator's campaign funds, rather than the Senate funds, were the source of duplicate reimbursement.

These cases appear on page 23 of the report, and they fall between the Senator's trip to Seattle in June 1963, and his trip to Tucson in March 1965.

This brings us to the collateral charge that this whole process of "double billing" might have been carried on without the Senator's knowledge because O'Hare forged his signature. I suppose this may be the explanation for the spectacular and dramatic introduction of the handwriting expert at the end of the hearings and for the display of handwriting samples in this Chamber—together with Senator LONG's interpretation of them. It is true that the committee, surprised by Mr. Appel's appearance at the end of the hearings, did not cross-examine him there and that his testimony in the record stands uncontroverted. But is it really significant or relevant? Let us take the time to measure its value in relation to the "double billing" charge.

In the first place, it obviously has neither significance nor relevance so far as the notification or billing of the private sources is concerned. Senator DODD himself had made his arrangements with them in advance, and all these people needed was information after the fact, which only he could supply, and which was supplied by a letter from his office. As I have already pointed out, Senator DODD could have signed that letter himself, O'Hare could have signed it in his own name, or he could have imitated Senator DODD's signature—the result would have been the same. And if he had imitated Senator DODD's signature I doubt that this would have constituted criminal forgery. I am not a lawyer, of course, and perhaps I am treading on dangerous ground here. But I know that it would not have enriched O'Hare by damaging DODD. Quite the contrary—it enriched DODD, and if it were really forgery O'Hare would run the risk of conviction for a crime committed without hope of personal gain.

That leaves then the question of the signatures on the official committee vouchers. No matter who executed those signatures, they were not the only signatures on the vouchers, and when Senator DODD's name appeared as one of the four signatures required and actually present on each voucher, it was accepted as valid by the Senate disbursing office without question, because apparently the disbursing office was willing also to accept the other three signatures as valid. There are 12 vouchers involved, and they appear on pages 1003 to 1014 of the hearings.

I hope my colleagues will go through these pages and examine them with me as I discuss them.

Pages 1003 and 1004 represent two parts of the same voucher. For some reason the voucher was cut in half, and the signatures were cut off the bottom part of what appears on page 1003. I assume the signatures on page 1004 represent the same voucher.

On this voucher and the voucher on page 1012, Senator DODD's signature does not appear at all.

In the first instance American Airlines was shown as the payee and the records manager of the committee authorized the voucher.

In the second instance, American Airlines is again shown as the payee and Senator HART as the chairman of the Antitrust and Monopoly Subcommittee authorized the voucher. Senator DODD's name appeared on the voucher as the one who is entitled to receive reimbursement.

On five vouchers, 1006, 1008, 1009, 1013, 1014, his signature appears as chairman of the subcommittee, but not as payee. To complete the examination of the vouchers, we should note that Senator DODD's name is signed as payee on only four vouchers—pages 1005, 1006, 1010, 1012. You will notice the vouchers on page 1007 appear in both lists because on that particular voucher Senator DODD's name appears both as chairman of the subcommittee and as a payee.

One signature as the chairman—the signature that appears on page 1013—I regard as a good imitation of Senator DODD's signature. However, this is accompanied by the initials C. L. P. These are the initials of Carl L. Perian, whom I believe is staff director of the subcommittee. This indicates that Senator DODD was willing, if not accustomed to let others sign his name on vouchers, and the close resemblance of this imitation to the real Dodd signature leaves every other signature on the vouchers in doubt.

This doubt is increased by the fact that there are two obviously different forms of signatures on this set of vouchers. If you look again at page 1013, you will see that the high part of the "H" in Thomas is connected to the downstroke of the "T" which has no cross bar, so that the "T" and the "H" together form a kind of "W."

This pattern of signature appears on pages 1005, 1010, 1013, and 1014—four times signed as chairman, and on page 1007 signed both as chairman and payee.

In contrast, we see on pages 1006, 1008, 1009, and 1011 an "H" made with a definite loop. In other words, out of nine signatures, there are four without the loop—including the one identified as having been written by Mr. Perian. These seem to be most like the Senator's own.

And there are five written without the loop, which least resemble the Senator's own style.

What does all this mean to me?

First. That Senator DODD permitted at least two members of the committee staff to sign his name on committee vouchers.

Second. It would have been difficult for O'Hare to have been one of those, because one would expect the vouchers to have been prepared and processed in the committee offices by the committee staff, and the staff would have had no reason to make it possible for O'Hare to sign Senator DODD's name to the vouchers since they apparently had that privilege within the committee, and used it.

In any event, I believe it is safe to assume that O'Hare did not execute all of Senator DODD's signatures that appeared on the vouchers. So he could not, in my opinion, have carried on this skillful method of forging the Senator's name for the Senator's benefit.

Third. If the Senator was that free with his signature in the committee, and since he had a signature machine in his office, might we not expect him to be just as free in his office?

And finally, though Mr. Appel, the highly touted handwriting expert, claimed that certain purported Dodd signatures were not genuine, he did not claim or testify that he knew what person, including a signature machine, had imitated them, even though in the context of Senator LONG'S remarks we were supposed to believe that Mr. O'Hare had executed all these signatures.

I shall leave this matter and move on to the charge that O'Hare was a careless, sloppy bookkeeper.

On the other hand, there is evidence in the record that O'Hare's performance of duty for Senator DODD received the latter's considerable approval and commendation. For example, on page 1094 of the printed hearings is shown the Senate service record of O'Hare.

I believe it will be well if we pause long enough so that Senators can take a look at it. It is on page 1094.

As you look at the record, you will find that O'Hare commenced working for Senator DODD in May 1961, as a college student, at a salary of $953.95. That was his annual salary. That is the annual rate, and not the amount paid up to the date of the report. Thereafter, until the termination of his employment in January 1966, he received numerous and substantial increases in salary. He received the same automatic statutory increases as everyone else, but in addition he received four major increases at Senator DODD'S order.

The first salary jump ordered by the Senator was from $953.95 to $6,475, and with three other jumps similarly ordered by Senator DODD, he was raised to $10,334.10. Thus, within 5 years he had been raised from $1,000 to $10,000, an increase of 1,100 percent, which is a pretty good increase for a careless, sloppy bookkeeper.

The committee also received evidence in the form of uncontradicted testimony from O'Hare that he was commended for his skill as a bookkeeper. Senator DODD'S accountant, David Nichols, a CPA of Hartford, Conn., indicated that he was extremely well pleased with O'Hare's bookkeeping. At one point, when Senator DODD was contemplating assigning O'Hare to more responsible duties, Nichols became very concerned and asked for the opportunity to talk to Senator DODD before such a move was made. Whether or not Nichols was persuasive, the fact remains that O'Hare continued as bookkeeper. Senator DODD himself indicated his pleasure with O'Hare's bookkeeping; and, according to the testimony, Senator DODD took a great personal interest in his own finances and financial records. Senator DODD confirmed this in his presentation on the floor of the Senate. This testimony is found on pages 729 and 730 of the printed hearings. Senator DODD never gave O'Hare any reason to believe that O'Hare was not keeping the books in good order. In the hearings, Senator DODD was present with his attorney, and both heard this testimony on pages 729 and 730 and did not controvert it.

Although not in the record, it might be noted that the committee obtained an affidavit from Senator DODD'S accountant, David Nichols, stating that O'Hare's performance of bookkeeping was quite satisfactory for a layman. It is not in the record because of the committee's policy not to put any affidavits in the record. This policy has been violated since these discussions began, and I suppose if someone insists, we can dig up this affidavit.

In the same context, it might be fair to ask whether or not Senator DODD "is a careless, sloppy bookkeeper watcher." There is interesting testimony on this point.

As shown on page 730 of the printed hearings, O'Hare testified in response to the question of whether Senator DODD took personal interest in his own books:

> He took a great personal interest in his personal finances. As far as the books as such goes, why, occasionally, he would ask to see them or inquire of me as to whether or not they were up to date, and was I keeping them in good order.

This testimony lends support to the conclusion that Senator DODD must have noticed and approved the entries in his books of travel expense reimbursement.

Moreover, since the checks received from the private organizations for Senator DODD'S honoraria and expenses were deposited in Senator DODD'S personal bank account, it is hard to believe that such deposits as substantial as $831 in one instance, could have gone unnoticed by Senator DODD—particularly since Senator DODD and Senator LONG have tried to make it abundantly clear on the floor of the Senate, in the last few days, that Senator DODD was particularly hard-pressed financially, and required the extra funds that came to him through the testimonial dinners. It must also be true for those cases in which reimbursement on official travel came to Senator DODD as payee. These are represented on pages 1005, 1010, and 1011.

It might be interesting for me to stop and read the testimony on pages 746 and 747 which bear on this matter. Mr. Fern was questioning Mr. O'Hare:

> Mr. FERN. Were you acting under Senator Dodd's instructions at the time in billing these honorarium organizations for Senator Dodd's travel expenses?
>
> Mr. O'HARE. Yes, sir; I was.
>
> Mr. FERN. Did you discuss any of these trips specifically with Senator Dodd?
>
> Mr. O'HARE. The San Francisco trip I recall discussing with him. The Seattle trip I recall discussing with him.
>
> Mr. FERN. And did you inform him that you were billing the honorarium organizations?
>
> Mr. O'HARE. On the San Francisco trip, the actual invitation I believe was arranged through the Subcommittee to Investigate Juvenile Delinquency. In a letter they—
>
> I assume he means the National Council of Juvenile Court Judges—
>
> stated that they would only be able, to the best of my knowledge, that they would only be able to provide a small honorarium for his appearance. He asked me to speak to the staff director of the subcommittee and find out if the National Council of Juvenile Court Judges——
>
> Mr. FERN. Excuse me, Mr. O'Hare. You are referring to the payment in paragraph 98; is that correct?
>
> Mr. O'HARE. Yes, sir.
>
> Mr. FERN. Continue.
>
> Mr. O'HARE. He asked me to have the staff director of the Subcommittee to Investigate Juvenile Delinquency contact the National Council of Juvenile Court Judges to find out if they also expected to cover his expenses for his travel out there, and the staff director did make a call and come back and said that if necessary, although the organization was a poor one and they had limited funds, if it meant Senator Dodd's presence, they would be willing to cover the cost of his travel.
>
> Mr. FERN. Continue.
>
> Mr. O'HARE. The Senator then told me that he would travel on the subcommittee funds, but to get the money from the National Council of Juvenile Court Judges for all his expenses, including the travel, and that, when that check arrived to enter it as income, and show it as an honorarium.

As a matter of fact, the record shows that only one check came back. It was a check for $500, which was slightly in excess, by $100 or so, of the cost of travel, but it was all entered as an honorarium. Note that in this case the arrangement was made through the staff of the subcommittee. This is represented by the voucher which is signed by Senator HART as chairman of the committee.

I think we are ready now to explode the related proposition that O'Hare's sloppy carelessness can be further shown because he failed to get those claimed entitlements for reimbursement for the Senator's trips home.

As I brought out in my colloquy with the junior Senator from Michigan [Mr. GRIFFIN] earlier, only 10 of these were available to Senator DODD at the time O'Hare served as his bookkeeper. He secured reimbursement for one, leaving nine. For each 21, there must be added 12, and these 12 are represented by the change that took place in 1965 under which our entitlements were raised from two a year to six a year. Except for a few days, as I shall explain later, the opportunity to claim these 12 came after Mr. O'Hare left the employment of the Senator.

The real reason for this is available to every one of us from our own letter files. These contain a series of form let-

ters which every Senator has received from the disbursing office explaining the development of this particular program. I have here a set of the blank or basic letters furnished to me by the disbursing office. They hold the key to the puzzle.

The program was authorized in 1958 to begin with the new fiscal year, July 1, 1959. The letter announcing it was dated July 24, 1958—Senator DODD did not receive this letter because he was not in the Senate.

The letter said, in part:

In addition, you may now be reimbursed for actual transportation costs incurred in making two round trips in each fiscal year between Washington, D.C. and your residence city. This reimbursement is restricted to round trip transportation to your residence city originating and terminating in Washington, D.C. The reimbursement will be paid upon completion of a voucher (available in this office) on your return to Washington. . .

Then follows instructions for completing vouchers to receive reimbursement.

Senator DODD was elected on November 4, 1958, and on the next day, November 5, the disbursing office sent him a three-page letter as it did to all new Senators, listing his various entitlements as a new Senator. This letter said on this subject:

In addition to the statutory mileage payment referred to in the second paragraph, you may be reimbursed the actual transportation expenses incurred by you in making two round trips in each fiscal year between Washington, D.C., and your residence city in Your State. These trips must originate and terminate in Washington.

This is essentially the language of the earlier letter.

The Legislative Appropriations Act for 1960 broadened this privilege to permit two round trips from Washington to any point in his State. This was announced to Senators in a letter dated June 19, 1959:

The Legislative Branch Appropriation Act for 1960 (H.R. 7453), when enacted into law, amends the authorization governing the reimbursement of actual transportation expenses incurred by you in making two trips in each fiscal year from Washington, D.C. to your home State and return.

On travel performed from and after July 1, 1959, these reimbursements will no longer be restricted to trips from Washington, D.C. to your residence city and return. Reimbursements will be allowed for round trip travel from any one point in your State (to be designated by you) to Washington D.C. and return to that point, or from Washington, D.C. to any one point in your State and return to Washington, D.C.

All these letters, like all other correspondence from the disbursing office, are addressed to the Senator and marked "Personal—Confidential." They do not come to his bookkeeper. Of course, these letters could not have meant anything to O'Hare—they all came before he was first employed.

The language to which I have referred would not have meant anything to O'Hare. The letters all came before he was employed. There was no other letter on this subject until a short time before he left Senator DODD's employment on July 12, 1965.

One other observation on this subject of nonreimbursed trips to Connecticut: There is no reason in law or logic to support the assumption that a Senator who accepted, if he did not seek, an overpayment for reimbursement of his expenses on official trips outside the State, has the right to offset or balance these by claiming that, after all, the money is due him because he was receiving an amount approximately equal to that to which he was entitled for trips to his State on which he failed to seek reimbursement.

My point is that a Senator has no right to offset his overcollection on one hand with the fact that he failed to take advantage of an opportunity he had on the other. To put it in a truism, the fact that a man owes you money does not give you the right to get that money by any means, by even theft or fraud. It is not my purpose to defend O'Hare, but I think before we finally leave this area of his ability and skill as a bookkeeper, which I think it important to us, I have another comment to make.

That concerns how O'Hare got started in his job as bookkeeper. By his own admission, O'Hare revealed that he did not have much training or experience as a bookkeeper at the time he began working for Senator DODD.

In fact, he had worked at a number of other jobs first. Therefore, Senator DODD's accountant was specially called down from Hartford, Conn., and spent several days training O'Hare—see pages 728 and 729. This training should have included instructions as to how to handle the Senator's entitlement to home-State travel. But O'Hare testified that he was never told of such entitlement, and neither Senator DODD nor the accountant offered evidence otherwise.

The point has been made that O'Hare knew how to get reimbursement for staff members, but how come he did not know how to get it for the Senator himself?

I turn to the hearings on page 749, about halfway down and I begin to read, as follows:

Mr. FERN. Mr. O'Hare, isn't it a fact that during part of this period between 1961 and 1966 you claimed reimbursement for some Senator Dodd's personal staff members for home State entitlement?

Mr. O'HARE. Yes, sir; I did.

Mr. FERN. How do you explain that you claimed for the staff but not for the Senator?

Mr. O'HARE. The only answer I can give and the honest answer is that the problem came up.

I stop here to say it is fair to assume the Senator had forgotten that he was entitled to these claims for reimbursement for home-State travel and he had not had a letter since 1959.

Continuing reading:

We had a staff member, I forget which one it was, I believe it was James Boyd, who had an occasion to have to travel to Connecticut on official business. Someone had mentioned to me that they thought that the office was entitled to a certain number of trips for the staff members each year.

At this point I made an inquiry to the Senate Disbursing Office as to whether or not there was a provision for trips for members of Senate staffs to the home State. I was given the information concerning the number of trips that were available. I have no recollection of being told about trips for which the Senator could be reimbursed.

Mr. FERN. When you made inquiry of the Senate Disbursing Office about the staff entitlement, weren't you also told about the Senator's entitlement?

Mr. O'HARE. No, sir; not to my recollection, I wasn't.

Mr. FERN. Mr. O'Hare, do you know at this point whether the Senate Disbursing Office provides instruction to Senators, new Senators and perhaps otherwise, as to their various entitlements?

Mr. O'HARE. Most all of us are aware the Senator made a statement on the floor of the Senate in which the accusation was leveled against me that I had indeed failed to gain reimbursement for trips for which he was due payment. On my own initiative early this week, I called Mr. Brenkworth and got what little information Mr. Brenkworth will impart to a layman concerning what a Senator is entitled to. However, he did tell me that when a Senator is elected, a letter is sent to him informing him of all of his privileges. It is marked personal and confidential, and he refused to reveal to me the contents of the letter. He said that each time there is a change in the law, that this information is also relayed to the Senator in the form of a letter, which is also marked personal and confidential.

Mr. Brenkworth, I think, was acting with complete propriety in refusing to reveal to a staff man the benefits available to a Senator.

There is another sentence that belongs there, which comes ahead of the material from which I have just read. It is on page 748 of the hearings, O'Hare testifying, just below the middle of the page, as follows:

Just an aside here. I left the Senator's office in December of 1965, so that as far as the accounting of particular trips goes, I think that there should be some adjustment made over the time that I was actually in office.

Mr. FERN. This paragraph doesn't refer to you. It refers to the Senator's entitlement.

After a lapse of 6 years, the Senate acted again with respect to home-travel entitlement and on July 12, 1965, the Senate disbursing office sent a personal and confidential letter to all Senators saying, among other things, that transportation expense reimbursement for round trips between Washington and our home States would be increased from two to six per fiscal year.

Let us go back and fit that into the pattern. The last letter Senator DODD had received was now 2 years old, when O'Hare was first employed, and Senator DODD had had two bookkeepers between them and the time O'Hara took over his books. The one immediately before O'Hare had been fired for incompetence after 2 months, and had probably left before O'Hare took over, so there was no chance for him to pass the information on, if in fact, he had it. And, the Hartford accountant had no special reason to know anything about it.

It was the arrival of the 1965 letter which, in my opinion, touched the whole thing off and accounted for this charge. It was the letter that announced the increase of the allowable trips—and it was dated July 12, 1965—the letter from which I have just read.

O'Hare's explanation, as indicated by the testimony that I have just read, shows that there was simply not enough time for him to make the detailed review necessary. It is of interest to the Senate to note here that since

then the firm of professional accountants hired by Senator DODD has been studying the question of entitlement for months to determine Senator DODD's home State entitlement, and have not yet come up with an answer, according to Senator DODD's own statement. It is not because the books are out of balance, in my opinion, but because of the difficulty of finding and identifying trips that qualify for reimbursement as "official" and that had not been previously paid for by other people or by campaign funds. It seems reasonable to accept O'Hare's explanation if these professional accountants, with more than one man available, could not do any better than they have done.

Mr. CURTIS. Mr. President, will the Senator from Utah yield?

Mr. BENNETT. I have declined to yield until I finish my presentation. I hope that my colleague will bear with me.

Mr. CURTIS. I have to leave the Chamber shortly and I would like to ask something about——

Mr. BENNETT. On the ground that it will not set a precedent, I am happy to yield to the Senator from Nebraska.

Mr. CURTIS. I thank the distinguished Senator.

In preface to my question, I will say this: I know something about the origin of the Committee on Standards and Conduct. It arose at the time we were spending long months on the Bobby Baker case. The Senator from Kentucky offered the motion here to establish the committee. I spoke for it. It carried on rollcall. I urged the leadership to activate it. I think the committee has been engaged in something absolutely necessary. I am making no defense for the actions that have been taken here. I think the committee has had a most difficult and trying job.

I am disturbed about one factor in this trip billing aspect. I would like to ask the Senator a question. In addition to the stipulation, is there any sworn testimony concerning the Senator's being paid twice for the same trip other than that of O'Hare?

Mr. BENNETT. We have no other testimony, but the stipulation is perfectly clear.

Mr. CURTIS. I have read the stipulation. The stipulation shows what happened. The stipulation does not show intent. It does not show intent to defraud.

Here is what I am disturbed about—and I am openminded. If Senators will turn to the testimony of Michael V. O'Hare as he resumed his testimony on page 751, the hearings show he was called back and he recited certain things from his previous testimony. Then, he was asked, as shown on page 752, if he would like to change any part of it, and he changed part of it.

I appreciate the Senator's yielding to me at this time, and I am not going to read all of that testimony, but I ask Senators to read it. I would like to read from page 752, at which Mr. O'Hare is shown as saying this:

> My decision to help Mr. Anderson and Mr. Pearson was made neither lightly nor maliciously. I engaged completely. I would have preferred that I had been able to separate myself from the office at the time that I agreed to cooperate with them.

This statement shows that he engaged completely with Pearson and Anderson beginning in July—he was not separated until December.

> At their request—

Meaning Pearson and Anderson—

> I didn't leave the office. They said that they would like me to remain on for as long as I could.

Then, dropping down to the next paragraph, he said this:

> So that for the period from mid-July until the time that I was off the payroll, I was cooperating entirely, committed in every way to assist Drew Pearson and Jack Anderson.

Mr. President, I do not defend what the Senator from Connecticut has done, but I find it difficult to have the Senate take any action on anything that is based in any substantial way upon an agent of Drew Pearson and Jack Anderson. I regard them scoundrels of such a degree that to do so would reflect upon the good name of the U.S. Senate, and that is what troubles me.

I do not take stock in a lot of the excuses that have been given, or the allegation of sloppy bookkeeping, but I find it most difficult. That is the reason why I wanted to ask the question as to whether or not there was any sworn testimony in the hearings other than the stipulations—which do not go to the question of intent at all—except O'Hare's.

Then, my other question is this: What was the date of the last one or two of the offenses alleged in reference to these bills?

Mr. BENNETT. The Senator has anticipated me. In order to accommodate him, I will jump ahead in my prepared talk.

I think, in answer to his observation, we are entitled to believe that, until O'Hare joined Boyd and Carpenter—until he made the decision to join them—he was doing his work loyally and effectively on behalf of his employer. We have no reason to believe otherwise. But this time question is very significant. The last two trips were made and over with, so far as double billing is concerned, before the July date which is set as the date O'Hare decided to join them.

Mr. CURTIS. What were the dates?

Mr. BENNETT. The first was the trip to Tucson, from February 26 to March 2, 1965. The University of Arizona paid $295 of the expenses on March 16. The Senate voucher was not dated until October 26, but I submit O'Hare's opportunity to have anything to do with the Senate voucher was so low as to be almost zero. In that case the debt had already been created, because he traveled on a ticket bought with a committee airline credit card.

Mr. CURTIS. When was the receipt of the last funds? Was it after mid-July?

Mr. BENNETT. Let me go back again. On this trip the University of Arizona paid on March 16, and the Senate Judiciary Committee incurred the debt on something earlier than February 26, when it used its credit card. So the amount of time it took to process the voucher through the committee is not significant, because here we have a case where Senator DODD was using the ticket to travel, and he received $295 from the University of Arizona, when he had nothing against it to balance at all.

The other trip was to Los Angeles. This occurred between March 23 and March 24. This is another case where he traveled on a ticket purchased by the committee's credit card.

Mr. CURTIS. My question is, Did the money from any source for either of those two trips come in after mid-July?

Mr. BENNETT. Let me say, he went to Los Angeles for the Reader's Digest, which paid him $280 on April 26. The Senate vouchers in these cases were finally cleared after July, but these were not of any consequence, because Senator DODD was not getting money from the vouchers. The credit card simply was used to pay the airlines, whose ticket the purchaser paid for, and the double reimbursement came from private payments.

The answer is that in both cases the double billing came on March 26 from the University of Arizona and from the Reader's Digest on April 26.

Mr. CURTIS. I appreciate the Senator's yielding to me for these questions. I want my position made clear. I think the work the committee has done had to be done. My sympathy has been with it all through these months. I am not critical of it. I am not accepting the excuses which have been made. I do not know what motivated O'Hare. I do not know whether he is not smart or what to think about it. But I am convinced that when anybody would act as an agent for two of the biggest scoundrels in the country on this, we need something more than sworn testimony on it. I say that not in criticism of the committee, but I say it in defense of the U.S. Senate.

Mr. BENNETT. The Senator from Utah and the Senator from Nebraska, I think, have the same point of view; but the Senator from Utah and the committee feel that the information they obtained without O'Hare's assistance represents the solid foundation on which they stand, and O'Hare's testimony was simply a device to bring the information into the hearing record.

It was corroborative but not conclusive.

Mr. CURTIS. I thank the Senator. I regret that I am disturbed about this point, because I have such a high regard for the committee. But I also believe the U.S. Senate must be careful when evil forces attempt to shape its conduct; and that is what we have here.

Mr. BENNETT. I am sure the Senator does not imply that evil forces have attempted to shape the conduct of the committee.

Mr. CURTIS. Evil O'Hare forces dominated it.

Mr. BENNETT. Not during the period when this actual record was being made.

Mr. CURTIS. That may be.

Mr. BENNETT. That is vital.

Mr. CURTIS. The man who gave the testimony said:

> I engaged completely. I would have preferred that I had been able to separate myself from the office at the time that I agreed to cooperate with them. At their request I

didn't leave the office. They said that they would like me to remain on for as long as I could.

I do not know whether blackmail was used. I do not know what was used by these evil forces upon an employee of the U.S. Senate. I am very disturbed about this point.

I do not want my remarks to be construed as condoning any bad practice that has taken place. I am disturbed about the sworn testimony that we are asked to rely upon, because of the influence that these forces had over him, to hold him on the job when he wanted relief. Why?

Mr. BENNETT. This is all after the fact. This is all after the problems and information involved in these double billings.

Mr. CURTIS. I understand that.

Mr. BENNETT. All right.

Mr. CURTIS. But I also understand that there is nothing in the record, aside from O'Hare, going to the question of intent to defraud. The stipulations showed that it happened.

Mr. BENNETT. That is right; and I have tried to show how it happened, and that it could not have happened without Senator DODD's personal activity, and could not have been carried out by O'Hare.

Mr. CURTIS. I do not dispute that.

Mr. BENNETT. All right.

Mr. CURTIS. And I thank the distinguished Senator.

Mr. BENNETT. Mr. President, to return again to the point, I repeat that I have not gone to all this length merely to uphold O'Hare's ability as a bookkeeper, nor, by inference, to excuse him for his later participation in the betrayal of Senator DODD's confidence. But I felt I had to sweep away the last vestige of possible belief that O'Hare's skill, or lack of it, was in any sense the cause or reason for the so-called double billing.

This brings us finally to the big question involved in the phrase "course of conduct" and the necessity to review again the relation of the seven trips to the 80. At the risk of being tedious, but in the hope that by filtering these figures one more time through one more mind, they may become clearer, begging the Senate's patient indulgence, I shall go through them again.

The committee report reveals that there were approximately 80 trips made by Senator DODD during the period from July 1960 through December 1965, for which reimbursement was received from the Senate or some other organizations, or both. All these trips were reviewed by the committee to determine whether there were any instances of multiple reimbursement from more than one source.

Of these approximately 80 trips, 70 were made for a single purpose, such as responding to an invitation to speak, or conducting some Senate committee business. That left 10 trips, and these were the only ones on which Senator DODD conducted both private business and public business on the same trip. Therefore it is vital to an understanding of the committee's position, that these 10 represented his only opportunities for double reimbursement. Last week Senator DODD made great point of the fact that if he had wanted to cheat on the other 70 trips he could have done it by inventing spurious business as a basis for double billing. Let us look at that claim for a minute. Actually, he could not invent a private appearance which would provide expenses in addition to an honorarium for those trips which he had taken purely for Senate business, so the only opportunity he would have had to invent a basis for double billing was to invent Senate business on trips where he went primarily to address a public group.

Of the 80 trips, there were 54 trips for private purposes only, and Senator DODD, in his statement on the floor, suggested that if this were directly a "course of conduct" he could have invented Government business in order to create the opportunity for double billing. Actually, a course of conduct, to my mind, necessarily relates to something that actually happened, not what might have happened. The word "conduct" itself implies this.

If there were 54 trips out of 80 on private business only, this leaves 26 trips on which he went on Government business, and among those, as I have said, were 10 on which he did both private and Government business. It is the committee's contention that these 10 provided him with his only available opportunities for double billing involving the Senate funds.

The committee has tried to make clear that it found elements of double billing in all of these 10 trips—all of them—but with respect to three of them, the committee did not consider the available facts to be conclusive, and, therefore, these three were not adduced in the hearings. This leaves the seven, and the facts including double reimbursement of these are admitted by Senator DODD in his stipulation. This is the information which Senator PEARSON has already presented so clearly to the Senate, and any mention of them here is only for the purpose of reinforcing his argument.

The printed hearing records, pages 1015 through 1023, also show that Senator DODD also received payment from both political funds and from private organizations for his transportation expenses on six additional trips.

When I say "both political funds," if any Senator believes that I am referring to two political funds, I will say that they were received both from private sources and from political funds.

Of course, in these six cases, no claim for reimbursement was made to the Federal Government, since no Senate money or credit was used. The facts of these duplications are shown in the stipulation which is reproduced on pages 1015 through 1023 of the printed hearings and in the schedules of payments from political funds that were incorporated into the stipulations and are shown on pages 938, 954, 996, and 997 of the printed hearings.

This is a little complicated. I shall not pause so that Senators may find them and read them, but they are in the printed hearings.

The addition of these trips makes 13 instances of admitted double reimbursements—and nearly doubles the range of activities that can be called the "course of conduct."

Just last week, the Senator repaid to the Treasury the amount of money involved in the double reimbursement which came to him from Senate funds. The extra reimbursement that came to him from his campaign accounts was deposited to his personal income just as directly as that income was increased by other transfers from campaign and testimonial revenues.

Senator LONG has made much of his contention that O'Hare misled the committee on the issue of double billing. The facts are otherwise. The committee, by its independent investigation, determined that there were a total of 16 possible double billing situations—10 and six as heretofore explained. Accordingly, the committee corresponded with and received affidavits from the payers in each one of these trips. So far as the Government side of the story is concerned, of course, they had access to and received the vouchers from the Senator's committee.

Mr. LONG of Louisiana. Mr. President, will the Senator tell what page he is on? He mentioned my name, and I would like to know the page number.

Mr. BENNETT. I have a slightly different text than the Senator has. Those who are following the text tell me that it is on page 22.

Mr. LONG of Louisiana. I thank the Senator.

Mr. BENNETT. Mr. President, from the facts provided in these affidavits, the committee had the basis for the stipulations which were voluntarily agreed to by Senator DODD.

It has also been alleged that the double billing on the last two trips in 1965 took place after O'Hare decided to defect.

I have already covered this in my colloquy with the Senator from Nebraska [Mr. CURTIS].

The two trips in question were to Tucson and to Los Angeles. The Tucson trip was from February 26 to March 2. The Los Angeles trip was on March 23 and March 24. Testimony received by the committee in its hearings disclosed that O'Hare did not enter into the arrangements to participate in the removal of records until at least June of that year. The Government expenses for these trips were incurred by credit card at the time that Senator DODD made the trip. The reimbursements from the private sources were in March and April, respectively. Thus, all arrangements for double reimbursement on these two 1965 trips were completed at least 2 months before O'Hare's first knowledge that the other former employees, Boyd and Mrs. Carpenter, were engaged in removing documents from Senator DODD's file.

This is the committee's case. There remains only the task of a final summary. For that purpose let us go back and briefly review the seven Dodd-Long defenses against the second charge in the resolution which reads:

(b) to request and accept reimbursements for expenses from both the Senate and private organizations for the same travel.

First. Are either the process or results by which Senator DODD double reimbursed frivolous or inconsequential? Not to me. In every possible situation, 10 in all, as far as the Senator is concerned, where he traveled for a dual purpose, the Senator secured some elements of double reimbursement. In three of these cases the committee's evidence was either not clear or not conclusive, but in the other seven, the committee feels that it was.

The committee feels that the second charge equals the first charge in seriousness, because it drew money directly out of the funds of the Senate for the Senator's personal and private enrichment.

Second. Its critics have said that its sole cause was sloppy and careless bookkeeping on the part of O'Hare and have implied that it was somehow related to his later defection.

They also insist that Senator DODD had no knowledge of what was going on and was not involved in it in any way.

Our answer is that in the first place the Senator did not need O'Hare—he could have written his own letters to the private sources. On the other hand without the information the Senator alone could furnish—the name and address of the firm to be billed and the amount—O'Hare could have done nothing. And in the second place the Senator was the key to the completion of the vouchers submitted to the committee. Only he could set them in motion, and his name or signature had to appear on all of them. In this move for reimbursement O'Hare had no part to play.

Presumably O'Hare received the duplicate checks. Some of them came months apart. I am not sure, but I assume that he must have recognized their relationship. It is hard to believe he never discussed this with the Senator, of whom he said, "he took a great, personal interest in his personal finances." If these finances were in as bad a shape as Senator DODD and his friends claim, I am sure the Senator had every reason to keep a close watch on his balance and could scarcely have failed to note the appearance in his bank statements of these duplicate deposits—one of which was for as much as $831.

Commonsense tells us that the assumption that all these were the result of error and not intent cannot stand up. The first claim for double reimbursement could have been an error, the second was less likely, but in my opinion the seventh could not possibly have been accidental. There is no logical basis for the claim.

Fourth. Though the direct charge was never voiced, great effort was expended to plant the inference that O'Hare resorted to the forgery of Senator DODD's signature in order to accomplish his double billing. I think I have shown that was impossible with respect to private reimbursement, and improbable and meaningless with respect to official vouchers. Moreover, he had no reason or motive for such a stupid plan.

Fifth. That O'Hare's failure to secure for the Senator his properly entitled home trip reimbursements can somehow explain the double billing.

To me, this is a complete "nonsequitur," and besides there is at least good circumstantial evidence that he might not have been told anything about it. He came into Senator DODD's employ about 2 years after the letter of June 19, 1959, and left soon after the letter of July 12, 1965. There were no letters in between.

Finally, we come face to face with the claim that even if there were only seven instances of double reimbursement, there were 80 trips, all of which represented opportunities which Senator DODD did not take. So the whole thing is "de minimus" and cannot be described as "course of conduct."

Senator LONG even tried to convince the Senate that the committee was completely wrong in identifying even these seven instances as double reimbursement involving Senate funds and tried to explain them away on other bases.

I think this error grew out of another failure of communications between himself and Senator DODD, of which there have apparently been several during this debate. Had he checked first with his client-colleague, he would have learned that the existence of the seven instances had been stipulated before the hearings first began on March 11 and that the truth of this stipulation had been nailed down tight. When after 3 months Senator DODD had on June 8, less than 2 weeks ago, refunded to the Treasury all the money involved—a total of $1,763.

Remember—Senator DODD had also stipulated to six more that, while they did not involve Senate funds, did transfer campaign funds to his private account in the same manner.

To say it for the last time and in another way, the hearings began with an admission that Senator DODD had been improperly enriched by double reimbursement to the tune of $1,763 of Senate money, and that admission was confirmed by his action in refunding the money to the Senate. He and his defenders say this was all a mistake in which he had no part and for which he bears no responsibility. I think the record shows that it could not have happened except with his full knowledge, under his personal directions, and through his actual participation. And to me that demonstrates to a certain extent a willful course of conduct. For all of this, the committee considers Senator DODD wholly and solely responsible for the double billing, and for that reason the committee believes that its second charge warrants censure as much as, and maybe more than, the first.

I have one final postscript. We have heard much for the last week and a half to the effect that the first charge in the committee's resolution involves an application of an ex post facto principle.

This cannot be claimed with respect to the second charge which, if true, necessarily constitutes the perpetration of a fraud on the Senate.

Indeed, Senator DODD himself recognizes this as shown by a statement he made in his first speech on the floor. He said:

> Let me be frank. If I should come to the conclusion that some Senator were guilty of a deliberate attempt to defraud the government of his country, I would not urge that he be censured. I would urge that he be expelled.

That is Senator DODD speaking, not the committee. However, the committee believes that it has proved that Senator DODD himself not only knew of but was also involved in the process that produced the double billing.

For that reason, the second charge is as important as the first in the recommendations for censure.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. MILLER. Mr. President, I have been trying to follow the argument of the able Senator from Utah very carefully.

I am not yet clear on one matter, and I would appreciate it if the Senator from Utah would give us a very brief answer to this question, which I raised the other day: Why did not the committee treat as an offset all or any part of the 21 trips alleged to have been eligible for reimbursement and not reimbursed?

Mr. BENNETT. Because there is no relation between the two. We have no charge against Senator DODD that he somehow brought the Senate into disrepute by failing to collect for all or part of 21 trips. Therefore, this was outside our consideration. It is his suggestion that he is entitled to it as an offset. We are not concerned with whether or not he gets it as an offset. Our concern is, Did he in fact get double reimbursement for these seven trips? We are not concerned with the money.

Mr. MILLER. Will the Senator yield further?

Mr. BENNETT. I yield.

Mr. MILLER. I will grant that we are concerned with whether or not he received double reimbursement. But it seems to me that we must be concerned with another aspect, and that is whether there was an intention to do this and, further, whether there was an intention which we might call a malicious intention or an intention to enrich one's self.

For this reason, I suggested the other day that the offset or the failure to obtain reimbursement where it is authorized really goes to the intention. I am quite concerned about the intention. I believe it has been stipulated that there was double reimbursement. I do not believe we must argue about whether there was double reimbursement. I believe it is in the stipulation.

It seems to me that the heart of the question is, Was there an intention, and was it the kind of intention which was a bad thing? If there was a bad intention, that is one thing. If there was an intention without any malice behind it, and we can find that because there was a failure to ask for reimbursement that was legitimate, then I suggest that this bears on the intention.

Mr. BENNETT. I am afraid that I cannot quite follow that argument, because in one case we have money which came to the Senator as a result of deliberate action on his part. Let us leave the intention out for a moment. In the other case, we have money that did not come to him because he forgot to ask for it.

Now, can one say, "Look, I asked for too much over here," and that was deliberate action? He had the will or intent

to create that situation. But over here he did not have to intend anything. He just forgot it; he ignored it.

Mr. MILLER. Mr. President, will the Senator answer this question: Do I correctly understand that the Senator is in effect saying that the committee rationalized this matter along the lines he has just indicated? Did the committee rationalize this matter that way?

Mr. BENNETT. I hope I do not leave that inference. The aspect that the unclaimed entitlement should be used as an offset never came up during the hearings. The Senator from Connecticut did not bring it up. The committee had no interest in it. It was developed in the Senator's defense on the floor. So the committee just did not rationalize anything.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. MURPHY. I have listened to most of the debate, and I did not get the impression that the rationalization of pluses and minuses was between the two columns we are talking about—the ones that were not charged, which could have been properly charged, as against the ones that were charged improperly. I got the impression that this was made by the defense in order to create the condition of mind within the Senate that there had been sloppy, unfortunate bookkeeping. That is one.

Now, may I ask the Senator a question: In the matter of double billing, we talk about trips that were made by the Senator from Connecticut in connection with Government business, for which he was paid. Was he ever paid twice by the Government for these trips?

Mr. BENNETT. No.

Mr. MURPHY. Then, is it not possible that on some of the trips when he had completed his Government business—he had gone for the Government, was transported by the Government, and had fulfilled his obligation to the Government—in addition, later in the evening, after the hearings had recessed, he had gone someplace to make a speech?

Mr. BENNETT. That is right.

Mr. MURPHY. And they might have said to him, "We could give you an honorarium." This is perfectly proper, is it not?

Mr. BENNETT. It is.

Mr. MURPHY. But they said—this is a hypothetical case—"We cannot give you an honorarium because in our committee, when we invited you, we said the secretary of the committee was empowered to pay your expenses. So in lieu of the honorarium, we give you a ticket."

My point is this: Was there ever a time when the Government was charged for a trip that he did not perform, or was there a time when the Government was charged twice for a trip on which he only performed once?

Mr. BENNETT. There was no time when the Government was charged twice for a trip—the answer is "No" in both cases. But in those cases which the Senator from California has described, in which the Senator from Connecticut completed his business and went downtown and made a speech, he was in that city with his expenses paid. He had no more expenses, except possibly a return of odds and ends that he had spent for a newspaper or a taxi. But he permitted the private organization in every case but one, as I remember it, to give him two checks—one as an honorarium for making his speech, and another to pay his expenses, which had already been paid. So the second check represented a double payment or a double reimbursement for his expenses. And the Government was involved in that.

Mr. MURPHY. In what way, may I ask?

Mr. BENNETT. He made one trip. The Government paid him for his expenses; the private agency, or a private organization, paid him for the same expenses.

If you are keeping books, you would set up a debit for the cost of the trip, and now you have two credits. The cost of the expense was reimbursed twice. Since Federal funds are involved in the double reimbursement in seven cases, we consider that that is an improper transfer of Federal funds to his own pocket.

Mr. MURPHY. May I ask a question?

Mr. BENNETT. The Senator may.

Mr. MURPHY. In other words, if I go to Chicago on committee work——

Mr. BENNETT. On official work?

Mr. MURPHY. On official work for the Government. My transportation is paid?

Mr. BENNETT. That is correct.

Mr. MURPHY. While I am in Chicago, if someone said, "You come and make a speech or tell some jokes or do a dance," I may not do that?

Mr. BENNETT. Why not do it? You do it, and you get paid for it. Nobody raises a question.

Mr. MURPHY. My point is this: Was the Government at any time charged expenses for his presence anywhere in connection with Government work in an instance in which he did not fully perform his duties to that committee?

Mr. BENNETT. The answer, again, is no. But in that situation the problem is that he accepted double payment for one set of expenses.

Mr. MURPHY. Will the Senator yield for a question?

Mr. BENNETT. I yield.

Mr. MURPHY. In this case, should he have returned part of the money to the Government? What would he do? How much?

Mr. BENNETT. In my opinion, there are two ways it could have been handled. He could have said, "My total expenses were $200. I will ask the Government to pay half, and I will ask the private firm to pay half, but all I get back is $200."

Mr. MURPHY. May I suggest that that would not be possible. The Government would pay all or it would not pay.

Mr. BENNETT. The Senator would have no difficulty in taking an amount equal to half and writing a letter to the Treasury and saying, "I was overpaid this much, because I charged half of my trip to the Beer Bottlers' Association. Here is the half back."

Mr. MURPHY. I see.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. MILLER. The Senator from California has raised another question in my mind.

The Senator from Utah has said, in effect, that inasmuch as there were double reimbursements, this represented sort of an enrichment at the Government's expense. Am I correct?

Mr. BENNETT. That is the interpretation we have to make.

Mr. MILLER. Now, that is the question. Might it not be argued with equal validity that this was an enrichment at the expense of the private organization?

Mr. BENNETT. All right, but remember——

Mr. MILLER (continuing). Whereas, and I am not saying that this makes it proper, of course, it seems to me if one interprets it the second way, that this is enrichment at private organization expense, then we are in an area of ethical conduct affecting the public at large, as distinguished from a course of conduct affecting the Federal Treasury. If the committee went into this area, I would appreciate it if the Senator would let us know.

Mr. BENNETT. The Senate is a part of the Government. We assume that when a man swears or executes a voucher and says that he has not been reimbursed for the cost of his trip, when in fact he has been paid by a private organization, that is a fraud against the Government.

Is the position of the Senator from Iowa that when he travels on a Government airplane ticket, bought by the Government, the offense really is against the private organization?

Mr. MILLER. I am not saying that is my position. I say that it could be argued that way with equal validity.

Mr. BENNETT. Let us return to the basic problem the committee faces. Is this a course of conduct which brings the Senate into disrepute? I think there is no difference in the way it is applied.

Mr. ALLOTT. Mr. President, I agree with the Senator's last statement in its entirety, but I think the distinguished Senator from California and the distinguished Senator from Iowa have both raised questions that should be cleared up here.

I do not have a list of the committee assignments on the Committee on the Judiciary, but I understand the Senator's position is that he has the power to set hearings or authorize his own travel expense.

Mr. BENNETT. On the Subcommittee on Juvenile Delinquency.

Mr. ALLOTT. All right. In these instances and every instance where he did this the committee has found he was there legitimately on committee business. Is this correct?

Mr. BENNETT. The committee did not go behind the fact that the Senator had the right to be there, so we assume he was there on legitimate committee business.

Mr. ALLOTT. So the authorized trip was made by him and the Government immediately became liable for his expenses within the limitations of the legislative authorization and appropriation act.

Mr. BENNETT. The Senator is correct.

Mr. ALLOTT. And to that extent, I think the Senator from Iowa has raised

a very grave question, because once he went there and performed this business the Government was obligated. I do not know who was defrauded but, at least, the Government was obligated to pay him this particular amount.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. ALLOTT. Yes. I should not be making a speech anyway. The Senator from Utah has the floor.

Mr. BENNETT. The Senator pointed out that Senator DODD clarified that question for us because he refunded the overcharges to the Government and not to the private organizations which heard him speak.

Mr. ALLOTT. Yes; but that was very recently.

Mr. President, I ask unanimous consent that I may make a few brief remarks.

Mr. BENNETT. I yield to the Senator from Colorado, so long as I do not lose my right to the floor.

Mr. LONG of Louisiana. Mr. President, reserving the right to object, I wish to ask the Senator a few questions before he loses the floor.

Mr. BENNETT. I intend to retain the floor.

Mr. ALLOTT. Mr. President, I have asked that I be briefly recognized because I cannot include all of my remarks in one question, and I do not want to be removed from the floor. First of all, I have not participated in this debate except for one or two questions addressed to the Senator from Connecticut last week in the Chamber, so I feel I am not imposing too much on anyone's time.

I have great respect for the committee. I do not think that there is a Senator in the Chamber who is not on the committee who would have traded places with them. I do want the committee to know that this statement is genuine and not only for the RECORD. All of the members of the committee deserve the thanks of the Senate as a whole for the work, anxiety, and more, the anguish, that I am sure each member of the committee has gone through in the course of this matter.

I would like to point out to the Senator that here was a mistake I think he has made. My distinguished colleague from Kansas took this same point of view the other day, and I admire him not only as a lawyer, but also I respect him in every other way.

On pages 20 and 20A, where the Senator was discussing these trips, I think he made one basic mistake. The Senator has said:

> There were 54 trips for private purposes only, and Senator Dodd, in his statement on the floor, suggested that if this were directly a "course of conduct" he could have invented government business in order to create the opportunity for double billing. Actually, a course of conduct necessarily relates to something that actually happened, not what might have happened. The word "conduct" itself implies this.

Again, as a lawyer, even though my friend from Kansas feels differently, I cannot accept this point of view flat out because conduct is what a person is doing during a certain time. It is true he had seven double billings during this course of 5 or 6 years, whichever period it is, from 1961 to 1965, but his conduct also during that time is in accord with his own statement to which the Senator from Utah refers. I am bringing this matter up simply because no one else seems to be saying it, and as a lawyer, I think I must say it. His conduct during these 6 years was also that he did not create phony Senate business in London, or Zanzibar, or some place else on juvenile delinquency and go there, when he was in fact going there to make a speech with an honorarium attached.

While the Senator has said that his conduct related to these 10 or 11 opportunities for double billing, where he had business there and also the right to make a speech, his conduct was actually his whole course of conduct during the time these seven instances took place.

In a courtroom, when the judge charges the jury, he says: You are the judge of the credibility of the witnesses, and you can determine this credibility—and I am not quoting our stock instruction exactly—from the demeanor of the witness on the witness stand and his conduct. This does not mean his demeanor only while he is talking. It means his demeanor on the witness stand, it means his conduct on the witness stand, all the time he is on the witness stand.

While I do not want this statement to indicate how I feel about this matter, and I recognize the very brilliant argument which the Senator from Kansas [Mr. PEARSON] made last week, and certainly I have all respect for the Senator, so much as TOM DODD said last week that he did not create artificial Government business, Senate business, to go to a place where he was going to collect an honorarium and expenses, this is also a part of the conduct. I do not think we can exclude that conduct any more than we can include the seven times he did it.

No person will ever shake my views about this. His conduct was during the entire affair, and you have to take his whole conduct, it seems to me, in not dreaming up phony Senate business, as much as his conduct after the fact about these things on which the Senator made such a brilliant and forceful argument this afternoon, as part of his conduct; but his whole life, everything he did during these 5 or 6 years was also a part of his conduct and should be considered by the Senate. To the extent we want to take into consideration this negative aspect, it is certainly a part of the conduct.

Mr. BENNETT. The Senator from Utah is not a lawyer. I have never charged a jury or been charged before a jury. But I am going to make a comment from a layman's point of view, and then I am going to ask unanimous consent that my friend, the Senator from Kansas, may argue with his fellow lawyer. It seems to me, if we are going back that far, then we have to pass on whether he made only 80 trips when he could have made 200 trips in which he set up mythical operations to create the double billing. But he did not make more than 80, and this is part of his course of conduct. I come back to the layman's understanding that conduct refers to what man does and not what he might have done.

Mr. ALLOTT. And one of the things he did was not to dream up phony Senate trips, so it is a part of conduct.

Mr. BENNETT. Another of the things he did was not to dance on the Senate floor or climb the Matterhorn or all the rest.

Mr. ALLOTT. That is correct. That is part of his conduct during this time.

Mr. BENNETT. Mr. President, I ask unanimous consent that I may yield to the Senator from Kansas [Mr. PEARSON].

The PRESIDING OFFICER (Mr. MCINTYRE in the chair). Without objection, it is so ordered.

Mr. ALLOTT. If I may just finish my comment here. I would say this: That probably the closest this thing touches is upon the intent or the willfulness of the items the Senator discussed. I did not want to engage him in this, but as I read his statement, which is very well done and most forceful, I did feel that his treatment of this one aspect was really not in accordance with the law as I have understood it.

Mr. BENNETT. The Senator from Colorado is not impressed by the fact that in every instance where he had a chance for double billing there were certain elements for double billing.

Mr. ALLOTT. Do not put words in my mouth. I did not say that.

Mr. BENNETT. I know that the Senator did not.

Mr. ALLOTT. I recognize this. I have been in this Chamber all the time during these proceedings. I listened to my good friend from Kansas [Mr. PEARSON] make his statement the other day, which was very excellent. I do not want the Senator to put words in my mouth. I have just said simply what I have said, that conduct is not just what he did while he was on these seven jobs. It was what he was doing during these past 6 years, and to that extent, the position taken by him has some merit even though it is negative and is not so positive as what he actually did.

Mr. BENNETT. I thank the Senator.

Now, Mr. President, I ask unanimous consent that I may yield to the Senator from Kansas if he wishes to engage in this legal discussion.

The PRESIDING OFFICER. Without objection, it is so ordered; and the Senator from Kansas is recognized.

Mr. PEARSON. Mr. President, I thought I would merely respond to the Senator from Colorado by saying that, of course, we could accept the position put forth by him, which has been put forth most forcefully by the Senator from Connecticut. We could say that there were 80 trips. We could say that because there were 80 trips, and because this was conduct involving travel, that the Senator from Connecticut could connive to have business on an official basis and charge the Senate. We could say further that within the 26 trips that were taken and charged against the Government he could also have gotten in another invitation or another opportunity to make a private appearance. We simply did not make that assumption. In every case we said that business the Senator is on in which he charges the Government is a proper thing for him to do. We did not assume, as I do not think we had any

right to do in any of the cases of the 80 trips, he took to the idea that here was an opportunity for fraud and that fraud was not exercised. I do not think it gives rise to the implication. These are my words and I am not putting them in anyone's mouth. The idea that there is also an opportunity for fraud and fraud is not exercised cannot in any way, in my judgment, mitigate against the hard examples which the committee found.

We speak of seven out of 10 trips, and I suppose that is a small number, that $1,700 in a given amount is a small amount of money; but we were not thinking about that. We were giving the Senator the benefit of every doubt that we could find. That is why we reached the conclusion that we did.

Mr. ALLOTT. I understand his position very well, let me say to the Senator, and I think the argument he made, together with the one matter by the Senator from Utah, is very, very strong. The thing that really caused me to take the floor at this time was this matter of conduct. I suppose, and I know as a matter of fact that the negative, the failure to commit fraud on every occasion is not very strong evidence. There is some evidence. How much the Senator would put on it, how much a juror would put on it, or how much I would put on it, depends on the individual. My only point is that the conduct of TOM DODD during these 6 years was not confined to those few moments when he made these double billings.

Mr. PEARSON. Let me say, that is so. That is the reason why the committee looked into all 80 trips.

Mr. ALLOTT. If the Senator is in agreement on that, then my point is made. I thank the Senator.

Mr. DOMINICK. Mr. President, will the Senator from Utah yield?

Mr. BENNETT. I yield.

Mr. DOMINICK. I want to continue along the lines of the questions asked by the Senator from California [Mr. MURPHY] and the Senator from Iowa [Mr. MILLER]. Did the committee look into and did it find that the reimbursement which was received by Senator DODD on the double billing cases was included by him as honoraria on his income tax as a whole, or included as expenses plus honoraria?

Mr. BENNETT. For what seemed to it to be a very good reason, the committee did not inquire into the income tax aspects of any of these transactions, because we do not have that jurisdiction. The Internal Revenue has given some public indication that it is investigating the income tax aspects of this situation so we——

Mr. DOMINICK. They are in the process of——

Mr. BENNETT. Did not go into that.

Mr. DOMINICK. They are in the process of going into that. On any others, did you look into his ledgers or the books in the office, or whatever it may be, to determine whether he included this as income?

Mr. BENNETT. At one point early in the committee's investigation, we had reason to believe that Senator DODD would give us access to his books. But when we got to the point of requiring that access, it was refused. Thus, we had to build our financial case out of subpenas to banks, people who had loaned him money, and organizations that had the other half of the records. But we have never seen Senator DODD's books.

Mr. DOMINICK. Could the Senator tell me this: I have a recollection, and I may be in error on it, that the Senator referred to, I believe it was, the California trip where there was double billing. I thought the Senator said that the total amount he received was considered as an honorarium which he received from a private organization.

Mr. BENNETT. We got that information by inquiring of the private organization.

Mr. DOMINICK. It was treated as an honorarium by them?

Mr. BENNETT. By them.

Mr. DOMINICK. Did the Senator find out any other information along those lines from other organizations?

Mr. BENNETT. No, because in the other cases, the amount of the honorarium and the amount for expenses were stated separately. But in this case, this organization of juvenile court judges gave Senator DODD a flat amount and said, "Take your expenses out of it."

Mr. DOMINICK. The question I have brought up was along the line the Senator from California [Mr. MURPHY] was talking about. If Senator DODD went out there, did the job for the subcommittee he had planned on doing, and then went out to make a speech and received an honorarium on that trip, I presume it would not be considered as double billing.

Mr. BENNETT. I am sorry. I was trying to listen with one ear and I am afraid I did not hear the Senator. Would he repeat it?

Mr. DOMINICK. Yes. If on that trip Senator DODD had gone to California, done the committee work which was the job of the subcommittee, had been reimbursed for that under the rules of the Senate, and then proceeded to make a speech and received an honorarium, I would presume there was nothing wrong with that; and this is what I believe happened on that occasion. Is that correct?

Mr. BENNETT. No. In that case the company said, "This money includes both your expenses and the honorarium." In other words, "Here is $500." Let us say it was Seattle, and not California. "Take your expenses out. The rest is your honorarium."

Mr. DOMINICK. The Senator does not know how Senator DODD showed that on his own books?

Mr. BENNETT. No.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. BENNETT. I yield to the Senator from Ohio.

Mr. LAUSCHE. I wish to elicit information only, and I do not wish to say anything about guilt or innocence at this time.

My first question is, When were Mr. Boyd and Mrs. Carpenter separated from actual, open work in the office of Senator Dodd?

Mr. BENNETT. After the election of 1964.

Mr. LAUSCHE. It was about December?

Mr. BENNETT. Mrs. Carpenter was separated promptly at that time, but Mr. Boyd remained on the payroll for a number of months thereafter, I will get those two dates. I do not have them at the moment.

Mr. LAUSCHE. It was in 1964, after the election, and though Mr. Boyd was officially separated from his work, he was kept on the payroll?

Mr. BENNETT. That is correct.

Mr. LAUSCHE. Through the charity of Mr. DODD.

When did these stories that were carried in the newspapers begin?

Mr. BENNETT. January 24, 1966.

Mr. LAUSCHE. In 1966?

Mr. BENNETT. Yes, The first line in the report shows that—January 24, 1966.

Mr. LAUSCHE. When did Boyd and this lady first enter Senator DODD's office in secrecy to take papers?

I have page 123 of the hearings, where it is shown that Mr. Sonnett said:

> When was Mrs. Carpenter's employment terminated by the Senator?
>
> Mr. BOYD. On December 7, 1964.
>
> Mr. SONNETT. And following December 7, 1964, you and Mrs. Carpenter had occasion to see one another often, and you had much discussion of this project, did you not?
>
> Mr. BOYD. Before and after December 7, 1964, yes, sir.

That is, they were discussing this project in December 1964.

> But it was not until January, I think you told us, that you planned the procedure of entering the office to obtain documents?
>
> Mr. BOYD. I think, yes, sir, that is correct. I have tried to stress in my testimony that the development of this whole project was fitful in starts and halts, and I think the word "plan" denotes a little more skill and consistency in the idea that I think should be given to it.

But at least it was in January that they began planning.

The Senator from Utah stated that it was, I believe, in March and April that the two trips which have been in dispute here took place.

Mr. BENNETT. No; it was in February.

Mr. LAUSCHE. The Tucson trip was from February 26 to March 2.

Mr. BENNETT. Yes.

Mr. LAUSCHE. And the Los Angeles trip was March 23 and March 24.

Mr. BENNETT. That is right.

Mr. LAUSCHE. They were definitely after Boyd and Marjorie Carpenter were let go.

Mr. BENNETT. Boyd and Marjorie Carpenter have no place in the consideration of the financial problems.

Mr. LAUSCHE. That is not my question. It was after they were let go.

Mr. BENNETT. That is right.

Mr. LAUSCHE. That was in December of 1964.

When did O'Hare defect?

Mr. BENNETT. Mid-July.

Mr. LAUSCHE. Mid-July?

Mr. BENNETT. Of 1965.

Mr. LAUSCHE. And was he in contact with Marjorie Carpenter and James Boyd between December and July?

Mr. BENNETT. We have no way of knowing that.

Mr. LAUSCHE. Then, the record does not show whether O'Hare and Carpenter and Boyd were in contact with each other

between December 1964, and July when Boyd defected?

Mr. BENNETT. I think the Senator can assume they had some contact immediately before the defection, because they persuaded him to defect; but I do not know over how long a period it extended.

Mr. LAUSCHE. Those were the only questions I had on that subject.

Now I would like to ask this question with respect to the seven billings. It is the view of the Senator from Utah that we must charge those, on the basis of the proof, to an evil purpose on the part of Mr. Boyd and on the part of Mr. DODD?

Mr. BENNETT. The Senator never used the word "evil."

Mr. LAUSCHE. Well, wrongful purpose.

Mr. BENNETT. I think the record shows Mr. DODD permitted these extra funds to come into his account, and that in getting them into his account he had to have had knowledge they were going to get there.

Mr. LAUSCHE. And then, having knowledge, it was wrong that he did not stop it?

Mr. BENNETT. I think it was wrong that he participated in the process that brought the money there.

Mr. LAUSCHE. My next question is, How many trips could he have charged to the Government under the automatic right given of two return trips a year, up to a certain period, and then six return trips? What would have been the maximum number he could have charged if the trips had been made to his home and back to Washington?

Mr. BENNETT. The stipulation shows that between January 1, 1961, and December 1966, he could have charged 21 round trips.

Mr. LAUSCHE. And how many did he charge?

Mr. BENNETT. He charged one, I think. No. I am looking for another schedule.

Mr. LAUSCHE. It is the view of the Senator from Utah that he charged none, because the circumstances did not make it possible for him to charge?

Mr. BENNETT. No; that is not the view of the Senator from Utah.

Mr. LAUSCHE. What is it?

Mr. BENNETT. The view of the Senator from Utah is that, first, Senator DODD accuses O'Hare of carelessness because none was charged. There was an opportunity to charge 10 during O'Hare's period of tenure. The record shows one was charged. If I could get my hands on a list, I could tell the Senator. That one was prior to O'Hare's employment, but it was during that period.

So there were nine that could have been charged while O'Hare was bookkeeper, and the remaining 12 to make up the 21 became available after O'Hare left.

Mr. LAUSCHE. My question on this subject is, Does not this indicate that Senator DODD did not have what one would call detailed knowledge of what his rights were, and what was being done? Because it is admitted that there were 21 trips that he could have charged, through the several years, and he charged only one; and of those 21, there were 10 trips that could have been charged while O'Hare was working for him.

Mr. BENNETT. I respond to that question by saying that Senator DODD had the same letter all the rest of us had, and it is hard for me to believe that it was necessary for him to rely on his bookkeeper.

Mr. LAUSCHE. But why would he not charge?

Mr. BENNETT. Do not ask me. He has not testified as to why he did not charge.

Mr. LAUSCHE. Does not that indicate a sort of nonknowledge of what was actually going on with the books? It would seem to me he would definitely have charged it otherwise.

Mr. BENNETT. I do not think it has to do with the books. It has to do with his lack of knowledge of his rights as a Senator.

Mr. STENNIS. Mr. President, will the Senator yield to me at that point?

Mr. BENNETT. I yield to the Senator from Mississippi, so that he may comment on the question asked by the Senator from Ohio.

Mr. STENNIS. Mr. President, as I recall the evidence as to the 20 or 21 trips involved in this matter, there has been no proof that those trips were actually taken and the money paid out by Senator DODD for the plane fare, or whatever the fare was, and he did not file for reimbursement.

As I remember, the facts are that there were just 21 times when he was eligible to have been reimbursed for a trip if he made the trip, and paid the money out of his pocket for his plane fare or train fare.

Mr. BENNETT. I thank the Senator from Mississippi.

Mr. STENNIS. So as I recall the facts, if the Senator will yield one moment further, there has not yet been established by Senator DODD and his accountants the identification of these 21 trips.

The question was asked a minute ago why we did not give him credit for those 21 trips, for the amounts. The Senator from Utah stated that in his view it was irrelevant, and I think he was correct. That is not any of our business. I do not know whether the Senator ever made the trips or not. There is no proof before us, as I recall, that the trips were ever made. He was just eligible to make those trips, and then, if the trips were made, would have been eligible for reimbursement if he had paid out his money. But until proof is made that he made the trips and paid for them out of his pocket, he is not eligible for any reimbursement.

By the way, such claims are not outdated yet. The statute of limitations on that is 10 years. I am advised that even though the appropriation has lapsed, he is still eligible for reimbursement if he can prove that he made trips to Connecticut, Colorado, or anywhere. They can pay it out of a later appropriation.

That is my best recollection of the facts now.

Mr. DODD. Mr. President, will the Senator yield, so that I may clear up the point of the Senator from Mississippi?

Mr. BENNETT. I yield.

Mr. DODD. Stipulation No. 108 reads as follows:

For the period commencing January 1, 1961, through December 31, 1966, Senator Dodd made 21 round trips between Washington, D.C., and Connecticut for which he was entitled to be reimbursed from the contingent fund of the Senate under the provisions of 2 U.S.C. 43b, but for which he received no reimbursement.

I stated here on the floor of the Senate the other day, as to the 21 trips in 6 years, I go home about every week.

Mr. STENNIS. Mr. President, the Senator was reading from page 866, agreement No. 108.

Mr. DODD. Yes. It is part of the stipulation entered into as of March 11.

Mr. STENNIS. I have read it now. It says Senator DODD did make 21 round trips between Washington, D.C., and Connecticut.

Mr. DODD. For which he received no money.

Mr. STENNIS. I read now from the stipulation : "For which he was entitled to be reimbursed from the contingent fund of the Senate." They used the past tense; the Senator is correct on that. I thought the stipulation merely said he was eligible, and regret my misstatement of the terms of the stipulation.

Mr. DODD. I am sure it was not the Senator's intention to mislead.

Mr. STENNIS. I thank the Senator.

The irrelevance as to crediting Senator DODD with the amount involved is still pertinent, because the Senator is still entitled to file for reimbursement of the money, if he wishes, since the statute of limitations has not run. So we had no right to charge or credit him, one way or the other.

Several Senators addressed the Chair.

Mr. BENNETT. I yield first to the Senator from Ohio, then I shall be happy to yield to the Senator from Massachusetts.

Mr. LAUSCHE. Mr. President, I said I would not engage in discussion about the Senator's guilt or innocence, but I am obliged to say now, in the face of the argument that was made, we cannot dismiss the claim of nonknowledge on the part of Mr. DODD when nonknowledge will be of help to him, and charge him with knowledge when it will be hurtful to him. That is what I think the Senator is doing when he says we must cast aside the argument that he did not bill for 21 trips for which he could have billed.

That shows a course of conduct that he did not know, or deliberately failed to bill, while things were going on in his office that would have brought money to him.

Senators cannot have both sides of this argument. We must be consistent in the matter, and if it is to be argued that he should have known about the double billing, then it must be said that he should have known that he was not billing for trips that he made, for which he is entitled to reimbursement.

Mr. BENNETT. I can say that because he received the same official notification from the disbursing office that we did, and those of us who have billed for those trips have done it on the basis of that information.

Mr. LAUSCHE. Why did he not bill?

Mr. BENNETT. I do not know.

Mr. LAUSCHE. Did he have too much money? Was he wanting to cheat in one

instance, and in the instance where he was entitled to the money, he did nothing about it?

Mr. BENNETT. It seems to me that, having had the knowledge because he had had the notice, he will have to tell you why he did not bill.

Mr. LAUSCHE. I think that concludes my questioning.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. BENNETT. I promised to yield to the Senator from Massachusetts.

Mr. BROOKE. Mr. President, the question that the distinguished Senator from Ohio has raised has been raised by many other Senators here today. The Senator from Michigan asked the question of the Senator from Oklahoma; the Senator from Iowa asked it of the Senator from Utah. Obviously, many Senators are disturbed by this question, and the committee constantly gives the answer that it is irrelevant, when it gets to the question of the claim for funds which Senator DODD did not make, but to which he was entitled.

I ask the Senator this question: If the committee had found that the double billing by Senator DODD—and there is no dispute that there was double billing—was due to negligence and negligence alone, would the committee have made a recommendation for censure?

Mr. BENNETT. I think the committee would not have made such a recommendation.

Mr. BROOKE. If the committee had not made a recommendation for censure on a finding of negligence for double billing, then the committee would have had to find more evidence, in order to support its recommendation for censure; is that correct?

Mr. BENNETT. Mr. President, I have tried today to indicate the additional knowledge that Senator DODD must have had.

Mr. BROOKE. The committee must then have been looking for an additional factor on which to base its findings and recommendations.

In order to have censure, the committee must have been looking for design or intent on the part of Senator DODD to perform some act which is inconsistent with the standard of ethics.

Mr. BENNETT. The Senator is correct.

Mr. BROOKE. Then the committee was looking for intent.

Mr. BENNETT. The Senator is correct.

Mr. BROOKE. Is it not relevant and is it not essential, under the circumstances, that the committee give weight to the fact that Senator DODD did have an opportunity to bill the Senate on several occasions—be they 21 or 54, it does not matter—but he did not do so?

Mr. BENNETT. No. It is the committee position that he had an opportunity on 10 occasions and that he would have had to invent the opportunity in the other cases. We do not charge him with having invented the opportunity.

We assume that the 10 cases represented bona fide Senate business.

Mr. BROOKE. The stipulation which is found on page 866 of part 2 of the record clearly indicates that Senator DODD made 21 round trips from Washington, D.C., to Connecticut, for which he was entitled to reimbursement and for which he received no reimbursement.

Mr. BENNETT. The Senator is now talking about something else.

Mr. BROOKE. I am getting to the other point. I want to get it on a clearer basis.

The Senator agrees that Senator DODD had a clear opportunity to bill the Senate for 21 trips for which he was entitled to reimbursement but for which he did not bill the Senate?

Mr. BENNETT. We stipulated that on the theory that Senator DODD must have traveled back and forth to Connecticut over these years at least 21 times. But we had no listing of the trips, the dates, or the places. And apparently Senator DODD still has none, because his own statement on the floor of the Senate was that his accountants are still hunting for the trips which he can justify as being reimbursable.

Mr. BROOKE. Certainly the Senate is entitled to accept a stipulation.

Mr. BENNETT. The Senator is correct.

Mr. BROOKE. We are entitled to accept the stipulation without going behind the stipulation. If we go behind this stipulation, we will go behind all other stipulations.

Mr. BENNETT. We agreed that there were 21 occasions.

Mr. BROOKE. That is correct. And that is a stipulation that the committee and Senator DODD agreed on.

Mr. BENNETT. The Senator is correct.

Mr. BROOKE. Is it not relevant to the committee in making its findings and recommendations that it consider the fact that here was a U.S. Senator who did not claim reimbursement for 21 trips to which he was entitled, when the committee was looking for intent on the part of this man to get as much money as he possibly could out of the U.S. Government?

Mr. BENNETT. It has been suggested to me by committee counsel that this is relevant to his knowledge of the law, but that it is not relevant to his knowledge of his books of account.

Mr. BROOKE. Is it not relevant to the committee when the committee is trying to find intent? That is the only question we have been trying to get answered by the committee.

When the committee is looking for intent, does it not look for every bit of evidence it can in order to arrive at that intent? And is it not relevant that here is a man who had 21 opportunities to collect about $1,700 by merely asking for it and he did not do it?

Is that not relevant to the question of intent?

That is the only question I am asking.

Mr. BENNETT. To me—and again, I am not a lawyer——

Mr. BROOKE. I will use no more legal language, I assure the Senator. I am merely asking in plain layman's language, as a matter of commonsense, Is this not evidence that would help you to arrive at intent?

Mr. BENNETT. I think, however, it was most relevant to the committee on the question of O'Hare's responsibilities.

The position of the Senator from Connecticut is that O'Hare was responsible for the double billing, that O'Hare was responsible for the failure to collect for these trips.

Mr. BROOKE. However, the Senator has rejected that contention. He has said it was not O'Hare who was responsible, but Senator DODD who was responsible and was involved.

If Senator DODD is being held accountable for the double billing on these occasions, should we not also hold him accountable for not billing on the other occasions?

Mr. BENNETT. Again, I am not a lawyer, but it seems to me that it required positive action to acquire the double billing. And the failure to get reimbursement on these trips to and from Massachusetts involved, most probably, merely the fact that he had forgotten it.

Mr. BROOKE. The Senator means Connecticut.

Mr. BENNETT. I am sorry. It costs more to get to Massachusetts.

Mr. BROOKE. The Senator is correct.

Mr. BENNETT. The Senator had completely forgotten it. He had not had a letter telling him about it since 1959.

Mr. BROOKE. If this man were so hungry for money, would he be likely to forget that he is entitled to a reimbursement of $1,700?

Mr. BENNETT. It is hard for me to believe that he would, but he did.

Mr. BROOKE. Whether he did or not involves the question of whether we have sufficient evidence to prove that he did. And some of that evidence includes the fact that he did not claim reimbursement for the $1,700.

Mr. BENNETT. Again, going to the question of intent, it is obvious that he intended to get double reimbursement, because I think it is impossible for him to have achieved it without personal involvement. And it is obvious now, from the discussion since this debate began on the floor, that he intends to collect the money and be reimbursed. He told us that his counsel had been working on the matter for months and they have not yet been able to come up with the justification on which he expects to get the reimbursement.

Mr. BROOKE. This goes back to January 1, 1961.

Mr. BENNETT. The Senator is correct.

Mr. BROOKE. And the Senator was entitled to reimbursement which he did not claim.

Mr. BENNETT. The Senator is correct.

Mr. BROOKE. We are now in 1967, and the Senator says he is about to claim it. And during that same period, he allegedly double billed and received money from two sources, one from the Government and one from private organizations.

Mr. BENNETT. That is stipulated.

Mr. BROOKE. That is stipulated.

Mr. BENNETT. The Senator is correct.

Mr. BROOKE. Does it not seem that if you are to give weight to the stipulation on double billing, you must also give weight to the failure of the Senator to claim reimbursement.

I think that is all Senator GRIFFIN was asking. It is all Senator MILLER was ask-

ing. It is all Senator MURPHY was asking. And it is all that I am asking.

Every time the members of the committee stand up, they say that it is not important and is not relevant. However, it is relevant.

Mr. COOPER. I have not said that.

Mr. BROOKE. The Senator is correct. I apologize for that statement.

Mr. BENNETT. Mr. President, before I give the Senator from Kentucky a chance to answer, I think it is fair to say that the committee gave some weight to the matter, but since this was negative, the weight in our opinion was much less than the weight to be given to positive action.

Mr. BROOKE. I do not recognize the Senator's authority to give weight to a matter and divide that weight as you see fit.

There is no question involved as to whether you give a question superior weight.

We on the floor are not clear whether the committee gave weight to it or whether it was relevant to the committee.

Mr. BENNETT. I think I had better let the lawyers take over.

Mr. COOPER. Mr. President, may I be permitted to respond to the Senator from Massachusetts without the Senator from Utah losing his right to the floor?

Mr. BYRD of Virginia. Mr. President, may we have order?

The PRESIDING OFFICER. Let there be order in the Senate.

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senator from Kentucky [Mr. COOPER] may respond to the question of the Senator from Massachusetts without losing my right to the floor.

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

Mr. COOPER. Mr. President, I will not speak on this matter solely as a lawyer, or as a former judge. I want to speak in terms of a layman.

First, it is correct that the committee had to determine the intention of the Senator from Connecticut with respect to the double billings, as a basis for its findings.

In the Senate, the committee must face the question directly because questions are being asked the members of the committee what we determined was the intention of the distinguished Senator from Connecticut.

It is a rather difficult question to answer. We are dealing with a state of mind at the time the billings were made. The state of mind can be determined in many ways. Sometimes the best evidence is what the actor says at the time he performs the questioned act. In this case, of course, we do not have that kind of evidence to produce. It follows that the committee had to examine the circumstances surrounding the acts of the Senator from Connecticut at the time of the double billings.

These are some of the circumstances which the committee believed indicated intent: One, and important, is the fact that in the seven billings, as stipulated, when expenses were collected from both a private organization and the Senate, collections for expenses were first made from the private organization and then later, the Senator from Connecticut or his representative filed vouchers with the appropriate officials to secure a second payment for expenses for the same trip.

In such circumstances—and that is what we had to go by—we considered that having been paid once by a private organization and then filing claims for a second payment from the United States, the Senator knew or should have known that it was a second payment. I believe it was a reasonable judgment we could make about his intention. I must say that we were influenced to a degree by the facts of the entire case—as has been stated, the pattern or conduct to secure funds. This was the determination that the committee made with respect to the intent of the Senator.

I must say, however, in all fairness to the Senator from Connecticut—because our committee's duty is to deal fairly with the Senate and also to deal fairly with the Senator from Connecticut—such evidence as he could present to bear upon his intention had to be weighed by the committee, and it must also be weighed by the Senate.

The Senator from Ohio [Mr. LAUSCHE], the Senator from Massachusetts [Mr. BROOKE], the Senator from Iowa [Mr. MILLER], the Senator from Colorado [Mr. ALLOTT], and others have referred to circumstances and facts bearing on his intent. Stipulation 108 on page 866 has been cited. We do not go behind that stipulation. It is a stipulation—an agreement—just as other stipulations in this case. The committee agreed to the fact that Senator DODD made 21 round trips between Washington, D.C., and Connecticut, for which he was entitled to be reimbursed.

It is an element bearing on intention which we had to consider, that is, if he did not ask to be reimbursed for this, it has weight upon what his intentions were with respect to double billing. But there is a fact connected with this stipulation which has not been mentioned. If I am wrong, I hope that I will be corrected by members of the committee or by the Senator from Connecticut.

With respect to that stipulation, I believe that Senator DODD said he did not know that Mr. O'Hare or the Senator's staff had failed to bill the Senate for these trips until this entire question arose. So, you see, his intention later does not have the same bearing upon his intention at the time he could have filed.

I know that lawyers will understand the points I have made. It is for these reasons we made our judgment. Upon these facts we found intent. It was a difficult determination to make and it is now for the Senate.

Have I responded to the Senator from Massachusetts?

Mr. BROOKE. Yes, the Senator has.

Mr. PEARSON. Mr. President, will the Senator yield? I should like to respond to the Senator from Massachusetts.

Mr. BENNETT. Before I yield, may I say, Mr. President, that I understand that the Senator from Minnesota [Mr. MCCARTHY] wishes an opportunity to make a statement before the Senate adjourns this afternoon.

Have I been misinformed?

Mr. MCCARTHY. That was the proper information when the Senator from Utah received it. As of now, the Senator from Minnesota would just as soon wait to make his remarks tomorrow—at the request of several Members of the Senate. Everyone who has asked me about it, has asked me to wait until tomorrow. On that basis, that is my request, if it meets with the approval of the majority leader and of everyone else.

I believe my office did put out a press release which did not say very much. It was an excerpt of what I had hoped to say today, but I believe we can pick that up tomorrow morning and make a somewhat fuller record.

I should like to make a point with reference to the wire service——

Mr. BENNETT. I yield to the Senator for this purpose, with the understanding that I shall not lose my right to the floor.

Mr. MCCARTHY. With reference to a wire service story carried on Sunday. I find that the wire service reporters are generally good, if you talk to them. They do not read very well. They write reasonably well.

This story was taken from a written report published in the St. Paul, Minn., paper, and it said that I would give consideration to resignation from the committee if what we reported here was substantially rejected.

I did not mean to have this statement interpreted as a matter of pique or a kind of threat to the Senate. I am sure that after what the Senator from Illinois [Mr. DIRKSEN] said about me today, no one would think it was a threat, anyway, but rather as an indication of what I thought the committee had tried to do by way of interpreting the intention of the Senate when this committee was set up. My conclusion then was that if our recommendations were rejected, I would have to conclude that I, as a member of the committee, had not properly read the intent of the Senate with reference to what it wanted from the Ethics Committee, or that, having read it correctly, we should not have responded as we have. Taking those two points into consideration, I made that statement to the Minnesota paper.

I have not urged anyone to vote for the censure resolution; I do not intend to. But I do hope, tomorrow, to give what at least was my interpretation of what the Senate expected of us and to present for the Senate, not as prosecutors and not even as presenting something to a jury, but simply to lay before the Senate, so far as I can, the facts and the interpretation of the facts and the basis upon which I was moved to sign the unanimous committee report, which did recommend the censure.

I thank the Senator from Utah for yielding.

Mr. BROOKE. Mr. President, will the Senator yield for a question?

Mr. BENNETT. I yield.

Mr. BROOKE. The defense has attempted to reduce the double-billing allegation, or count, to a question of credibility—whether the Senate believes Mr. O'Hare or whether it believes Senator DODD. The committee took testimony of Mr. O'Hare, yet the committee's re-

port refers to Mr. O'Hare's reprehensible action, and to some degree discredits its own witness.

Upon what does the committee rely as proof of the allegations of double billing, other than the testimony of Mr. O'Hare and the stipulations which are contained in the committee's report?

Mr. BENNETT. The committee relies upon the vouchers it has obtained, upon affidavits it has obtained from the private sources that paid money to reimburse expenses to the Senator; and I believe the record is firm and safe without Mr. O'Hare's testimony.

Mr. BROOKE. Is it the committee's contention that without O'Hare's testimony there is sufficient evidence which has been given to the Senate to support a finding on the allegation of double billing?

Mr. BENNETT. That is the committee's position.

Mr. BROOKE. I thank the Senator.

Mr. LONG of Louisiana. Mr. President, will the Senator yield to me for a question?

Mr. BENNETT. Mr. President, I yield, but before I yield to the Senator from Louisiana I wish to say to him that I have been on my feet for 3 hours and I hope that he does not have a long list of questions which will keep the Senate in session.

Mr. LONG of Louisiana. I could ask a long list of questions but I shall not. If the Senator wishes, he might be seated for a moment or two so that he might rest his feet, while I ask the question, and then rise and respond. I have but one question that I want to ask at this time.

Would the Senator refer to paragraph 101 through 103 of the stipulations, at page 865?

Mr. BENNETT. I have found it.

Mr. LONG of Louisiana. There we have a case, in paragraph 101 of the stipulation, in which the U.S. Government paid American Airlines $378.42 for a trip from New York to Seattle and from Seattle to Washington, D.C., but in paragraph No. 103 it is stated:

> Senator Dodd received $500 from the National Association of Insurance Commissioners on or about June 26, 1963, as an honorarium for his speech on the morning of June 18, 1963, to the convention of the National Association of Insurance Commissioners in Seattle, Wash.

Lawyers know what a stipulation is. It is something agreed to by both parties to a controversy. Neither party can contest whatever is stipulated.

How could the committee stipulate that that was a $500 honorarium and then in effect conclude that it was an honorarium, not of $500, but an honorarium of $121.58, with the remainder of the $500 being a double billing of transportation expenses? The committee did in fact stipulate that Senator DODD received $500 for a speech and that that $500 was an honorarium, not transportation expenses. How can the committee now contend that that payment was of transportation expenses?

Mr. BENNETT. Will the Senator give me a minute or two to check?

Mr. LONG of Louisiana. My question is: How can you stipulate that all of the $500 is an honorarium and then conclude in effect that only part of it was an honorarium and the rest was for transportation expenses?

Mr. BENNETT. The Senator from Utah—the only answer I can give is that the committee has no basis, no firm basis, for saying that this $500 was in fact divisible between expenses and an honorarium and very probably should not have been in the listing of 7, and the list should have been——

Mr. LONG of Louisiana. I thank the Senator.

Mr. BENNETT. With great satisfaction, I yield the floor.

ORDER FOR RECESS UNTIL 10 A.M. TOMORROW

Mr. BYRD of West Virginia. 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 PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that at the conclusion of the quorum call tomorrow morning the distinguished senior Senator from Minnesota [Mr. MCCARTHY] be recognized.

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

Mr. DODD. Mr. President, will the assistant majority leader yield so that I might ask him a question?

Mr. BYRD of West Virginia. I yield.

Mr. DODD. I want to be sure that I heard correctly. The Senator requested that at the conclusion of the quorum call tomorrow morning the Senator from Minnesota be recognized?

Mr. BYRD of West Virginia. The Senator is correct. I asked that at the conclusion of the quorum call tomorrow morning the distinguished Senator from Minnesota [Mr. MCCARTHY] be recognized.

Mr. DODD. I thank the Senator.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. 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.

TRANSACTION OF ROUTINE BUSINESS

Mr. BYRD of West Virginia. Mr. President, now that the Senate has concluded its consideration of Senate Resolution 112 for today, I ask unanimous consent that there be a brief period for the transaction of routine business, under the usual time limitation.

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

LEAVE OF ABSENCE

Mr. RUSSELL. Mr. President, I ask unanimous consent that I may be excused from attendance on the sessions of the Senate on Thursday, Friday, and Saturday of this week.

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

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session.

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

DELEGATES TO THE SPECIAL SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS

Mr. MANSFIELD. Mr. President, I submit a list of nominations of delegates who are now serving in the special session of the General Assembly of the United Nations, and who, I understand, are members of the permanent U.S. delegation, which were received today from the President.

I ask for the immediate consideration of these nominations.

The PRESIDING OFFICER. The nominations will be stated.

The assistant legislative clerk read the nominations of Arthur J. Goldberg, of Illinois; Joseph John Sisco, of Maryland; William B. Buffum, of Maryland; and Richard F. Pedersen, of California, to be delegates to the special session of the General Assembly of the United Nations.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

Mr. MANSFIELD. Mr. President, I move that the President be immediately notified of the confirmation of the nominations.

The motion was agreed to.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

VIENNA CONVENTION ON DIPLOMATIC RELATIONS

Mr. MANSFIELD. Mr. President, on Thursday of last week the Senate passed S. 1577, which was reported unanimously by the Committee on Foreign Relations. The bill was cleared for passage by the leadership on both sides of the aisle. A motion to reconsider was not made at that time.

At the request of the distinguished senior Senator from South Carolina [Mr. THURMOND], I now enter a motion to reconsider the vote by which the bill was passed.

The PRESIDING OFFICER. The Senator from Montana enters the motion for reconsideration of S. 1577, which will be duly recorded.

Mr. MANSFIELD. Mr. President, I move that the Secretary of the Senate be authorized to request the House of Representatives to return the papers on S. 1577 to the Senate.

Mr. HOLLAND. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. I did not hear the number or title of the bill.

Mr. MANSFIELD. It is S. 1577, having to do with diplomatic immunities attached to the Vienna Convention on Diplomatic Relations.

Mr. HICKENLOOPER. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. HICKENLOOPER. Has the Senator taken this up with the chairman of the Committee on Foreign Relations?

Mr. MANSFIELD. No.

Mr. HICKENLOOPER. A matter of this importance——

Mr. MANSFIELD. This was the report which was passed last week and asked now to be reconsidered and have the papers returned.

Mr. HICKENLOOPER. I did not know whether an objection was eligible here and whether the chairman might want to object.

Mr. MANSFIELD. This is a courtesy which we usually accord.

Mr. HICKENLOOPER. I do not wish to be discourteous, but that is not the point.

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

The motion was agreed to.

THE FARM PROGRAM AND SUBSIDY PAYMENTS

Mr. WILLIAMS of Delaware. Mr. President, for the past several years the administration has been giving lipservice to a revision of our farm program whereby it would curtail the large subsidy payments which are being made to the corporate type of farmers.

Notwithstanding these fine phrases, however, each time that the proposal has been before the Congress to limit these subsidy payments not only was the administration silent but it actually opposed the amendment which would place a limitation on the amount which could be paid to any one individual and which would therefore limit these programs to the benefit of the bona fide farmers.

As a result the size of the cash payments for land diversion has continuously expanded.

These subsidy payments to which we are referring represent payments under the soil bank and acreage diversion programs, and so forth; that is, they are direct cash payments and are in addition to and not a part of any subsidy which the Government may be making under the price-support program to these same individuals.

In 1966 there were five farming operations which received a direct Government subsidy in excess of $1 million each.

In 1966 there were 11 farming operations which received direct cash subsidies in excess of $500,000 but less than $1 million.

In 1966 there were 258 individuals or corporations operating as farmers who received direct cash payments of between $100,000 and $500,000.

In 1966 there were 936 so-called farming operations which received direct cash subsidies of between $50,000 and $100,000.

In 1966 there were 3,939 individuals who received between $25,000 and $50,000 each.

A complete listing of all those who received in excess of $50,000 will be incorporated in the RECORD as a part of my remarks; however, I call attention to just a few of the more interesting situations.

The Department of Agriculture has classified two State penitentiaries as farmers, thereby making them eligible for direct subsidy payments. The Louisiana State Penitentiary collected a cash subsidy of $92,135 while the Arkansas State Penitentiary collected $122,090 as incentives to curtail their farming operations.

The State of Montana is classified as a farmer, and it collected $337,345 to curtail its farming operations.

The Texas Department of Correction is classified as a farmer needing Government assistance, and it was declared eligible for direct cash payments totaling $288,911.

The State of Washington is another "western farmer" which collected $125,552 to curtail its farming operations.

Based upon these large payments it is obvious that the small family-type farmer is not the real beneficiary of our present farm program, but rather the Government through these large payments is in reality subsidizing an expansion of the corporate type of farming operation.

The time is long past due when this program should be curtailed and these payments restricted to an amount not to exceed $10,000 for any one farming operation.

I ask unanimous consent to have incorporated in the RECORD a list of the 1966 payments of $50,000 and over under the various farm programs.

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

Payments of $1,000,000 and over under ASCS programs, 1966 (excluding price-support loans)

CALIFORNIA

Griffen, Inc., Huron (Fresno County)	$2,397,073
South Lake Farms, Five Points (Fresno County)	1,468,696
J. G. Boswell Co., Corcoran (Kings County)	2,807,633
Salyer Land Co., Corcoran (Kings County)	1,014,860

HAWAII

Hawaiian Commercial & Sugar Co., Honolulu (State office)	1,236,355

Payments of $500,000 to $999,999 under ASCS programs, 1966 (excluding price-support loans)

ARIZONA

Farmers Investment Co., Aguila (Maricopa County)	$747,547
Youngker Farms, Buckeye (Maricopa County)	508,988

CALIFORNIA

Vista Del Lland, Firebaugh (Fresno County)	622,840
Boston Ranch Co., Lemoore (Fresno County)	506,061
Kern County Land Co., Bakersfield (Kern County)	652,057
Westlake Farms, Stratford (Kings County)	622,569

Payments of $500,000 to $999,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

FLORIDA

South Puerto Rico Sugar Co., South Bay (Palm Beach County)	$576,433

HAWAII

Lihue Plantation Co., Ltd., Honolulu (State office)	577,426
Oahu Sugar Co., Honolulu (State office)	526,171
Waialua Agricultural Co., Ltd., Honolulu (State office)	516,520

PUERTO RICO

Luce & Co., Aguirre (Mayaguez County)	518,224

Payments of $100,000 to $499,999 under ASCS programs, 1966 (excluding price-support loans)

ALABAMA

E. F. Mauldin, Town Creek (Lawrence County)	$101,398

ARIZONA

O. L. Hilburn, Bowie (Cochise County)	116,000
Goodyear Farms, Litchfield Park (Maricopa County)	275,056
Bogle Farms, Chandler (Maricopa County)	268,584
D. R. Hiett, Mesa (Maricopa County)	180,887
Waddell Ranch Co., Waddell (Maricopa County)	139,187
Fridenmaker Farms, Phoenix (Maricopa County)	130,396
Abel Bros., Tolleson (Maricopa County)	129,358
F. C. Layton, Tolleson (Maricopa County)	126,358
Ben Riggs & Son, Chandler (Maricopa County)	115,602
Ed Ambrose, Buckeye (Maricopa County)	114,975
J. L. Hodges Farming Co., Buckeye (Maricopa County)	114,619
Bkw Farms, Inc., Marana (Pima County)	285,508
John Kai, Marana (Pima County)	200,411
John J. and Ola V. Lord, Tucson (Pima County)	118,667
Kirby Hughes, Marana (Pima County)	112,017
C & V Sheep & Cattle Co., Inc., Maricopa (Pinal County)	453,328
Red River Land Co., Stanfield (Pinal County)	362,138
Hamilton Farms, Eloy (Pinal County)	347,810
John D. Singh, Casa Grande, (Pinal County)	317,742
Ak Chin Enterprises, Maricopa (Pinal County)	278,422
Pima Community Farms, Sacaton (Pinal County)	273,303
Arizona Farming Co., Eloy (Pinal County)	218,523
L–4 Ranches, Inc., Queen Creek (Pinal County)	213,861
Coury Bros., Queen Creek (Pinal County)	193,437
W. T. Golston Farms, Stanfield (Pinal County)	188,873
Kirby Hughes, Tucson (Pinal County)	185,163
Thunderbird Farms, Phoenix (Pinal County)	158,880
J. A. Roberts, Casa Grande (Pinal County)	155,276
Imperial Valley Cattle Co., Arizona City (Pinal County)	154,243
Rancho Tierra Prieta, Eloy (Pinal County)	148,291
Talla Farms, Inc., Stanfield (Pinal County)	142,695
Ray Farms Co., Litchfield Park (Pinal County)	134,239
Isom & Isom, Casa Grande (Pinal County)	132,166

Payments of $100,000 to $499,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

ARIZONA—continued

Milton P. Smith, Jr., Maricopa (Pinal County)	$125,962
Santa Cruz Farms, Inc., Eloy (Pinal County)	109,875
Paul Brophy, Casa Grande (Pinal County)	109,256
McCarthy Hilderbrand Farms, Eloy (Pinal County)	108,315
McFarland & Hanson Ranches, Coolidge (Pinal County)	107,453
Anderson Bros., Casa Grande (Pinal County)	105,266
Glenn Lane, Coolidge (Pinal County)	102,095
Barkley Co. of Arizona, Somerton (Yuma County)	324,588
Bruce Church, Inc., Yuma (Yuma County)	260,911
J. W. Olberg, Yuma (Yuma County)	207,588
Colorado River Trading Co., Parker (Yuma County)	166,030
Jones Ranches, Eloy (Yuma County)	151,858
Texas Hill Farms, Yuma (Yuma County)	138,920
Ben Simmons, Parker (Yuma) (County	128,941
Sherrill Lafollette, Phoenix (Yuma County)	102,512

ARKANSAS

M. K. Kuhn & B. K. Happell & VKC, (Crittenden County)	215,525
Bond Pltg. Co., Clarkedale (Crittenden County)	107,674
Arkansas State Penitentiary, Grady (Lincoln County)	122,090
George Yarbrough, England (Lonoke County)	126,351
Howe Lumber Co., Inc., Wabash (Phillips County)	255,822
Brooks Griffin, Elaine (Phillips County)	158,405
Keiser Supply Co., Keiser (southern Mississippi County)	444,654
Wesson Farms, Inc., Victoria (southern Mississippi County)	177,083
Rufus C. Branch, Joiner (southern Mississippi County)	118,024
Armorel Planting Co., Armorel (southern Mississippi County)	102,405
J. G. Adams and Son, Hughes (St. Francis County)	136,021

CALIFORNIA

Five Points Ranch, Inc., Five Points (Fresno County)	471,583
Airway Farms, Inc., Fresno (Fresno County)	364,177
Jack Harris, Inc., Five Points (Fresno County)	344,672
Sullivan & Gragnani, Tranquility (Fresno County)	290,914
McCarthy & Hildebrand, Burrel (Fresno County)	282,946
Schramm Ranches, Inc., San Joaquin (Fresno County)	270,600
Timco, Mendota (Fresno County)	250,005
Redfern Ranches, Inc., Dos Palos (Fresno County)	203,061
Coit Ranch, Inc., Mendota (Fresno County)	184,625
W'm H. Noble, Kerman (Fresno County)	166,794
Frank C. Diener Ranch, Five Points (Fresno County)	161,522
W. J. Deal, Mendota (Fresno County)	153,560
Raymond Thomas, Inc., Madera (Fresno County)	153,279
M. J. & R. S. Allen, Coalinga (Fresno County)	153,037
Hugh Bennett, Firebaugh, (Fresno County)	149,917
Pilibos Bros., Inc., Fresno (Fresno County)	140,079
V. C. Britton, Firebaugh (Fresno County)	122,216

Payments of $100,000 to $499,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

CALIFORNIA—continued

J. E. O'Neill, Inc., Fresno (Fresno County)	$116,564
Linneman Ranches, Inc., Dos Palos (Fresno County)	113,742
Harnish Five Points, Five Points (Fresno County)	113,291
Ryan Bros., Mendota (Fresno County)	110,198
Telles Ranch, Inc., Firebaugh (Fresno County)	108,398
Wood Ranches, Lemoore (Fresno County)	104,213
H. B. Murphy Co., Brawley (Imperial County)	358,079
Elmore Co., Brawley (Imperial County)	287,026
Jack Elmore, Brawley (Imperial County)	197,219
Russell Bros. Rches, Inc., Calipatria (Imperial County)	189,608
W. E. Young & W. E. Young, Jr., Calipatria (Imperial County)	181,182
Irvine Co., El Centro (Imperial County)	179,737
C. T. Dearborn, Calipatria (Imperial County)	150,859
Sinclair Rches, Calipatria (Imperial County)	141,045
J. H. Benson Est., Brawley (Imperial County)	140,576
Antone Borchard Co., Brawley (Imperial County)	133,201
Salton Sea Farms, Calipatria (Imperial County)	128,762
Stephen H. Elmore, Brawley (Imperial County)	126,243
Donald H. Cox, Brawley (Imperial County)	110,196
Neil Fifield Co., Brawley (Imperial County)	107,892
Wynne & Elmore, Calipatria (Imperial County)	104,585
Stafford Hannon, Brawley (Imperial County)	101,387
Adamek & Dessert, Seeley (Imperial County)	100,184
S. A. Camp Farms Co., Shafter (Kern County)	426,922
Miller & Lux, Bakersfield (Kern County)	299,051
M & R Sheep Co., Oildale (Kern County)	286,949
Giumarra Vineyard Corp., Bakersfield (Kern County)	246,882
Houchin Bros. Farming Buttonwillow (Kern County)	245,313
W. B. Camp & Sons, Bakersfield (Kern County)	192,080
O. M. Bryant, Jr., Pond (Kern County)	180,443
Mazzie Farms, Arvin (Kern County)	173,014
C. J. Vignolo, Shafter (Kern County)	169,677
Reynold M. Mettler, Bakersfield (Kern County)	129,743
Tejon Ranch Co., Bakersfield (Kern County)	121,096
Em. H. Mettler & Sons, Shafter (Kern County)	111,918
Bidart Bros., Bakersfield (Kern County)	109,615
McKittrick Ranch, Bakersfield (Kern County)	107,247
Cattani Bros., Bakersfield (Kern County)	105,318
Wheeler Farms, Bakersfield (Kern County)	100,259
West Haven Farming Co., Tulare (Kings County)	289,841
Vernon L. Thomas, Inc., Huron (Kings County)	285,953
J. G. Stone Land Co., Stratford (Kings County)	232,851
Gilkey Farms, Inc., Corcoran (Kings County)	189,048
Borba Bros., Riverdale (Kings County)	154,573

Payments of $100,000 to $499,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

CALIFORNIA—continued

Kern River Delta Farms, Wasco (Kern County)	$153,323
Boyett Farming, Corcoran (Kings County)	117,265
Nichols Farms, Inc., Hanford (Kings County)	112,677
R. A. Rowan Co., Los Angeles (Kings County)	100,778
Red Top Ranch, Red Top (Madera County)	133,555
Bowles Farming Co., Los Banos (Merced County)	141,375
Wilco Produce, Blythe (Riverside County)	296,484
Riverview Farm & Cattle Co., Blythe (Riverside County)	266,654
Clarence Robinson, Blythe (Riverside County)	139,745
John Norton Farms, Blythe (Riverside County)	128,735
Kennedy Brothers, Indio (Riverside County)	107,466
C. J. Shannon & Sons, Tulare (Tulare County)	230,572
E. L. Wallace, Woodland (Yola County)	149,636
E. L. Wallace & Sons, Woodland (Yola County)	105,443
Heidrick Farms, Inc., Woodland (Yola County)	103,722

COLORADO

Olive W. Garvey, Garvey Farms Management Co., Colby, Kans. (Kiowa County)	107,110
Baughman Farms, Inc., Liberal, Kans. (Kit Carson County)	286,358

FLORIDA

Talisman Sugar Corp. Belle Glade (Palm Beach County)	362,477
Florida Sugar Corp., Belle Glade (Palm Beach County)	151,146
A. Duda Sons, Inc., Oviedo (Palm Beach County)	130,064
715 Farms, Ltd., Pahokee (Palm Beach County)	113,336
Closter Farms, Inc., Belle Glade (Palm Beach County)	100,475

HAWAII

Pioneer Mill Co., Honolulu (State office)	489,369
Ewa Plantation Co., Honolulu (State office)	458,220
Kekaha Sugar Co., Ltd., Honolulu (State office)	422,001
Kohala Sugar Co., Honolulu (State office)	420,019
Grove Farm Co., Inc., Lihue (State office)	376,678
Laupahoehoe Sugar Co., Honolulu (State office)	359,639
Honokaa Sugar Co., Honolulu (State office)	358,627
Hamakua Mill Co., Honolulu (State office)	335,885
McBryde Sugar Co., Ltd., Honolulu (State office)	317,639
Hutchinson Sugar Co., Ltd., Honolulu (State office)	312,986
Puna Sugar Co., Ltd., Honolulu (State office)	302,336
Kahuku Plantation Co., Honolulu (State office)	208,135
Gayaud Robinson, Makaweli (State office)	183,761

INDIANA

William Gehring, Inc., Rensselaer (Jasper County)	103,540

IOWA

Francis Wisor Gooselake (Clinton County)	100,189
Amana Society, Middle-Amana (Iowa County)	155,006

KANSAS

The Garden City Co., Garden City (Kearny County)	100,032

Payments of $100,000 to $499,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

LOUISIANA

Scopena Plantation, Bossier City (Bossier Parish)	$118,608
J. P. Brown, Lake Providence (East Carroll Parish)	162,051
Epps Plantation, Epps (East Carroll Parish)	103,962
South Coast Corp., Mathews (Lafourche Parish)	281,823
Southdown, Inc., Thibodaux (Lafourche Parish)	163,868
J. H. Williams, Natchitoches (Natchitoches Parish)	132,285
Sterling Sugars, Inc., Franklin (St. Mary Parish)	116,530

MISSISSIPPI

Delta and Pine Land Co., Scott (Bolivar County)	468,529
Robbins and Long, Rosedale (Bolivar County)	132,609
Dan Seligman, Shaw (Bolivar County)	124,515
Kline Planting Co., Alligator (Coahoma County)	118,618
Roundaway Planting Co., Alligator (Coahoma County)	116,592
Fred Tavoleti & Sons, Clarksdale (Coahoma County)	104,210
John B. & F. B. McKee, Friar Point (Coahoma County)	103,950
Oakhurst Co., Clarksdale (Coahoma County)	103,561
J. H. Sherard & Son, Sherard (Coahoma County)	103,184
Pal Sanders, Walls (De Soto County)	154,390
Topanco Caine Farm, Lake Cormorant (De Soto County)	106,773
B. W. Smith Planting Co., Louise (Humphreys County)	124,954
Blanche R. Slough, in care of T. L. Reed III, Belzoni (Humphreys County)	124,354
Buckhorn Planting Co., R.R. 2, Greenwood (Leflore County)	161,595
Four Fifths Plantation, R.R. 3, Greenwood (Leflore County)	124,124
West, Inc., R.R. 1, Sidon (Leflore County)	121,014
Wildwood Plantation, R.R. 3, Greenwood (Leflore County)	117,042
The Branw Farm, Schlater (Leflore County)	102,206
Harrison Evans, Shuqualak (Noxubee County)	189,729
Yandell Bros., Vance (Quitman County)	127,923
Pantherburn Co., Panther Burn (Sharkey County)	112,884
Cameta Plantation, Inc., Anguilla (Sharkey County)	105,164
Mrs. E. C. Eastland, Doddsville (Sunflower County)	129,997
Duncan Farms, Inc., No. 2, Inverness (Sunflower County)	115,419
Roy Flowers, Mattson (Tallahatchie County)	162,647
M. T. Hardy, Webb (Tallahatchie County)	110,625
Mike P. Sturdivant, Glendora (Tallahatchie County)	106,533
H. R. Watson & Sons, Tunica (Tunica County)	109,801
Live Oak Plantation, Arcola (Washington County)	188,455
Potter Bros., Inc., Arcola (Washington County)	154,232
Husbandville Plantation, care of W. T. Robertson, Holly Ridge (Washington County)	123,522
Torrey Wood & Son, Hollandale (Washington County)	118,143
Trail Lake Plantation, Tralake (Washington County)	115,179
W. T. Touchberry, care of Peru Plantation, Glen Allan (Washington County)	114,349

Payments of $100,000 to $499,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

MISSISSIPPI—continued

Dean & Co., Tribbett (Washington County)	$110,646
R. A. Ingram, Leland (Washington County)	110,181

MONTANA

Campbell Farming, Hardin (Big Horn County)	164,351
State of Montana, Helena (Sheridan County)	337,345

NEW MEXICO

John Garrett & Sons, Clovis (Curry County)	143,608
Emma Lawrence, Hobbs (Lea County)	158,261

NORTH CAROLINA

McNair Farms, Inc., T. J. Harris, Red Springs (Hoke County)	195,053

OHIO

Ward Walton & Associates Inc., Upper Sandusky (Marion County)	127,850

OREGON

Cunningham Sheep Co., Pendleton (Umatilla County)	107,647

PUERTO RICO

A. Roig Sucrs., Humacao (Mayaguez County)	349,095
C. Brewer P. R. Co., Fajardo (Mayaguez County)	308,294
Sucn J. Serralles, Mercedita (Mayaguez County)	274,403
A. Martinez, Jr., trust, Aguadilla (Mayaguez County)	131,385
C. Oppengeimir Admini, Guayanilla (Mayaguez County)	117,900

SOUTH CAROLINA

W. R. Mayes, Mayesville (Sumter County)	167,083

TEXAS

Three Way Land Co., De Kalb (Bowie County)	192,958
H. H. Moore & Sons, Navosta (Brazos County)	274,902
Tom J. Moore, Navasota (Brazos County)	274,719
Est. Geo. C. Chance, Bryan (Burleson County)	112,592
Martha M. Russell, San Benito (Cameron County)	103,134
Edwin P. Carroll, Panhandle (Carson County)	130,093
Hill Farms, Hart (Castro County)	142,119
Ware Farms Co., Dimmitt (Castro County)	107,180
Carl Easterwood, Dimmitt (Castro County)	103,461
Jimmie Cluck, Hart (Castro County)	101,778
J. K. Griffith, Morton (Cochran County)	275,921
John A. Wheeler, Lorenzo (Cochran County)	167,922
Bill Weaver, Lamesa (Dawson County)	111,136
Taft McGee, Hereford (Deaf Smith County)	129,080
Perrin Bros., Hereford (Deaf Smith County)	109,488
R. C. Goodwin, Hereford (Deaf Smith County)	109,212
Lee Moor Farms, Clint (El Paso County)	101,494
Texas Department of Corrections, Central Farm 520, Sugarland (Fort Bend County)	288,911
Ercell Givens, Abernathy (Hale County)	152,727
Lloyd M. Bentsen, Jr., Houston 2 (Hidalgo County)	152,352
Sebastian Cotton & Grain Corp., Sebastian (Hidalgo County)	133,190
Helen Engelman Stegle, Elsa (Hidalgo County)	121,889
Krenmueller Farms, San Juan (Hidalgo County)	102,879

Payments of $100,000 to $499,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

TEXAS—continued

Rio Farms, Inc., Edcouch (Hidalgo County)	$101,801
R. T. Hoover Farms, Fabens (Hudspeth County)	240,518
C. L. Ranch, Dell City (Hudspeth County)	119,233
Halsell Estate, Kansas City (Lamb County)	134,586
Busby Farms, Olton (Lamb County)	100,733
Pendell and Roseta Farms, Eagle Pass (Maverick County)	135,048
Sun Valley Farms, Inc., Fort Stockton (Pecos County)	159,810
Clark & Roberts, Pecos (Red River County)	173,407
Worsham Bros., Pecos (Reeves County)	217,126
U-Bar Land and Cattle Co., Pecos (Reeves County)	178,822
Kesey Bros., Pecos (Reeves County)	165,622
Kenneth Lindemann, Pecos (Reeves County)	146,773
Mi Vida Farms, Inc., Pecos (Reeves County)	113,701
John W. Nigliazzo, Hearne (Robertson County)	110,526
F. H. Vahlsing, Inc., Mathis (San Patricio County)	138,880
Fowler E. McDaniel, Tulia (Swisher County)	141,236
W. T. Waggoner trust estate, Vernon (Wilbarger County)	128,007

WASHINGTON

Broughton Land Co., Dayton (Columbia County)	103,545
State of Washington, Department of Natural Resources, Ephrata (Lincoln County)	125,552

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)

ALABAMA

W. L. Corcoran, Eufaula (Barbour County)	54,666
Ben F. Bowden, Eufaula (Barbour County)	51,227
Joe I. McHugh, Orrville (Dallas County)	90,554
G. T. Hamilton, Hillsboro (Lawrence County)	65,449
Grady Windle Parker, Courtland (Lawrence County)	55,974
T. J. Jones, Sprott (Perry County)	55,330

ARIZONA

Luckett Farms, Bowie (Cochise County)	88,884
M. H. Barnes, San Simon (Cochise County)	70,660
Eaton Fruit Co., Inc., Willcox (Cochise County)	63,152
Gus Arzberger, Willcox (Cochise County)	50,372
H. L. Anderson, Peoria (Maricopa County)	96,915
Southmountain Farms, Inc., Laveen (Maricopa County)	94,381
A. J. Lewis, Scottsdale (Maricopa County)	92,852
Hardesty Bros., Buckeye (Maricopa County)	92,520
Morrison Bros., Higley (Maricopa County)	92,072
Wallace Bales, Buckeye (Maricopa County)	85,210
Harris Cattle Co., Chandler (Maricopa County)	84,639
Sutton Bros., Phoenix (Maricopa County)	82,705
Woodrow Lewis, Chandler (Maricopa County)	79,080
Henry L. Voss, Phoenix (Maricopa County)	77,989
H. C. McGarity, Buckeye (Maricopa County)	77,053

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

ARIZONA—continued

King Farms, Buckeye (Maricopa County)	$73, 116
Power Ranches, Inc., Higley (Maricopa County)	72, 627
James A. Wilson, Phoenix (Maricopa County)	71, 568
S. L. Narramore, Phoenix (Maricopa County)	71, 039
Vantex Land & Development (Maricopa County)	68, 938
Don H. Bennett, Buckeye (Maricopa County)	68, 775
Robert B. Coplen, Laveen (Maricopa County)	65, 698
Leyton Woolf, Glendale (Maricopa County)	64, 888
Raymond D. Schnepf, Queen Creek (Maricopa County)	63, 971
Dougherty Ranch, Phoenix (Maricopa County)	63, 287
Gilbert Turner, Buckeye (Maricopa County)	63, 128
Phelps & Palmer, Mesa (Maricopa County)	62, 501
James M. Hamilton, Chandler (Maricopa County)	60, 852
Arena Co. of Arizona, Glendale (Maricopa County)	60, 437
S & P Farms, Inc., Gila Bend (Maricopa County)	59, 122
W. H. Haggard, Jr., Buckeye (Maricopa County)	58, 686
D. L. Hadley, Chandler (Maricopa County)	58, 654
Jacob S. Stephens, Buckeye (Maricopa County)	58, 127
Barney-Mecham, Queen Creek (Maricopa County)	57, 470
M. I. Vance & J. A. Mortensen, Jr., Tempe (Maricopa County)	57, 359
R. D. Beebe & Sons, Mesa (Maricopa County)	56, 920
F. M. Gorrell, Buckeye (Maricopa County)	56, 854
J. S. Hoopes, Chandler (Maricopa County)	55, 592
Chico Farms, Peoria (Maricopa County)	55, 306
Enterprise Ranch, Buckeye (Maricopa County)	53, 835
Dobson & Patterson, Mesa (Maricopa County)	53, 098
Arthur E. Price, Chandler (Maricopa County)	52, 570
Bob Stump, Phoenix (Maricopa County)	52, 361
Salt River Farms, Mesa (Maricopa County)	51, 646
Kempton & Snedigar, Tempe (Maricopa County)	51, 512
Ted Siek, Glendale (Maricopa County)	50, 966
Eldon K. Parish, Phoenix (Mohave County)	74, 885
Argee Farms, Inc., Tucson (Pima County)	92, 541
C. & W. Ranches, Inc., Marana (Pima County)	86, 358
Avra Lnd & Catle, Tucson (Pima County)	75, 268
Luckett Farms, Cortaro, Tucson (Pima County)	65, 813
Claude Hughes, Marana (Pima County)	53, 147
Watson Farms, Marana (Pima County)	50, 023
Fred Enke, Casa Grande (Pinal County)	95, 536
Diwan Ranches, Inc., Casa Grande (Pinal County)	93, 281
L Z Farms, Inc., Casa Grande (Pinal County)	92, 119
Sunset Ranches, Inc., Eloy (Pinal County)	91, 171
Empire Farms, Eloy (Pinal County)	90, 905
Bud Antl, Inc., Red Rock (Pinal County)	88, 205
Edward Pretzer, Eloy (Pinal County)	84, 779

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

ARIZONA—continued

P. S. Thompson, Eloy (Pinal County)	$84, 599
H. L. Holland, Coolidge (Pinal County)	83, 572
Combs & Clegg Ranches, Inc., Queen Creek (Pinal County)	82, 019
McFaddin Ranches, Inc., Casa Grande (Pinal County)	80, 943
Wilbur Wuertz, Casa Grande (Pinal County)	80, 866
Anderson-Palmisand Fms, Maricopa (Pinal County)	80, 137
Grant E. Petrson, Coolidge (Pinal County)	78, 998
Jack Ralson, Maricopa (Pinal County)	78, 618
M. M. Alexander, Eloy (Pinal County)	78, 030
C. Ray Robinson, Eloy (Pinal County)	75, 902
Chas. Urrea & Sons, Mesa (Pinal County)	74, 709
Rex Neely, Chandler (Pinal County)	74, 655
Pinal Farms, Inc., Stanfield (Pinal County)	74, 077
K. K. Skousen, Chandler (Pinal County)	73, 507
Duane Ellsworth, Queen Creek (Pinal County)	72, 612
C. J. & L. Farms, Inc., Casa Grande (Pinal County)	71, 355
Emmett Jobe, Queen Creek (Pinal County)	70, 814
Independent Gin Co., Casa Grande Pinal County)	69, 815
Saguaro Farms, Florence (Pinal County)	69, 635
Dunn Farms, Maricopa (Pinal County)	67, 587
Crouch Bros., Maricopa (Pinal County)	65, 637
N. S. Cooper, Casa Grande (Pinal County)	64, 653
Alex & Norman Pretzer, Eloy (Pinal County)	64, 162
Finley Bros., Gilbert (Pinal County)	63, 453
Marathon Farms, Casa Grande (Pinal County)	61, 768
J. H. Farms, Coolidge (Pinal County)	60, 772
M. H. Montgomery, Casa Grande (Pinal County)	60, 711
Telles Ranch, Inc., Eloy (Pinal County)	60, 288
Robert D. Bechtel, Coolidge (Pinal County)	59, 613
Bud Blum, Casa Grande (Pinal County)	59, 428
J. B. Johnston, Phoenix (Pinal County)	56, 210
Kortsen & Kortsen, Stanfield, (Pinal County)	55, 057
Buckshot Farms, Inc., Stanfield (Pinal County)	55, 048
Roy Wales, Queen Creek (Pinal County)	54, 786
Gilbert Bros., Casa Grande (Pinal County)	54, 391
John Smith, Maricopa (Pinal County)	54, 118
R. P. Anderson, Coolidge (Pinal County)	53, 665
Attaway Ranches Trust, Collidge (Pinal County)	52, 971
Otice Self, Stanfield (Pinal County)	52, 770
R. W. Neely, Florence (Pinal County)	52, 534
Sunshine Valley Ranches, Eloy (Pinal County)	51, 342
C. V. Hanna, Collidge (Pinal County)	50, 640
Hamilton Farms, Inc., Florence (Pinal County)	50, 279
Earl Hughes, Gadsden (Yuma County)	99, 410

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

ARIZONA—continued

Woods Co., Yuma (Yuma County)	$81, 953
James A. Wilson, Phoenix (Yuma County)	76, 929
C and V Growers, Inc., Maricopa (Yuma County)	75, 526
Wm. M. Harrison, Yuma (Yuma County)	70, 132
M and V Farms, Ehrenberg (Yuma County)	65, 509
Glen Holt, Parker (Yuma County)	64, 849
Clayton Farms, Ehrenberg (Yuma County)	53, 613

ARKANSAS

Alpe Bros., Crawfordsville (Crittenden County)	90, 621
J. F. Twist Plantation, Twist (Crittenden County)	89, 412
Allen Helms, Clarkedale (Crittenden County)	88, 385
Carlson Bros., Marion (Crittenden County)	80, 109
N. S. Garrott & Sons, Proctor (Crittenden County)	74, 174
Mallory Farms, Chatfield (Crittenden County)	73, 489
Pacco, Inc., Turrell (Crittenden County)	73, 000
Pirani & Sons, Turrell (Crittenden County)	72, 129
Bruins Plng Co., Hughes (Crittenden County)	71, 569
J O E Beck Trust, Hughes (Crittenden County)	71, 341
Carter Planting Co., Clarkedale (Crittenden County)	67, 581
Richland Plan, Inc., Hughes (Crittenden County)	63, 720
O. W. Rodgers, West Memphis (Crittenden County)	63, 324
Lake Plantation, care of L. Taylor, Jr., Hughes (Crittenden County)	62, 879
H. E. Cupples, Hughes (Crittenden County)	55, 999
Bloodworth Co., Crawfordsville (Crittenden County)	54, 887
E. H. Clarke & Co., Hughes (Crittenden County)	51, 492
William B. Rhodes Co., Marion (Crittenden County)	51, 181
James W. Young, Jr., Crawfordsville (Crittenden County)	51, 134
Ragland Plant, Inc., care of C. G. Morgan, Hughes (Crittenden County)	50, 558
D & J, Inc., Crawfordsville (Crittenden County)	50, 532
O'Neal & Son, Inc., Crawfordsville (Crittenden County)	50, 343
Nickey-Eason Plantation, Hughes (Crittenden County)	50, 025
E. D. McKnight, Parkin (Cross County)	83, 353
H. P. Sisk, Parkin (Cross County)	60, 729
J. H. Johnston, Jr., Birdeye (Cross County)	51, 717
Elms Planting Corporation, Altheimer (Jefferson County)	90, 538
Cornerstone Farm & Gin Co., Pine Bluff (Jefferson County)	74, 833
B. N. Word Co., Inc., Wabbaseka (Jefferson County)	56, 431
Lawrence E. Taylor, Bradley (Lafayette County)	52, 651
Sweet Bros., Widener (Lee County)	80, 404
H. T. Dillahunty & Sons, Hughes (Lee County)	78, 384
C. E. Yancey & Sons, Marianna (Lee County)	75, 488
Miller Farms, Inc., Marrianna (Lee County)	52, 437
Holthoff Bros., Gould (Lincoln County)	60, 802
H. R. Wood & Son, Inc., Grady (Lincoln County)	53, 614
Price Plantation, Inc., Garland (Miller County)	51, 993

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

ARKANSAS—continued

Ralph Abramson, Holly Grove (Monroe County)	$54,758
Highland Lake Farm, 46 Waverly Wood, Helena (Phillips County)	88,748
Alexander Farms, Inc., 46 Waverly Wood, Helena (Phillips County)	81,758
Wood-Sanderlin Farm, Crumrod (Phillips County)	69,647
Buron Griffin, Box 571, Helena (Phillips County)	61,868
Tunney Stinnett, Elaine (Phillips County)	55,699
A. R. Keesee, 326 Walnut, Helena (Phillips County)	51,057
Riverside Farm, R. 1, Box 330D, Helena (Phillips County)	50,561
Semmes Farm Corp., Box 205, Joiner (South Mississippi County)	73,368
Lowrance Bros. & Co., Driver, (South Mississippi County)	72,864
R. D. Hughes, Box 67, Blytheville (South Mississippi County)	70,915
H. T. Bonds Sons, Inc., R. R. 1, Lepanto (South Mississippi County)	59,439
Leonard Ellison, Luxora (South Mississippi County)	58,868
M. J. Koehler, Dell (South Mississippi County)	58,282
Wesley Stallings, R.R. 2, Box 47, Blytheville (South Mississippi County)	57,288
J. A. Crosthwait, Box 351, Osceola (South Mississippi County)	55,689
Midway Farms, Inc., R.R. 1, Joiner (South Mississippi County)	55,673
Henry Battle, Box 157, Joiner (South Mississippi County)	51,622
Larry Woodard Farms, Inc., Lepanto (South Mississippi County)	50,867
Miller Lumber Co., Marianna (St. Francis County)	97,174
W. W. Draper, Jr., 402 Mockinbird Lane, Forrest City (St. Francis County)	89,389
Shannon Bros. Enterprises, Box 2863 Desota Sta., Memphis, Tenn. (St. Francis County)	64,841
M. E. Johnson, Widener (St. Francis County)	59,810
Chappell & Moore, Box 166, Forrest City (St. Francis County)	55,649
John T. Higgins & Son, Forrest City (St. Francis County)	55,340
L. E. Burch, Jr., Hughes (St. Francis County)	52,866

CALIFORNIA

M & T, Inc., P.O. Box 308, Chico (Butte County)	57,793
Giusti Farms, Suite 904, 2220 Tulare, Fresno (Fresno County)	95,712
Weeth Ranches, Inc., Box 924, Coalinga (Fresno County)	90,078
O'Neill Farms, Inc., P.O. Box 5, Huron (Fresno County)	86,938
Wolfsen Bros., P.O. Box 311, Los Banos (Fresno County)	86,606
Pappas & Co., Inc., P.O. Box 477, Mendota (Fresno County)	84,070
M. L. Dudley & Co., 515 N. Harrison, Fresno (Fresno County)	83,871
Rabb Bros., Box 736, San Joaquin (Fresno County)	83,095
S. E. Lowrance Ranch, Box 36, Tranquillity (Fresno County)	78,887
Gordon Bros., P.O. Box 366, Tranquillity (Fresno County)	74,821
Deavenport Ranches, Inc., 910 E. Swift, Fresno (Fresno County)	73,882
J & J Ranch, P. O. Box 155, Firebaugh (Fresno County)	73,091
Hogue Produce Co., Box 66, Firebaugh (Fresno County)	71,796
Sam & D. M. Biancucci, P.O. Box 337, Firebaugh (Fresno County)	71,184
J. C. Andresen, 10610 W. Whitesbridge, Fresno (Fresno County)	70,973

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

CALIFORNIA—continued

Poso Dairy Farms, Inc., 38282 W. Silaxo, Firebaugh (Fresno County)	$70,834
Goodman Traction Ranch, Box 427 Tranquillity (Fresno County)	66,635
Sierra Dawn Farms, 45949 W. Shields, Firebaugh (Fresno County)	64,127
Drew Farms, Inc., 50860 W. Herndon, Firebaugh (Fresno County)	62,680
S & S Ranch, Inc., Box 22, Mendota (Fresno County)	62,595
Wood & Gragnani, P.O. Box 333, Tranquillity (Fresno County)	61,821
J. B. Hawkins, P.O. Box 566, Fresno (Fresno County)	61,768
Starkey & Erwin, P.O. Box 669, Avenal (Fresno County)	61,453
Vincent Kovacevich, 8580 W. Whitesbridge, Fresno (Fresno County)	60,341
Willson Farms, Inc., Fresno (Fresno County)	59,589
Kriesant Operating Co., Inc., Mendota (Fresno County)	58,854
Griffin & Griffin, Coalinga (Fresno County)	57,882
Pucheu Ranch, Mendota (Fresno County)	57,356
Robert Cardwell, Fresno (Fresno County)	56,436
Marchini Bros., Tranquility (Fresno County)	56,032
Aladdin Ranch, Fresno (Fresno County)	52,805
W. A. Klepper & Son, Caruthers (Fresno County)	52,749
Ed Wilkins, Tranquility (Fresno County)	52,096
Davis Drier & Elevator, Inc., Firebaugh (Fresno County)	51,464
Claremont Farms, Huron (Fresno County)	51,374
Vierhus Farms, Coalinga (Fresno County)	51,312
BTV Farms, Tranquility (Fresno County)	51,216
Rusconi Farms, San Joaquin (Fresno County)	51,203
W. F. McFarlane, Clovis (Fresno County)	51,106
Coelho Farms, Riverdale (Fresno County)	50,939
Frank Ayerza, Tranquility (Fresno County)	50,186
Williams & Quick, Calipatria (Imperial County)	95,083
Chas. Vonderahe, San Diego (Imperial County)	87,698
Griset Bros., Santa Ana (Imperial County)	87,319
George B. Willoughby, El Centro (Imperial Valley)	86,156
Jack Bros. & McBurney, Inc., Brawley (Imperial County)	85,059
Reese & Krepla, Westmorland (Imperial County)	79,701
Johnson & Drysdale, Brawley (Imperial County)	78,824
Fifield Farms, Brawley (Imperial County)	76,062
California Sturges Ginning Co., Arizona (Imperial County)	75,451
Ed Wiest, Brawley (Imperial County)	75,120
Hugh Hudson Ranches, Calipatria (Imperial County)	74,331
Hawk & Sperber, Holtville (Imperial County)	72,926
John Baretta, Calipatria (Imperial County)	68,578
Abatti Bros., El Centro (Imperial County)	68,279
Harry Schmidt Farms, Brawley (Imperial County)	66,426
Dessert Seed Co., Inc., El Centro (Imperial Valley)	65,784

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

CALIFORNIA—continued

J. N. Osterkamp Rches, Brawley (Imperial County)	$62,719
J. M. Bryant, Calipatria (Imperial County)	61,173
House & Haskell, El Centro (Imperial County)	59,690
Kenneth Reynolds, Calipatria (Imperial County)	59,621
Dearborn & Maraccini, Calipatria (Imperial County)	56,892
Davis Beauchamp, Calipatria (Imperial County)	56,589
Robert C. Brown, Brawley (Imperial County)	56,564
Correll Farms, Inc., Calipatria (Imperial County)	54,784
Jake Brown, Brawley (Imperial County)	54,112
Jeankins Farms, El Centro (Imperial County)	51,616
Opal Fry & Son, Bakersfield (Kern County)	99,114
L. I. Rhodes & Sons, Wasco (Kern County)	90,280
M & I Farms, Delano (Kern County)	96,830
Coberly West Co., Bakersfield (Kern County)	95,766
Twin Farms, Buttonwillow (Kern County)	92,168
Kern Valley Farms, Arvin (Kern County)	91,566
Sanders & Sanders, Bakersfield (Kern County)	88,696
The Mirasol Co., Buttonwillow (Kern County)	87,817
Willis & Kurtz, Bakersfield (Kern County)	87,542
Rossi Bros., Bakersfield (Kern County)	87,149
G. Mendiburu & Son, Oildale (Kern County)	85,347
Tracy Fanch, Inc., Buttonwillow (Kern County)	85,034
Milham Farms, Bakersfield (Kern County)	83,234
Campco Farming Co., Shafter (Kern County)	79,744
Paul Pilgrim, Shafter (Kern County)	78,869
Sill Prop, Inc., Bakersfield (Kern County)	78,427
E. O. Mitchell, Inc., Arvin (Kern County)	78,096
W. A. Banks, Bakersfield (Kern County)	73,442
L. A. Robertson Farms, Inc., Shafter (Kern County)	73,281
John Kovacevich, Arvin (Kern County)	71,794
C. Mettler, Bakersfield (Kern County)	70,569
Ridgeside Farms, Arvin (Kern County)	70,169
Kennedy & Stephens, Bakersfield (Kern County)	68,605
Sanders Farms, Bakersfield (Kern County)	68,580
Voth Farms, Inc., Wasco (Kern County)	68,549
Cerro Bros., Bakersfield (Kern County)	66,980
Barnard Bros., Bakersfield (Kern County)	66,796
South Lake Ranch, Bakersfield (Kern County)	64,185
Porter Land Co., Bakersfield (Kern County)	63,191
B. S. Baldwin, Bakersfield (Kern County)	62,512
C. R. Wedel Estate, Wasco (Kern County)	62,008
Marvin Lane, Shafter (Kern County)	61,881
Garone Bros., Bakersfield (Kern County)	61,833
Henson & Sons, Bakersfield (Kern County)	60,288

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

CALIFORNIA—continued

Robert T. Johnson, Bakersfield (Kern County)	$60,208
Jimmie Icardo, Bakersfield (Kern County)	59,990
Joe G. Fanucchi & Sons, Bakersfield (Kern County)	59,630
S. K. Farms, Buttonwillow (Kern County)	59,233
W. B. Camp, Jr., Inc., Bakersfield (Kern County)	59,187
S. Chernabaeff, Wasco (Kern County)	55,736
Antongiovanni Bros., Bakersfield (Kern County)	55,615
John Valpredo, Bakersfield (Kern County)	54,858
Bloemhof May Co., Buttonwillow (Kern County)	53,816
Parsons Ranch, Buttonwillow (Kern County)	53,175
I & M Sheep Co., Oildale (Kern County)	52,795
Little & Hanes, Wasco (Kern County)	52,473
H. Buller Farms, Bakersfield (Kern County)	51,718
J. Kroeker Sons, Shafter (Kern County)	51,366
Barling Bros., Wasco (Kern County)	50,888
Schwartz Farms, Inc., Stratford (Kings County)	93,510
Wedderburn Bros., Lemoore (Kings County)	91,675
Harp & Hansen, Corcoran (Kings County)	83,444
Newton Bros., Stratford (Kings County)	80,963
Loan Oak Ranch, Corcoran (Kings County)	77,151
Jones Farms, Stratford (Kings County)	71,605
F. Hansen Ranch, Corcoran (Kings County)	68,561
Peterson Farms, Corcoran (Kings County)	62,582
Inco Farms, Inc., Bonsall (Kings County)	58,274
W. W. Boswell, Jr., Corcoran (Kings County)	58,188
R. S. Barlow, Lemoore (Kings County)	54,110
John Fuson, Lebec (Los Angeles County)	88,755
Godde & Ritter, Lancaster (Los Angeles County)	58,083
Schuh Bros., Chowchilla (Madera County)	95,365
Dave Mendrin & Sons, Madera (Madera County)	93,740
Hooper Farms, Inc., Chowchilla (Madera County)	62,759
A. K. Baker, Madera (Madera County)	62,587
San Juan Ranching Co., Dos Palos (Merced County)	86,286
Wolfsen Land & Cattle, Los Banos (Merced County)	74,745
Mesa Farms, Inc., King City (Monterey County)	68,028
Rummonds Bros. Ranches, Thermal (Riverside County)	68,356
George Arakelian, Blythe (Riverside County)	67,250
George T. Scott, Blythe (Riverside County)	63,692
Delta Ranches, Inc., Blythe (Riverside County)	52,335
Pi-Land & Cattle Co., Blythe (Riverside County)	51,185
Rey Brothers, Paicines (San Benito County)	55,116
Salyer Victoria, Inc., Hanford (San Joaquin County)	67,347
Jackson & Reinert, Paso Robles (San Luis Obispo County)	51,493

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

CALIFORNIA—continued

R. L. Calhoun, Taft (Santa Barbara County)	$58,613
Arnold Collier, Dixon (Salano County)	51,038
Newhall Land & Farming, El Nido (Sutter County)	74,418
F. J. McCarthy & Sons, Tulare (Tulare County)	95,890
G. L. Pratt, Visalia (Tulare County)	88,783
Roy D. Murray, Earlimart (Tulare County)	86,809
Lesley W. Smith, Pixley (Tulare County)	76,011
Jack Phillips, Delano (Tulare County)	70,132
Porter Estate Co., San Francisco (Tulare County)	65,550
Correia Bros., Visalia (Tulare County)	62,928
E. W. Merrrit Est., Porterville (Tulare County)	58,825
Roberts Farms, Inc., Porterville (Tulare County)	58,120
J & J Farms, Tulare (Tulare County)	57,630
Di Giorgio Fruit Corp., Delano (Tulare County)	56,100
Baker Bros., Earlimart (Tulare County)	54,844
Mitchellinda Ranches, Alpaugh (Tulare County)	52,303
A.T. & J.R. Villard, Delano (Tulare County)	51,138
McCallister Bros., Visalia (Tulare County)	50,472
Doe Cattle & Land Co., Visalia (Tulare County)	50,464
C. Bruce Mace Ranch, Inc., Davis (Yola County)	88,017
Layton Knaggs, Woodland (Yola County)	64,940
Chew Bros., Sacramento (Yola County)	52,772
Heidrick Bros., Woodland (Yola County)	51,763

COLORADO

Monaghan Farms Co., Commerce City (Adams County)	51,427
Spady Bros., Las Animas (Bent County)	51,626
Jake Broyles, Lamar (Bent County)	50,084
John Kriss, Kansas (Cheyenne County)	64,214
Profit Sharing TR 3-D, Inc., Denver (Crowley County)	86,575
Delmer Zweygardt, Burlington (Kit Carson County)	90,154
Penny Ranch, Burlington (Kit Carson County)	58,333
Hinkhouse Bros., Burlington (Kit Carson County)	51,826
X Y Ranch Co., in care of Ray Jameson, Granada (Prowers County)	87,884
C. H. Fletcher, Lycan (Prowers County)	50,909
Jean Eichheim, Nunn (Weld County)	50,815

FLORIDA

John Tiedtke, Clewiston (Glades County)	79,230
Sugarcane Farms, Palm Beach (Palm Beach County)	98,065
S. N. Knight Sons, Inc., Belle Glade (Palm Beach County)	95,699
S. D. Sugar Corp., Belle Glade (Palm Beach County)	80,999
Wedgworth Farms, Inc., Belle Glade (Palm Beach County)	73,772
Vinegar Bend Farms, Inc., Belle Glade (Palm Beach County)	71,022
New Hope Sugar Co., Palm Beach (Palm Beach County)	68,564
Sam Senter Farms, Inc., Belle Glade (Palm Beach County)	65,890
Billy Rogers Farms, South Bay (Palm Beach County)	64,839

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

FLORIDA—continued

Hatton Brothers, Inc., Pahokee (Palm Beach County)	$62,984
J. Allen Baker Farms, Belle Glade (Palm Beach County)	58,441
South Bay Growers, Inc., South Bay (Palm Beach County)	55,463
Eastgate Farms, Inc., Orlando (Palm Beach County)	51,880

GEORGIA

Quinton Rogers, Waynesboro (Burke County)	60,213
Roy Barefield, Alexander (Burke County)	55,300
Singletary Farms, Blakely (Early County)	63,994
Hubert Cheek, Jr., Bowersville (Hart County)	53,091
W. A. Rountree, Dublin (Laurens County)	54,866
W. J. Estes, Haralson (Meriwether County)	51,670
D. W. Malcom, Bostwick (Morgan County)	64,594
Rufus Peede, Ellaville (Schley County)	60,249
Millhaven Co., J. K. Boddiford, Mgr., Millhaven (Screven County)	51,555
W. K. Jones, Dawson (Terrell County)	53,530
Guy H. Shivers, Sr., Norwood (Warren County)	62,529
Fred C. Evans, Bartow (Washington County)	54,496

HAWAII

Waimea Sugar Mill Co., Ltd., Honolulu (State office)	54,731

IDAHO

J. Walt Vanderford, Aberdeen (Bingham County)	52,166
Heclar Ranch, Inc., Burley (Cassia County)	80,329
Vernon B. Clinton, Rupert (Minidoka County)	61,897
Ruby Co. Farms, Inc., Burley (Minidoka County)	57,568
Morgan Shillington Farms Co., Rupert (Minidoka County)	55,570
Wagner Brothers, Inc., Lewiston (Nez Perce County)	65,500
Ira McIntosh and Sons, Lewiston (Nez Perce County)	59,205

ILLINOIS

C. H. Moore Trust Est., Clinton (De Witt County)	65,447
Meadowlark Farms, I. H. Reiss, Fisher Building, Sullivan (Fulton County)	60,915
Edward C. Sumner, Jr., Milford (Iroquois County)	56,818
Midlane Farm Ct. Club, Dennis Gent, Wadsworth (Lake County)	70,177
Martin Bros. Implement Co., Roanoke (Woodford County)	77,965

INDIANA

Pinelands N A, Fort Wayne (Allen County)	9,794
Dale Armbruster, Woodburn (Allen County)	5,084
Interstate Industrial Pk., Fort Wayne (Allen County)	1,516
Savich Farms, Rensselaer (Jasper County)	56,895
Robert A. Churchill, Lake Village (Newton County)	65,247
Mary Jo Hegarty, Newport (Parke County)	42,649
Overmyer Farms, care of Lee Overmyer, Francesville (Pulaski County)	74,364
Arthur P. Gumz, North Judson (Pulaski County)	66,118
E. Gumz, Inc., North Liberty (St. Joseph County)	57,320
Richard Gumz, North Judson (Starke County)	85,802

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

IOWA

Garst Co., Coon Rapids (Carroll County)	$70,923

KANSAS

First National Bank Trust, M. Lewis, First National Bank, Kansas City (Comanche County)	64,873
Andrew E. Larson, Garden City (Finney County)	53,813
A. Sell Estate, Aurora, Colo. (Greeley County)	65,250
O. Steele, Ford (Greeley County)	59,807
Kleymann Bros., care of F. J. Kleymann, Tribune (Greeley County)	50,038
Vernon G. Kropp, Winfield (Kearney County)	67,553
W. R. Cottrell, Meade (Meade County)	56,263
J. Edmond Ely, Garden City (Scott County)	65,885
Lloyd Kontny, Goodland (Sherman County)	50,962
G H J Farms, Ltd., Johnson (Stanton County)	75,285
Paul E. Plummer & Sons, Johnson (Stanton County)	68,183
Clarence Winger, Johnson (Stanton County)	58,192
Walter Herrick, Johnson (Stanton County)	51,121
James S. Garvey, Colby (Thomas County)	97,267
Willard W. Garvey, Colby (Thomas County)	59,846
Herman Bott, Palmer (Washington County)	50,508

KENTUCKY

Lambert Scott, Ledbetter (Livingston County)	94,331

LOUISIANA

Churchill & Thibaut, Inc., Donaldsonville (Ascension County)	51,062
Rosedale Planting Co., Inc., Benton (Bossier County)	50,214
Clyde Clements, Clements Bros., Ida (Caddo County)	78,790
Stinson & Stinson, Gilliam (Caddo County)	59,660
R. G. Smitherman, Jr., Shreveport (Caddo County)	58,906
Cecilia L. Ellerbe, Shreveport (Caddo County)	54,795
L. R. Kirby, Jr., Belcher (Caddo County)	53,159
G. A. Frierson, Shreveport (Caddo County)	50,273
Carrol Rice, Sicily Island (Catahoula County)	55,437
Hollybrook Land Co., Inc., Lake Providence (E. Carroll County)	86,949
Russel Fleeman, Lake Providence (E. Carroll County)	53,803
Shepherd & Shepherd, Lake Providence (E. Carroll County)	51,610
A. Wilberts Sons L/S Co., Plaquemine (Iberville County)	74,559
Ashly Plantation, Tallulah (Madison County)	64,148
Barham, Inc., care of Joe Barham, Oak Ridge (Morehouse County)	96,902
James U. Yeldell, Jr., Mer Rouge (Morehouse County)	61,567
Mason & Godwin, Monroe (Ouachita County)	77,098
W. A. Calloway, Boxco (Ouachita County)	65,587
L. H. Woodruff, McDade (Red River County)	57,257
R. R. Rhymes Farm, Rayville (Richland County)	54,211
C. L. Morris, Rayville (Richland County)	54,134
Rodrigue Planting Co., Vacherie (St. Charles County)	72,235
E. R. McDonald & Sons, Newellton (Tensas County)	73,466
Milliken & Farwell, Inc., Port Allen (West Baton Rouge County)	$75,904
Harry L. Laws Co., Inc., Brusly (West Baton Rouge County)	53,129
Louisiana State Penitentiary, Angola (West Feliciana County)	92,135

MISSISSIPPI

J. A. Howarth, Jr., Cleveland (Bolivar County)	98,744
Allen Gray Estate, Benoit (Bolivar County)	97,955
Brooks Cotton Co., Shelby (Bolivar County)	90,090
McMurchy Farms, Duncan (Bolivar County)	77,193
Lewis Barksdale, Jr., Deeson (Bolivar County)	67,200
Carr Planting Co., D. C. Carr, Jr., Clarksdale (Bolivar County)	65,818
H. B. Hood, Duncan (Bolivar County)	64,440
J. R. Smith, Merigold (Bolivar County)	62,296
W. L. Smith, Cleveland (Bolivar County)	60,906
Dossett Plantation, Inc., Beulah (Bolivar County)	59,923
H. H. Lawler, Rosedale (Bolivar County)	53,927
Warfield Bros., Gunnison (Bolivar County)	52,630
J. E. Bobo, Gunnison (Bolivar County)	51,989
Charles A. Russell, Beulah (Bolivar County)	51,007
Cloverdale Planting Co., Alligator (Bolivar County)	50,505
W. H. Howarth, Skene (Bolivar County)	50,389
W. J. Linn, Houston (Chickasaw County)	51,974
King & Anderson, Inc., Clarksdale (Coahoma County)	96,525
J. & M. McKee, Friars Point (Coahoma County)	82,112
Garrett & Son, Clarksdale (Coahoma County)	81,225
H. H. Twiford, Alligator (Coahoma County)	71,579
Fox Bros., Clarksdale (Coahoma County)	71,573
Mohead Planting Co., Lula (Coahoma County)	70,455
W. S. Heaton, Jr., Lyon (Coahoma County)	68,399
J. R. Weeks, Clarksdale (Coahoma County)	65,504
P. F. Williams & Son, Clarksdale (Coahoma County)	63,605
Leon C. Bramlett, Clarksdale (Coahoma County)	62,974
Graydon Flowers, Matson (Coahoma County)	62,068
Connell & Co., Clarksdale (Coahoma County)	58,805
Johnson Bros., Friars Point (Coahoma County)	56,562
Wheeler-Graham, Coahoma (Coahoma County)	55,868
Carr-Mascot Planting, Inc., Clarksdale (Coahoma County)	55,812
J. H. Pruett, Lyon (Coahoma County)	54,832
Simmons Planting Co., Clarksdale (Coahoma County)	54,390
W. E. Young, Bobo (Coahoma County)	53,232
Maryland Planting Co., Clarksdale (Coahoma County)	52,843
Allen & Ritch, Lyon (Coahoma County)	51,237
C. E. Rhett, Lyon (Coahoma County)	50,069
Banks & Co., Hernando (De Soto County)	96,124
Howard & Blythe Plant, Lake Cormorant (De Soto County)	86,780
R. L. Sullivan, Walls (De Soto County)	$64,127
R. S. Jarratt, Walls (De Soto County)	53,157
Gaddis Farms, Inc., Raymond (Hinds County)	57,361
C. D. Noble, Edwards (Hinds County)	51,289
Egypt Planting Co., Cruger (Holmes County)	92,444
Stonewall Planting Co., Thornton (Holmes County)	62,616
Wayne Watkins, Cruger (Holmes County)	59,669
Lynchfield Planting Co., Tchula (Holmes County)	54,525
Pluto Planting Co., Thornton (Holmes County)	51,703
James E. Colman, Yazoo City (Humphreys County)	88,769
C. B. Box Co., Midnight (Humphreys County)	79,403
Nerren Brothers, Isola (Humphreys County)	75,306
Spencer H. Barret, Belzoni (Humphreys County)	73,164
Cordon & Partridge, Louise (Humphreys County)	68,975
R. D. Hines, Yazoo City (Humphreys County)	52,718
A. B. Jones, Jr., Belzoni (Humphreys County)	52,551
Hagan and Bruton, Hollandale (Issaquena County)	87,220
Loyd M. Heigle, Mayersville (Issaquena County)	63,692
Johnson Brithers, Valley Park (Issaquena County)	51,221
Twenty Miles Planting, Inc., Tupelo (Lee County)	82,462
Race Track Plantation, Greenwood (Leflore County)	96,755
O. F. Bledsoe Plantation, Greenwood (Leflore County)	83,570
Roebuck Plantation, Sidon (Leflore County)	81,024
L. W. Wade Farms, Inc., Greenwood (Leflore County)	79,133
New Hope Plantation, Greenwood (Leflore County)	77,605
H. C. McShan, Schlater (Leflore County)	70,239
Joe Pugh, Itta Bena (Leflore County)	66,899
Reynolds Planning Co., Glendora (Leflore County)	63,575
Ruby Planting Co., In care of J. F. Shaw, Money (Leflore County)	63,426
Ed Hunter Steele, Morgan City (Leflore County)	62,809
Runnymede Plantation, Itta Bena (Leflore County)	60,778
Maloney Farms, Itta Bena (Leflore County)	60,667
T. J. Carter, Money (Leflore County)	58,652
Hobson Gary, Schlater (Leflore County)	56,656
Elmwood Plantation, Greenwood (Leflore County)	55,903
Sturdivant & Bishop, Minter City (Leflore County)	54,119
W. L. Craig, Greenwood (Leflore County)	51,771
Roberson Plantation, Minter City Leflore County)	50,541
B. G. McGeary, Sidon (Leflore County)	50,141
George H. Moore, Canton (Madison County)	51,056
Hays Bros. & Hall, Sardis (Panola County)	63,297
J. H. Magee, Batesville, (Panola County)	59,647
W. S. Taylor, Jr., Como (Panola County)	51,803

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

MISSISSIPPI—continued

F. R. Wright, Jr., Lambert (Quitman County)	$79,533
Dalmar Plantation, Marks (Quitman County)	65,173
Roger Davidson, Marks (Quitman County)	63,404
Wise Bros., Jonestown (Quitman County)	54,502
J. W. Patrick, Jr., Brandon (Rankin County)	57,819
Murphy Jones, Nitta Yuma (Sharkey County)	89,967
H. G. Carpenter, Rolling Fork (Sharkey County)	84,126
Raymond Brown & J. M. Brown, Anguilla (Sharkey County)	83,419
Moore Planting Co., Inc., Cary (Sharkey County)	65,381
Realty Plantation, Inc., Rolling Fork (Sharkey County)	60,722
Powers Company, Inc., Cary (Sharkey County)	59,404
Evanna Plantation, Inc., Cary (Sharkey County)	59,086
Baconia Plantation, Inc., Cary (Sharkey County)	57,557
Little Panther Plantation, Leland (Sharkey County)	52,346
S. M. Montgomery, Rolling Fork (Sharkey County)	51,023
J. B. Dunaway & Sons, Anguilla (Sharkey County)	50,009
Brooks Farms, Drew (Sunflower County)	96,784
W. D. Patterson, Rome (Sunflower County)	93,751
Bridwell Farms, care of Grady Todd, Shelby (Sunflower County)	79,652
Millups Pltn, Inc., Indianola (Sunflower County)	58,894
Allen & Brashier Planting Co., Indianola (Sunflower County)	69,511
V. A. Johnson, Indianola (Sunflower County)	69,245
William M. Pitts, Indianola (Sunflower County)	67,600
Mateele M. Brewer, Inverness (Sunflower County)	66,760
W. P. Scruggs, Doddsville (Sunflower County)	66,325
M. W. Jefcoat, Sunflower (Sunflower County)	65,077
Mrs. Virginia Polk, care of J. G. Prichard, Inverness (Sunflower County)	64,436
Douglas Mallette, Indianola (Sunflower County)	63,690
Shurden and Owens, Drew (Sunflower County)	62,762
Philip Fratesi, Indianola (Sunflower County)	62,687
J. Levingston Estate, Ruleville (Sunflower County)	56,665
C. S. Simmons, Jr., Inverness (Sunflower County)	56,665
W. O. Shurden, Drew (Sunflower County)	56,034
George Lipe, Indianola (Sunflower County)	55,903
Brewer Morgan Sunflower (Sunflower County)	55,887
Mateele M. Brewer, Inverness (Sunflower County)	51,920
J. B. Baird, Inverness (Sunflower County)	51,376
J. L. Hill, Jr., Webb (Tallahatchie County)	71,185
Annapeg, Inc., Minter City (Tallahatchie County)	75,842
T .C. Buford, Glendora (Tallahatchie County)	74,600
Jerry Falls, Webb (Tallahatchie County)	71,079
Equen Plantation, care of W. F. Darnell, Minter City (Tallahatchie County)	67,092
Twilight Plantation, Swan Lake (Tallahatchie County)	65,239

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

MISSISSIPPI—continued

Rainbow Planting Co., care of W. W. Pearson, Webb (Tallahatchie County)	$61,075
E. C. Fedric, Glendora (Tallahatchie County)	59,706
Ralph T. Hand, Jr., Glendora (Tallahatchie County)	59,549
Hoparka Plantation, care of F. M. Mitchener, Sumner (Tallahatchie County)	58,499
J. A. Townes, Minter City (Tallahatchie County)	57,584
E. D. Graham, Sumner (Tallahatchie County)	56,573
T. B. Abbey, Jr., Webb (Tallahatchie County)	53,207
Triple M. Planting Co., Sumner (Tallahatchie County)	52,526
J. R. Flautt & Sons, Swan Lake (Tallahatchie County)	52,423
Cotton Dixie, Inc., care of J. B. Baker, Webb (Tallahatchie County)	52,380
Frank Sayle, Charleston (Tallahatchie County)	52,273
S. M. Fewell & Co., Vance (Tallahatchie County)	50,238
B. F. Harbert Co., Robinsonville (Tunica County)	99,294
Parker Farms, Tunica (Tunica County)	91,143
U. O. Bibb, Jr., Tunica (Tunica County)	88,804
M. L. Earnheart Co., Tunica (Tunica County)	85,812
S. C. Wilson & Son, care of Shelby T. Wilson, Dundee (Tunica County)	84,869
Owen Brothers, Tunica (Tunica County)	84,477
Abbay and Leatherman, Inc., Robinsonville (Tunica County)	82,509
Hood Farms, Inc., Tunica (Tunica County)	77,078
Paul Battle, Tunica (Tunica County)	76,176
Arnold Farms, Inc., Tunica (Tunica County)	75,662
Clinton P. Owen, Robinsonville (Tunica County)	73,363
R. W. Owen, Inc., Tunica (Tunica County)	71,030
S. A. Arnold, Jr., Tunica (Tunica County)	65,594
M. P. Moore, Senatobia (Tunica County)	63,655
Oaklawn Plantation, Inc., Dundee (Tunica County)	61,320
T. O. Earnheart Co., Tunica (Tunica County)	60,550
Carl C. May, West Helena, Ark. (Tunica County)	60,375
A. S. Perry & Sons, Tunica (Tunica County)	60,065
Withers & Seabrook, Tunica (Tunica County)	50,504
Hugh Stephens, New Albany (Union County)	81,328
Aden Brothers, Inc., Valley Park (Warren County)	77,035
H. K. Hammett & Sons, Greenville (Washington County)	95,858
I. D. Nunnery, Arcola (Washington County)	92,361
Walker Farms, Inc., Care of George R. Walker, Stoneville (Washington County)	92,117
Clyde V. Gault, Leland (Washington County)	82,520
Gilnockie Planting Co., Leland (Washington County)	77,013
Baker Plant Co., Leland (Washington County)	75,308
Fairfax Plantation, Ben Walker, Tribett (Washington County)	72,606
Hiram W. Hill, Indianola (Washington County)	70,477

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

MISSISSIPPI—continued

Alex Curtis, Leland (Washington County)	$63,414
Dogwood Plantation, W. E. Taylor, Greenville (Washington County)	59,378
Refuge Plantation, Inc., Greenville (Washington County)	58,770
J. C. Reed, Leland (Washington County)	57,896
Lakeland Farms, Hollandale (Washington County)	57,383
Montgomery & Grissom, Leland (Washington County)	57,139
John T. Dillard, Leland (Washington County)	56,742
E. J. Ganier, Percy (Washington County)	55,784
Andrews Bros., A. L. Andrews, Leland (Washington County)	54,872
Dan L. Smythe, Leland (Washington County)	53,715
Billy Joe & Franklin Trotter, Hollandale (Washington County)	50,167
J. C. Sides, Sr., Coffeeville (Yalobusha County)	86,349
Lakeview Planting Co., Yazoo City (Yazoo County)	95,442
H. S. Swayze, Benton (Yazoo County)	92,241
E. T. Jordan & Sons, Yazoo City (Yazoo County)	87,514
Roby Walker, Bentonia (Yazoo County)	65,730
D. H. Dew, Eden (Yazoo County)	61,003
Johnson & Simmons, Bentonia (Yazoo County)	59,975
E. T. Schaefer, Yazoo City (Yazoo County)	51,874
Seward & Harris, Midnight (Yazoo County)	50,622
S. C. Coleman, Yazoo City (Yazoo County)	50,431

MISSOURI

J. F. Ward, Gilman City (Daviess County)	69,029
Donald E. Morris, Fortescue (Holt County)	52,574
Rlds Church, care of Don Elefson Rlds Audit, Independence (Jackson County)	69,430
East Fork Ranch, care of Tony Lolli, Macon (Macon County)	69,316
Wolf Island Farms, Wolf Island (Mississippi County)	85,857
Marshall Lands, Inc., Charleston (Mississippi County)	81,913
Harland Maxwell, East Prairie (Mississippi County)	54,243
W. C. Bryant, East Prairie (Mississippi County)	51,194
A. C. Riley, New Madrid (New Madrid County)	56,101
Acom Farms, Inc., Wardell (New Madrid County)	52,509
Swiney & Sons, Morehouse (New Madrid County)	51,391
Green Top Farms, Inc., Richmond (Ray County)	52,986
E. P. Coleman, Jr., Sikeston, (Scott County)	53,068
W. P. Hunter, care of Blair Dalton, Bell City (Stoddard County)	73,162
Taylor Bros., Essex (Stoddard County)	59,345

MONTANA

V. R. Crazier & Sons, Toston (Broadwater County)	56,465
Nash Brothers, Redstone (Sheridan County)	65,806
S. A. Adaskavich, Shelby (Toole County)	61,727

NEBRASKA

Hundahl Farms, care of Ernest Hundahl, Tekamah (Burt County)	68,614
Fred Horne, Jr. Atkinson (Holt County)	58,043

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

NEW MEXICO

A. W. Langenegger, Hagerman (Chaves County) $73,140
H. C. Berry, Dexter (Chaves County) 51,590
C. Elton Green, Clovis (Curry County) 99,702
Garrett Corporation, Clovis (Curry County) 96,334
Verney Towns, Muleshoe, Tex. (Curry County) 85,983
Bert Williams, Farwell, Tex. (Curry County) 85,952
James E. & Garrett, Clovis (Curry County) 82,495
Leon Marks, Clovis (Curry County) 81,979
Lockmiller and Son, Clovis (Curry County) 81,771
L. R. Talley, Texico (Curry County) 78,000
Dale Elliot, Clovis (Curry County) 74,751
F. L. Ashley Estate, Melrose, (Curry County) 70,473
O. H. Pattison, Clovis (Curry County) 58,996
John H. Spearman, Clovis (Curry County) 57,243
Dave Thompson, Friona, Tex. (Curry County) 53,873
Albert Matlock, Clovis (Curry County) 53,799
John Garrett, Jr., Clovis (Curry Couny) 50,283
Snodgrass & Carlisle, Roswell (Eddy County) 72,420
Moutray Bros., Carlsbad (Eddy County) 53,201
M. R. Jones, Lovington (Lea County) 87,617
John K. Burns, Lovington (Lea County) 65,209

NORTH CAROLINA

A. D. Swindell, Pantego (Beaufort County) 60,413
M. C. Braswell Farms, Battleboro (Nash County) 74,813
R. E. Parnell, Parkton (Robeson County) 56,206
D. D. McColl, St. Pauls (Robeson County) 55,833
McNair Investment Co., Laurinburg (Scotland County) 86,802
Sou. Natl. Bank Agt., Annie V. J. Watkins, Laurinburg (Scotland County) 72,886
Z. V. Pate, Inc., Gibson (Scotland County) 65,108

NORTH DAKOTA

Bert Olson and Sons, Glasston (Pembina County) 59,019
Otto Engen, Minot (Ward County) 55,461

OKLAHOMA

Wm. J. Schulte, El Reno (Canadian County) 62,233
F. E. Motley, Hollis (Harmon County) 78,776
Wayne Q. Winsett, Altus (Jackson County) 69,515
Murray R. Williams, Altus (Jackson County) 50,422

OREGON

Tulana Farms, Klamath Falls (Klamath County) 69,070
Tucker Ottmar Farms, Inc., Echo (Morrow County) 54,030
Joe Heater, Mord (Sherman County) 83,160
H. A. Main, Pilot Rock (Umatilla County) 70,270
Key Bros., Milton Freewater (Umatilla County) 52,576

PUERTO RICO

R. Gonzalez Hernandez, Aguirre (Mayaguez County) 94,395
Carlos F. Quiles Trust, Hormigueros (Mayaguez County) 91,707
Mario Mercado E. Hijos, Guayanilla (Mayaguez County) 85,841

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

PUERTO RICO—continued

M. H. Soldervilla, executor, Ponce (Mayaguez County) $79,134
W. Bravo Monagas, Mayaguez (Mayaguez County) 79,045
Coop Azucarera Los Canos, Arecibo (Mayaguez County) 73,940
Agric Del Monte, Cayey (Mayaguez County) 70,540
E. Quinones Sambolin, San German (Mayaguez County) 63,477
R. Sefton Wallace, Ensenada (Mayaguez County) 60,492
H. L. Brund, Guayama (Mayaguez County) 60,486
Wirshing & Co., Mercedita (Mayaguez County) 58,098

SOUTH CAROLINA

Kirkland & Best, Ulmers (Allendale County) 58,981
C. P. Polston, Jr., Blenheim, (Dillon County) 69,862
Lawrence E. Pence, McColl (Marlboro County) 78,675
Charles E. Lynch, Bville (Marlboro County) 64,164
J. A. McDonald, Bville (Marlboro County) 51,275
J. F. Bland, Jr., Mayesville (Sumter County) 83,014

SOUTH DAKOTA

Stanley Asmussen, Agar (Sully County) 52,166

TENNESSEE

Cowan Bros., La Grange (Fayette County) 65,932
W. T. Jamison, Jr., Tiptonville (Lake County) 56,248
Jim Fullen, Ashport (Lauderdale County) 66,542
H. S. Mitchell, Millington, (Shelby County) 57,897
E. F. Crenshaw, Memphis (Shelby County) 51,688

TEXAS

Carl C. Bamert, Muleshoe (Bailey County) 67,342
Horace Hutton, Muleshoe (Bailey County) 65,018
W. B. Little, Muleshoe (Bailey County) 59,098
W. T. Millen, Muleshoe (Bailey County) 56,442
J. G. Arnn, Muleshoe (Bailey County) 50,557
Bentley Johnston, De Kalb (Bowie County) 75,524
William H. Farris, De Kalb (Bowie County) 55,039
J. P. Terrell & Son, Navasota (Brazos County) 72,999
Brazos A. Varisco, Bryan (Brazos County) 68,275
Joe Varisco, Bryan (Brazos County) 50,427
Porter Bros., Caldwell (Burleson County) 85,737
Holland Porter, Caldwell (Burleson County) 78,692
H. H. & Edgar Baker, Somerville (Burleson County) 77,058
Roy Smith, Corpus Christi (Calhoun County) 54,278
Oscar Mayfield & Sons, Taft (Cameron County) 90,587
Elijah B. Adams, Harlingen (Cameron County) 67,883
Henry V. Macomb, Los Fresnos (Cameron County) 63,235
John A. Abbott, Harlingen (Cameron County) 59,862
Texas Technological Research F. R. M., Pantex (Carson County) 64,984
Frank Robinson, Panhandle (Carson County) 60,283
G. L. Willis, Jr., Dimmitt (Castro County) 94,213

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

TEXAS—continued

Homer Hill, Hart (Castro County) $90,211
Milton Bagwell, Dimmitt (Castro County) 87,361
F. O. Masten, Sudan (Castro County) 83,733
Chas. E. Armstrong, Dimmitt (Castro County) 64,389
Dulaney Brothers, Dimmitt (Castro County) 64,381
Clements Corp., Plainview (Castro County) 58,140
Homer A. Hill, Hart (Castro County) 54,167
Jerry Cluck, Hart (Castro County) 53,573
Truvis Campbell, Dimmitt (Castro County) 51,979
C. C. Slaughter Farms, Morton (Cochran County) 99,647
R. L. Polvado, Morton (Cochran County) 79,477
D. E. Benham, Morton (Cochran County) 77,751
J. E. Polvado, Morton (Cochran County) 67,021
Slaughter Hill Co., Levelland (Cochran County) 58,707
Erma Griffith, Morton (Cochran County) 58,507
T. Cattle Co., care of B. B. Wegenhoft, Eagle Lake (Colorado County) 54,856
Leslie Mitchell, Crosbyton (Crosby County) 97,640
The McLaughlins, Ralls (Crosby County) 74,472
Luis Garcia/Sons, Inc., Spur (Crosby County) 61,590
J. P. Beck, Ralls (Crosby County) 59,926
G. J. Parkhill, Jr., Crosbyton (Crosby County) 53,761
Delton Caddell, Ralls (Crosby County) 50,925
Carl Archer, Spearman (Dallam County) 58,505
E Bar S Ranch, care of Jas. Ratcliff, R.R. 2, Mesquite (Dallas County) 55,081
Sam C. Jenkins, Lamesa (Dawson County) 90,561
R. M. Middleton, O'Donnell (Dawson County) 56,693
Woodward Farms, Inc., Lamesa (Dawson County) 55,351
Carson Echols, Lamesa (Dawson County) 53,993
Gordon V. Waldrop, Lamesa (Dawson County) 51,147
W. H. Gentry, Hereford (Deaf Smith County) 76,624
Virgil F. Marsh, Hereford (Deaf Smith County) 74,008
White Farms & Cattle Co., Canyon (Deaf Smith County) 69,002
B. T. Spear, Wildorado (Deaf Smith County) 68,623
Delmar R. Durrett, Amarillo (Deaf Smith County) 66,733
A. R. Dillard, Hereford (Deaf Smith County) 62,740
R. K. Brooks, Tulia (Deaf Smith County) 59,351
Clarence D. Carnahan, Hereford (Deaf Smith County) 57,085
O. D. Bingham, Fridna (Deaf Smith County) 55,322
James Overstreet, Hereford (Deaf Smith County) 55,136
Cruce G. Richardson, Vega (Deaf Smith County) 51,147
Billy Wayne Sisson, Hereford (Deaf Smith County) 50,524
Don Kimball, Wildorado (Deaf Smith County) 50,285
G. B. Morris, Crosbyton (Dickens County) 50,285
L. R. Allison Co., Tornillo (El Paso County) 54,834
Basil Abate, Bremond (Falls County) 58,764

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

TEXAS—continued

R. A. Harling AG, Telephone (Fannin County)	$69,847
Marble Brothers, South Plains (Floyd County)	92,974
J. E. Franklin, Lubbock (Floyd County)	92,249
John C. Alford, Petersburg (Floyd County)	72,607
William S. Poole, Dougherty (Floyd County)	68,919
R. I. Bennett, Lockney (Floyd County)	66,773
Dorris Jones, Floydada (Floyd County)	58,197
Thomas Bros., Lockney (Floyd County)	55,957
J. S. Hale, Jr., Floydada (Floyd County)	55,145
Vernon Goodwin, Seagraves (Gaines County)	79,709
John Henry Jones, Welch (Gaines County)	69,051
Fred Barrett, Jr., Seminole (Gaines County)	58,997
Verlon Hilburn, Lovington, N. Mex. (Gaines County)	58,333
Nix & Norman, Lamesa (Gaines County)	56,577
Wheeler Robertson, Idalou (Gaines County)	56,224
Earl Layman, Loop (Gaines County)	53,487
C. E. Hilburn, Lovington, N.M. (Gaines County)	51,668
Marion C. Bowers, Brownfield (Gaines County)	50,917
J. C. Miller, Abernathy (Hale County)	94,008
Elmo Stephens, Plainview (Hale County)	84,721
James Cannon, Plainview (Hale County)	71,836
Grady Shepard, Hale Center, (Hale County)	65,221
Frank Moore, Plainview (Hale County)	65,093
H. D. Smith, Hart (Hale County)	64,317
Jason H. Allen, Lubbock (Hale County)	61,214
Raymond Akin, Plainview (Hale County)	55,738
I. F. Lee, Hale Center (Hale County)	54,599
Swann Pettit, Hale Center (Hale County)	54,063
Ballard and Hurt, Plainview (Hale County)	53,328
John Trimmier, Jr., Hale Center (Hale County)	52,864
Ralph Wheeler, Edmonson (Hale County)	52,686
A. J. Givens, Plainview (Hale County)	52,391
E. A. Houston, Abernathy (Hale County)	52,008
J. H. Kirby and Sons, Hale Center (Hale County)	50,685
R. L. Porter Est., Spearman (Hansford County)	87,218
Jack Hart, Gruver (Hansford County)	68,372
R. E. and Rue Sanders, Spearman (Hansford County)	52,009
Texas Farming Corporation, Hartley (Hartley County)	78,801
Shary Farms, Inc., Mission (Hidalgo County)	94,889
Bryon Campbell, Raymondsville (Hidalgo County)	87,096
Bill Burns, Raymondsville (Hidalgo County)	77,211
Sam Sparks, Santa Rosa (Hidalgo County)	62,408
Guerra Bros., Linn (Hidalgo County)	57,777
Beckwith Farms, Progreso (Hidalgo County)	55,347
J. B. Pollock, Hargill (Hidalgo County)	51,763

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

TEXAS—continued

White Face Farms, Inc., Levelland (Hockley County)	$94,533
Post Montgomery, Levelland (Hockley County)	82,667
Cobleland Farms, Levelland (Hockley County)	61,646
J. Walter Hobgood, Anton (Hockley County)	61,436
Spade Farms, Inc., Lubbock (Hockley County)	50,825
B. E. Walker, Fort Hancock (Hudspeth County)	53,120
Grady E. Miller, Jr., Fort Hancock (Hudspeth County)	52,248
Claude Higley, Stinnett (Hutchinson County)	67,803
E. K. Angeley, Muleshoe (Lamb County)	83,958
W. C. Stout, Muleshoe (Lamb County)	75,066
K. B. Parish, Springlake (Lamb County)	70,743
Clayton Farms, Springlake (Lamb County)	70,754
J. D. Smith, Littlefield (Lamb County)	61,274
T. V. Murrell, Earth (Lamb County)	53,304
J. B. James, Olton (Lamb County)	52,667
William E. Armstrong, Lubbock (Lubbock County)	99,369
Smith Brothers, Slaton (Lubbock County)	73,076
Standefer-Gray, Inc., Lubbock (Lubbock County)	73,020
A. L. Cone, Lubbock (Lubbock County)	70,426
Lubbock Irrigation Co., Lubbock (Lubbock County)	68,636
Carson Farms Pts., care of A. L. Cone, Lubbock (Lubbock County)	63,992
J. Carter Caldwell, Slaton (Lubbock County)	58,499
Annette O. Martin, Lubbock (Lubbock County)	54,556
Wendell D. Vardeman, Slaton (Lubbock County)	52,670
L. L. Lawson, Lubbock (Lubbock County)	52,202
Davis-Son, care of Don E. Davis, Ropesville (Lubbock County)	52,067
W. C. Huffaker Jr., Tahoka (Lynn County)	97,360
John Saleh, O'Donnell (Lynn County)	62,400
Wm. G. Lumsden, Wilson (Lynn County)	59,496
J. W. Gardenhire, O'Donnell (Lynn County)	58,053
Cecil Dorman, O'Donnell (Lynn County)	55,235
Glen Cox, Lenorah (Martin County)	74,776
James M. Warner, Waco (McLennan County)	53,127
Bob Evans, Midland (Midland County)	58,789
Louie Koonce, Midland (Midland County)	53,275
James Brooks, Midland (Midland County)	50,435
E. Martin Gossett, Jr., Dumas (Moore County)	62,099
Lloyd Beauchamp, Dumas (Moore County)	56,659
Marshall Cator, Sunray (Moore County)	54,493
James Fortson, Corsicana (Navarro County)	72,000
Herbert L. Williams, Roscoe (Nolan County)	55,388
Clarence Martin, Friona (Parmer County)	77,081
J. C. Mills, Abernathy (Parmer County)	63,693
Ralph W. Shelton, Friona (Parmer County)	60,037

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

TEXAS—continued

Fangman Farms, Inc., Friona (Parmer County)	58,501
Mike Allen, Friona (Parmer County)	57,016
Bill St. Clair, Muleshoe (Parmer County)	50,991
J. D. Kirkpatrick, Bovina (Parmer County)	50,434
A. B. Foster, Pecos (Pecos County)	87,634
Lakeside Farms, Fort Stockton (Pecos County)	62,159
Harral and Marable, Fort Stockton (Pecos County)	50,734
W. T. Lattner and Son, Pecos (Reeves County)	99,967
W. W. Hill, Pecos (Reeves County)	98,906
Walter B. Shaw, Pecos (Reeves County)	88,624
Reetex Farms, Pecos (Reeves County)	87,295
Dingler Farms, Pecos (Reeves County)	78,479
J. F. Crews, Pecos (Reeves County)	71,167
Davidson Bros., Pecos (Reeves County)	78,784
Rowe and Turnbough, Toyahvale (Reeves County)	63,669
Broyles Pecos Farm, Fort Stockton (Reeves County)	62,248
W. R. Sage, Lubbock (Reeves County)	60,474
G. G. Passmore, Pecos (Reeves County)	57,527
J. W. Bryan, Pecos (Reeves County)	56,949
Virgil M. Glenn, Pecos (Reeves County)	54,864
Coy Fraley, Pecos (Reeves County)	53,998
H. R. Hudson, Jr., Pecos (Reeves County)	51,576
J. B. Hopkins, Pecos (Reeves County)	51,474
Tom Passmore, Pecos (Reeves County)	50,426
Goodland Farms, Inc., Hearne (Robertson County)	77,773
Lee Fazzino, Bryan (Robertson County)	64,129
Joe Reistino, Hearne (Robertson County)	61,015
John C. Reistino, Hearne (Robertson County)	59,876
James H. Jones, Hearne (Robertson County)	52,115
Sam Degelia, Sr., Hearne (Robertson County)	51,809
Heirs of Jos. F. Green, Taft (San Patricio County)	59,995
Starr Produce Farm Acct., Rio Grande City (Starr County)	54,611
M. T. Glenn, Tulia (Swisher County)	90,682
Warner Reid, Tulia (Swisher County)	87,822
B. Raymond Evans, Tulia (Swisher County)	86,152
Miller Farms Co., Tulia (Swisher County)	65,464
Alvis Hefley, Tulia (Swisher County)	56,045
J. L. Francis, Kress, (Swisher County)	55,142
S. A. Barrett, Kress (Swisher County)	53,187
H. O. Thompson, Plainview (Swisher County)	51,185
Howard Hurd, Brownfield (Terry County)	79,862
Charlie Caswell, Meadow (Terry County)	62,059
Texas Department of Corrections, Byron W. Firerson, Sugarland (Walker County)	62,434
Alazan Farms, Harlingen (Willacy County)	73,069
K. L. Morrow, Lyford (Willacy County)	62,325
S. R. & C. D. Stone TST, Aransas Pass (Willacy County)	51,465

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

TEXAS—continued

Norment Foley, Uvalde (Zavala County)	$58,022
Ritchie Bros., Crystal City (Zavala County)	51,360

WASHINGTON

D. E. Phillips, Lind (Adams County)	72,629
Leonard & Henry Franz, Lind (Adams County)	57,528
Hutterian Brethren, Inc., Espanola (Adams County)	53,304
Bi County Farms, Prosser (Benton County)	63,526
Vollmer-Bayne, Prosser (Benton County)	55,367
Neil Rasor, Royal City (Grant County)	71,141
Lonneker Farms, Inc., Walla Walla (Walla Walla County)	77,390
Grote Farms, Inc., care of Ben Grote, Prescott (Walla Walla County)	54,189
Cecil R. Anderson, Prescott (Walla Walla County)	50,773
Glen Miller, Colfax (Whitman County)	92,905
McGregor Land & Livestock Co., Hooper (Whitman County)	74,526

WISCONSIN

Robert O. Link, Cambria (Columbia County)	79,706

WYOMING

Covey & Dayton, care of John Dayton, Cokeville (Lincoln County)	51,890

Mr. YARBOROUGH. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. YARBOROUGH. I should like to ask the Senator regarding those payments, for the most part they are crop loans, are they not?

Mr. WILLIAMS of Delaware. No.

Mr. YARBOROUGH. Crops put in loans and paid out.

Mr. WILLIAMS of Delaware. They are payments that do not include crop loans. These are payments alone.

Mr. YARBOROUGH. If the Senator will pardon me, scmeone handed me a report which purported to be a copy of what the Senator has, about 5 minutes ago, and the captain read "Loans and Payments."

Mr. WILLIAMS of Delaware. These are payments alone. They do not include price-support loans. These figures were furnished by the Department of Agriculture.

Mr. YARBOROUGH. The Senator does not contend that these sums of money were grants, but loans, repayable loans?

Mr. WILLIAMS of Delaware. The title says, "1966 payments of $1 million and over under the ASCS program," and shows parentheses here, "excluding price-support loans," and then the parentheses end. That is from the Department of Agriculture. These are exclusive of loans and payments. That is what I asked from the Department. These are payments for acreage diversion, or disaster payments, and so forth—figures furnished by the Department of Agriculture.

I have this report, if any Senator wishes to examine it.

Mr. YARBOROUGH. It will be printed in the RECORD tomorrow?

Mr. WILLIAMS of Delaware. Yes.

Mr. YARBOROUGH. Then I will read it in the morning. I thank the Senator.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment the bill (S. 617) to authorize the States of North Dakota, South Dakota, Montana, and Washington to use the income from certain lands for the construction of facilities for State charitable, educational, penal, and reformatory institutions.

The message also announced that the House had passed a joint resolution (H.J. Res. 601) extending for 4 months the emergency provisions of the urban mass transportation program, in which it requested the concurrence of the Senate.

The message informed the Senate that the Speaker had appointed Mr. ROGERS of Colorado, and Mr. MATHIAS of Maryland as additional managers on the part of the House at the conference asked by the Senate on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2508) to require the establishment, on the basis of the 18th and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes.

EXTENSION OF THE EMERGENCY PROVISIONS OF THE URBAN MASS TRANSPORTATION PROGRAM

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the message from the House on Joint Resolution 601 be laid before the Senate.

Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution (H.J. Res. 601) which was read twice by its title.

The resolution (H.J. Res. 601) was ordered to be read a third time, was read the third time, and passed, as follows:

H.J. RES. 601

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Urban Mass Transportation Act of 1964 is amended by striking out "July 1, 1967" and inserting in lieu thereof "November 1, 1967".

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 335, Senate Joint Resolution 90, a joint resolution extending for 4 months the emergency provisions of the urban mass transportation program, be indefinitely postponed.

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

EXECUTIVE COMMUNICATIONS, ETC.

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

PROPOSED AMENDMENT TO THE BUDGET, 1968, FOR CIVIL SERVICE COMMISSION (S. DOC. NO. 36)

A communication from the President of the United States, transmitting an amendment to the budget for the fiscal year 1968, in the amount of $13,950,000, for the Civil Service Commission (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

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

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on Department of Defense Procurement from small and other business firms, for the period July 1966 to April 1967 (with an accompanying report); to the Committee on Banking and Currency.

IMPROVEMENT OF U.S. INFORMATION AGENCY THROUGH ESTABLISHMENT OF A FOREIGN INFORMATION OFFICER CORPS

A letter from the Director, U.S. Information Agency, Washington, D.C. transmitting a draft of proposed legislation to promote the foreign policy of the United States by strengthening and improving the Foreign Service personnel system of the U.S. Information Agency through establishment of a Foreign Service Information Officer Corps (with accompanying papers); to the Committee on Foreign Relations.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of charges for accessorial services on overseas household goods shipments, Department of Defense, dated June 1967 (with an accompanying report); to the Committee on Government Operations.

THIRD PREFERENCE AND SIXTH PREFERENCE FOR CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third preference and sixth preference for certain aliens (with accompanying papers); to the Committee on the Judiciary.

INTERNATIONAL LABOR ORGANIZATION RECOMMENDATION

A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting, for the information of the Senate, International Labor Organization 127, concerning the role of cooperatives in the economic and social development of developing countries (with accompanying papers); to the Committee on Labor and Public Welfare.

DISPOSITION OF EXECUTIVE PAPERS

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

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

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution adopted by the Greenwich Grange, Greenwich, Ohio, remonstrating against the enactment of House bill 1400, relating to the Rural Electrification Administration; to the Committee on Agriculture and Forestry.

A resolution adopted by the Greenwich Grange, Greenwich, Ohio, remonstrating against the proposed Lake Erie-Ohio River Canal; to the Committee on Public Works.

JOINT ECONOMIC COMMITTEE RELEASES STUDY ON ECONOMY OF MAINLAND CHINA—REPORT OF A COMMITTEE — SUPPLEMENTAL VIEWS (S. REPT. NO. 348)

Mr. PROXMIRE. Mr. President, the performance of a nation's economy, it can be argued, is ultimately the decisive determinant in shaping its political posture in the world.

But important as it is, we have tended to neglect the economic side in assessing the role of mainland China in world politics today. While there is an enormous thirst for more information about China, this interest has been focused largely on the political side.

For this reason, the Joint Economic Committee, at the suggestion of the distinguished senior Senator from New York [Mr. JAVITS], who is the ranking Senate Republican on the committee, undertook a study of China's involvement as an entity in the economic world.

I am pleased to announce that I have today filed with the clerk of the Senate the committee's report on its study, "Mainland China in the World Economy." The report grows out of 4 days of public hearings in April during which the committee heard testimony from 10 China specialists. The committee's study was in two phases. The first phase involved the preparation of a two-volume compendium of detailed studies by a score of invited specialists recognized as authorities on specific aspects of the Chinese economy. That compendium, entitled "Economic Profile of Mainland China," was released in March.

The committee's aim was to throw light on the ups and downs of the Chinese economy since the Communist regime came to power in 1949. We heard witnesses discuss how agricultural and industrial resources are allocated in an economy wavering between economic pragmatism and revolutionary dogmatism and to what degree China's economic performance enables her to play a role in international trade and politics.

I would like to highlight some of the conclusions reached by the committee's study:

First. China emerges from these hearings as a confused giant, with little understanding of the outside world and viewing herself as threatened by hostile powers.

Second. Despite uneven economic performance under Communist leadership, ideological repercussions have given China a more manageable labor force and economy than that of many of her Asian neighbors.

Third. Despite agricultural crises, there were no authentic reports of famine and an ample food situation is reported.

Fourth. Remarkable gains have been made in education, medicine, public health, and scientific research.

Fifth. Her growing economy can allow for major nuclear weapon development.

Sixth. It is not likely she will increase her military posture in North Vietnam because of a fear of a United States-Sino confrontation in a conventional war.

Seventh. Since three-fourths of her foreign trade is with our allies, the American embargo on nonstrategic trade with China has had little economic effect upon China since alternative trade with our allies has been available.

Eighth. As long as there is U.S. military presence in Vietnam, the political justification for our present trade embargo would not be questioned by economic realities.

I ask unanimous consent that a summary of the Joint Economic Committee report be printed in the RECORD at this point.

The PRESIDING OFFICER. The report will be received and printed, as requested by the Senator from Wisconsin.

SUMMARY OF JOINT ECONOMIC COMMITTEE'S REPORT ON MAINLAND CHINESE ECONOMY

GATHERING STATISTICAL DATA

Any serious study of the Chinese economy must first be footnoted with a word of caution about the difficulty in gathering accurate data. This is not a problem unique to China, for we have the same difficulty with other "lesser-developed countries." However, the problem is compounded in China by the fact that the Chinese State Statistical Bureau ceased publishing official data in 1961. In 1961, when she was in economic depression and the "Great Leap Forward" created incredible economic confusion, it was thought that they withheld information to "save face." However, most witnesses agreed that the policy has been continued regardless of the prevailing economic condition.

There is a problem in measuring population, translating this uncertain population figure into an estimate of per capita daily caloric consumption, (in estimating food production) and calculating agricultural and industrial output. In spite of these difficulties in making satisfying and reliable estimates, and granting the frequent discrepancies in the estimates made by various China experts, both at home and abroad, it is still fair to conclude that we do know quite a bit about Communist China.

DOMESTIC ECONOMY

One of the most striking features about the performance of the Chinese economy has been its unevenness. Leaving aside the period from 1949–52, devoted largely to bringing economic law and order to the war-torn mainland, most experts estimated that the average growth rate for the period of 1952–66 was approximately 4–5 percent. Yet the deviations from the average were enormous. The 1952–57 period was marked by strong economic rationality and relatively little ideological interference; in 1958 the regime undertook a new push for greater ideological purity—"the Great Leap Forward" which resulted in economic disaster; by 1962 the regime returned to a more rational approach to economic planning. In recent months we have seen another possible swing to stricter orthodoxy. Although official Chinese reports state that the economy has not been seriously disrupted, it is still too early to tell.

Agriculture

Agricultural production and per capita food consumption statistics are sometimes conflicting, but combining estimates with eyewitness reports, the image projected over the last two or three years is one of both amply supply and distribution of food with no widespread hunger. When comparing famines during pre-Communist regimes, for example in 1926 when 20 million people died, with the 1959–61 famine, we find there has been some malnutrition but no authentic reports of starvation.

However, there is no doubt that agriculture, which accounts for 81 percent of China's economic activity, has been and continues to be the weak spot in her economy. She has only 7.8 percent of the world's cultivated land to feed nearly 25 percent of the world's population. Her biggest frustration is her "brown thumb," for almost everywhere Communists have managed either to reduce agricultural production or at least to keep it from growing as it might reasonably have been expected. In spite of the tolerable food situation, agricultural failures have affected the entire economy, thus accounting in large part for China's inability to increase imports of industrial machinery.

The Committee was told that the Chinese have attempted to maintain a level of approximately 2,000 calories per day per capita. Just how well they have met this target is one of the points on which the statistical information is contradictory. Calories are, of course, not the ultimate criteria of nutrition. Whereas these estimates, relying on a common denominator for food sufficiency, concentrate on per capita grain supplies, there are said to have been very large gains in the supplies of eggs, vegetables, fruit, poultry and meat.

Chinese economic planners have been confronted by two alternatives in their drive to expand agricultural production: 1) extend the cultivated areas or 2) seek to increase the yield of the acreage now in use by application of modern intensive farm methods. Faced with this dilemma, the government has chosen the second alternative, and in particular has favored the most productive and stable areas. This policy may simply be good economics, but it was also suggested as a consequence of the growth in provincial autonomy.

In addition to agricultural problems, China has been plagued by medical and educational problems. However, the Committee was told that no meaningful survey of recent economic performance in China dare neglect reference to the remarkable gains she has made in education, medicine, public health and scientific research.

Education and medical

The number of children and young adults in full-time educational institutions today is 5 to 7 times the school enrollment in 1949. The enrollment of over 10 million children in secondary schools is 10 times that of the 1 million in 1949. College age students number about 1 million. Statistics on the numbers involved in the educational process do not tell us very much, of course, without some evaluation of the quality and substances of the educational activity. Certainly it stands to reason that an authoritarian regime, engaged in a "great cultural revolution," must have some strong ideas about what is, or is not, "culture." Scientific and non-ideological education may be presented accurately, but we do know what neither Chinese industries nor schools are viewed as purely economic or efficiently oriented units.

China's gain in medical and related public health fields has also been attested by many recent visitors to China. The Committee was told that the infant mortality rate has dropped until it is now comparable to Can-

ada's rate! Cholera, small pox, typhoid, typhus have almost been eliminated. A member of the U.S. Public Health Service stated a few years ago that the "prevention and control of many infections which had ravaged China for generations was a most startling accomplishment." It was also reported that because China had been plagued by large and frequent epidemics, the government had gone to great lengths to enlighten the entire population on health and sanitation consciousness through intensive radio propaganda.

Industry

China has made great strides in improving the industrial sector of her economy. The Committee was told that industrial production rose on the average by 11 percent between 1949–65 and by 20 percent in 1966. If the 1966 claim is at all accurate, the industrial production index is at least 350 right now, a record few impoverished countries can claim. And in order to support industrial and agricultural gains, Chinese capital investment in electrical power, chemical fertilizers and textiles has amounted to 20–25 percent of her GNP, an unusually high investment rate for an underdeveloped country.

The Committee was told that increased investment in electrical power has enabled China to modernize industries by equipping them with more electric-driven machinery. The nuclear energy program is a good example. The Chinese Communist newspapers also have frequently disclosed that in the steel industry more and more electric converters are being used to produce quality steel and alloys.

Another example is the rapidly expanding chemical fertilizer industry, in which synthetic ammonia is produced by the electrolysis method. It was estimated that Chinese production combined with Japanese imports of chemical fertilizers has enabled the central government to supply the agricultural sector with 3 times the 1957 amount of chemical fertilizers.

The textile industry was the largest branch in the whole industrial sector during the 1950's and perhaps still is now. Increased investment in textiles, particularly cotton, has enabled the Chinese to export to Malaysia, Singapore and Hong Kong.

As one witness put it, China is a "muscle-bound giant", with unleashed potential. She is one of the four top producers in the world of coal, iron ore, mercury, tin, tungsten, magnetite, salt and antimony. She is self-sufficient in oil, as a result of discoveries at the Tach-ing oil field and she has offered to export oil to Japan; her coal resources are good for at least a century. She has also made progress in warding off natural disasters in irrigation, flood control and water conservation.

DOMESTIC POLICY

Ideological effects on industry and agriculture

Ideological shifts have been among the most significant variables in both industrial and agricultural performance in China. They have affected industrial management in four main ways:

1. The question of who makes the decision in a factory: the "Reds-versus-experts" dilemma.

2. The method for motivating workers: morali stimuli versus material incentives, such as piece rate systems, bonuses and significant pay scale differentials.

3. The method for eliminating class distinctions: forcing management personnel to spend one or two days per week in physical labor and promoting the worker to participation in management decisions.

4. The amount of time spent on the job in political education and ideological indoctrination.

Agriculture has also been affected by ideological shifts. At first, agricultural production was spurred largely by stimulating peasant productivity through traditional material incentives—peasants maintaining their own private plots and rural markets operataing freely. During the "Great Leap Forward" plots and markets were eliminated and commune movements were undertaken. This tremendous dislocation brought disastrous results, and so material incentives and private plots were quickly reintroduced. Agricultural prices were allowed to rise and peasants received more income from the commune and their private plots. There is reason to believe, now, that the central government may have considerable difficulty in convincing the provincial leaders that another try at revolution in agriculture is desirable. However, interference by the Red Guards and central government is clearly meeting with local and regional resistance.

It is significant to point out the degree of autonomy the provinces have in determining economic performance; this has brought into question the central regime's ability to effectuate major changes in policy. However, several witnesses cautioned against concluding that all political interference and ideological indoctrination has been detrimental. Used in moderation, Maoist-Marxist ideological teaching, working through a more equal distribution of income, the absence of a distinct privileged class and a strong emphasis on moral incentives have tended to give China a more manageable labor force and more manageable economy than that of some of its Asian neighbors.

FOREIGN TRADE

Foreign trade has played a significant role in China's economic growth, as a highway for the transmittal of new technology, new goods, and new methods of production.

During the early 1950's, the pattern of China's trade closely resembled that of most other underdeveloped countries, consisting mainly of the export of domestic agricultural and mineral products, supplemented by some finished textiles. These were, in turn, exchanged for machinery and specific types of raw materials, unavailable at home, and required for processing by domestic industrial plants. China's principal trading partner in the early 1950's was determined by ideology preference: the U.S.S.R. who accounted for over 70% of China's external trade. Imports of machinery from the U.S.S.R. ran as high as $500–600 million per year.

During the present decade, the pattern of China's trade has changed dramatically. This is attributable to two main factors: the collapse of the "Great Leap Forward" in 1958–60, and the Sino-Soviet split in 1956.

Dislocations caused by the "Great Leap Forward" reduced the dometsic food supply, so that industrial goods imports were compressed sharply while food imports, constituting 30–40% of total imports, were increased. However, rice, vegetables, processed foods and meat products continued to be exported to balance the grain import costs. Textiles also remained a dependable earner of foreign exchange. The principal contribution of imports in the early '60s was maintenance of economic and political stability, during the agricultural disasters and during the political splinterings that occurred between the U.S.S.R. and China.

By 1965 China was able to repay the U.S.S.R. over $500 million in total outstanding debts, and thus, she became a net capital exporter, with approximately $400 million in foreign exchange reserves, a situation quite unique for an "underdeveloped" country.

By 1965 we find that the orientation of China's foreign trade has been reversed completely with the result that non-Communist countries now account for over 70% of her $4.16 billion foreign trade. Except for the U.S.S.R., which ranks third, China's chief trading partners, in descending order, are: Japan, Britain (through Hong Kong), West Germany, France, Canada, Australia and Italy. Most conspicuous at present are China's growing imports of advanced types of production equipment from our allies, including complete "turn-key" plants embodying new technologies. The industries for which such plants have recently been purchased include: oil refining, synthetic ammonia, urea, industrial alcohol, synthetic fibres, acetylene, wire-drawing, tubes and pipes, glass, and a cold strip steel rolling mill. The importation of these plants is often accompanied by the arrival of technicians who help with the installation and testing of the purchased equipment. It was thought that if the Chinese continue their current agricultural investments in chemical fertilizers they should be able to continue the approximately 3 percent annual increase in agricultural production—and grain imports from the West should decline sharply in 1967.

Let us now look briefly at the structure of China's trade—with whom she trades:

1. Japan. Sino-Japanese trade is based on barter-not foreign exchange. Chinese exports consist of inputs for Japanese industrial production—iron ore, pig iron, coal and soybeans. Trade between the two has increased by more than 35% in the first six months of 1966.

2. Western Europe. (including Great Britain). Trade has not increased as rapidly here as it has with Japan; however, the statistics are still quite significant. In 1964, 1965 and the first half of 1966, China's exports to Western Europe increased by approximately 30 percent annually, but China's imports of chemical fertilizers and industrial plants increased even more rapidly. In order to finance the approximately $50 million import surplus in trade with Western Europe and the large scale grain imports from Canada, Australia and Argentina, China has earned sterling in trade with Hong Kong, Malaysia and Singapore.

3. Hong Kong, Malaysia and Singapore. It is by exporting to these three countries that China has been able to build up its sterling reserve, which in 1965, reached almost $500 million.

China has earned an excellent credit rating during the last 17 years and many firms in the non-Communist countries desire to increase their exports, including complete industrial plants, to China on long-term credit. China has not yet sought long-term credit but should be able to obtain it, if and when it is desired. For if her needs for extensive modernization in such areas as metallurgy, chemical production, machine-building, and transportation continue at their present rate, the Chinese market for production equipment and technical know-how from the West will continue to expand.

The hopeful outcome of this situation may be the basis of a possible change in political attitudes of the Chinese leaders toward the Western world. Despite the fact that the Chinese government's attitude toward a foreign country is based on ideology and not trade or commercial benefits, it is hoped that: Trade with the outside world is probably the most promising way by which the Chinese will in time come to realize the actualities of the world around them and accept the inevitability of peaceful coexistence with the rest of us on a live and let-live basis.

VIETNAM

When examining China's military posture in light of her ability to actively engage in the Vietnam War, the witnesses concluded that her present, limited aid to North Vietnam can continue indefinitely without seriously disrupting her economy. Moreover, a build-up of aid would be economically feasible for China.

In contrast to the first Joint Economic Committee study on Chinese military potential, the testimonies given at the hearings lead to the conclusion that the problem in maintaining a steady domestic rate of growth and expanding a mighty military force does not lie in such a delicate balance. Her impressive economic achievements have enabled her to modernize military equip-

ment, advance her nuclear capability and perhaps now equal the Soviet Union's military posture of the 1950's. China's military budget in 1965 was placed at $8 billion or about 10 percent of her $90–100 billion GNP. With a population of over 700 million, China has an army of more than 2 million, of which she could mobilize from 70 to 100 divisions, costing her about $2 billion per year.

There is little doubt that, assuming no chaotic internal breakdown, China can support a major involvement in a border war. However, this is not to say that she can fight a guerrilla-type war serving as proxy for, say, the guerrilla forces in Vietnam. She can supply them, as she has already done by sending in engineering troops to assist in building and repair of roads, but, should she elect to send in a large number of troops, the entire character of the war would be changed from a guerrilla conflict to a more conventional war, in which United States firepower would be infinitely more effective than her own.

It was concluded that China's aid to North Vietnam is based on a defensive military posture, not an offensive one. Her immediate aim is to secure North Vietnam as a buffer state, similar to the Russian theory in Europe of having as many buffer states around her as possible and proselytizing whenever possible to convert them to Communism.

When asked whether or not the rice surpluses in Southeast Asia would justify Chinese military expansion, the general conclusion was that China could get rice far more effectively by trade than by invasion. One witness suggested that the Chinese have had plenty of problems with their own peasantry and these problems would be a million times compounded with a conquered peasantry.

EMBARGO

The United States has maintained a unilateral embargo on trade with Mainland China since the Korean War. As we have already noted, despite this embargo, 70 percent of China's trade today is with our allies. Under these circumstances, our refusal to trade with China has been ineffective, since alternative trade relations with our allies have been readily available.

An overwhelming consensus among experts heard pointed to the conclusions that:

1. The American embargo on nonstrategic trade with China has accomplished very little in terms of retarding growth of the Chinese economy.

2. The embargo may have been detrimental to the longrun interests of the United States in its relations with its allies.

3. It would be a mistake, however, to assume that any relaxation of the embargo would result in a significant expansion of bilateral trade with the United States, so long as the United States has a large military presence in Asia, especially in Vietnam.

4. Hopefully, closer trade relations between China, the United States and the major non-Communist industrial nations could significantly contribute to integrating China into the world international system through eroding many of the simpler ideological components with which an isolated China must view world trade and politics.

5. Since the embargo policy is not warranted on economic grounds, its continuation must be weighed as a part of our international political policy.

Since the economic case for an embargo appears on the evidence of these experts rather unpersuasive, the American people and policymakers might consider re-evaluation of our total embargo policy, which the rest of the world regards as a "symbol of our policy to isolate China." Except for keeping Peking out of the United Nations and other international bodies, it has certainly not isolated it, as the economic record shows only too clearly.

BILLS INTRODUCED

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

By Mr. DOMINICK:

S. 1966. A bill for the relief of Sgt. Walter Spillman, U.S. Army; and

S. 1967. A bill for the relief of Katherine E. Baab; to the Committee on the Judiciary.

By Mr. HOLLAND:

S. 1968. A bill for the relief of Dr. Jose Ernesto Garcia y Tojar; to the Committee on the Judiciary.

By Mr. HART:

S. 1969. A bill for the relief of Dr. Oscar Calimag Tumacder and his wife, Dr. Thelma Tumacder; and

S. 1970. A bill for the relief of Dr. Sudarsan Misra; to the Committee on the Judiciary.

By Mr. MOSS:

S. 1971. A bill to amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans to certain cooperatives serving farmers and rural residents, and for other purposes; to the Committee on Banking and Currency.

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

By Mr. NELSON:

S. 1972. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Emigrant New York Indians in Indian Claims Commission Docket No. 75, and for other purposes; to the Committee on Interior and Insular Affairs.

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

FHA LOANS FOR FARM COOPERATIVES

Mr. MOSS. Mr. President, there is a credit gap in the present loan authority of the Farmers Home Administration which I feel should be closed. It is keeping many worthy farm cooperatives from borrowing the money they need to expand and improve.

As we all know, the Farmers Home Administration has full authority to make or insure loans to rural nonprofit groups. These loans can be used to improve or establish grazing associations, to establish recreation associations, or to undertake water or sewer projects.

But a rural cooperative—that is a cooperative organized to provide processing, organized purchasing, or marketing service—is not eligible for such a loan unless it is in the so-called poverty class—unless two-thirds of its families are living on incomes of less than $3,000 a year. Then the cooperative is eligible under certain loan authorizations of the Economic Opportunity Act which the FHA administers.

There are undoubtedly many rural cooperatives in the country which have sufficient equity, experience, and access to capital so that they do not need to apply to FHA for economic opportunity loans.

But there are other cooperatives which fall below this level of affluence, yet cannot qualify under the poverty category. They exist in a credit gap and it is primarily to close this gap that I am introducing a bill today.

This is, however, a general bill. Under it the Secretary of Agriculture may make or insure loans to all local cooperative associations which furnish to farmers and rural residents services and facilities for harvesting, storing, processing and transporting or marketing agricultural products, or consumer-purchasing services, or who process and market products for farmers or rural residents.

The loans may be used to organize and establish an association, to acquire necessary land, buildings or equipment, or to repair, expand or enlarge such services and facilities. In establishing a cooperative, the applicant must be able to certify, of course, that there is a need for the services and facilities in the community which is not now being met.

During the years the Farm Security Administration was in existence a large number of farm cooperatives were financed and inaugurated throughout the country. A number were established in Utah, and early in the 1940's the Utah Cooperative Association which has a $4.5 million annual volume of business and nearly 40 employees, was granted a lifesaving loan by the FSA.

These loans were made at a time when no other financing was available. There is no question that they not only launched many cooperatives, but kept others afloat.

But the successor agency to FSA, the Farmers Home Administration, has no authority to make loans to farm cooperatives, short of the authority in the poverty program. Only one loan has been made in recent years to a Utah cooperative—the Castle Valley Cooperative at Huntington. This was a $40,000 FHA loan, repayable over a 30-year term at 4½ percent interest. The loan is considered financially sound, and is backed by excellent collateral and a fine 5-year period of consistent sales growth with good net earnings.

Other cooperatives who have sought loans have had to get them elsewhere and they are paying high rates of interest. Eight percent simple interest is common and on the low side. Some cooperatives, I am told, are paying 10 percent simple interest, and a few are paying as high as 12 percent simple interest for short-term operating loans, fully secured by inventories, receivables, and real estate.

The only way an agricultural business enterprise can succeed when paying interest of this type is to have superior management, abounding good luck, and the guiding hand of providence. Only time will tell whether cooperatives in question possess all three.

However, there is no doubt that if these cooperatives could have borrowed funds at FHA interest rate levels, their chances of survival would be much greater. And it is certain that their net income would be higher. It has been estimated that the agricultural cooperatives within the Utah Cooperative Association alone would earn between $75,000 to $100,000 more annually under FHA interest rates than under the higher interest rates they are now having to pay.

Agriculture is becoming more and more marginal in Utah every year, and more and more of our farmers are leaving the land. Our water scarcity, and the high cost of water which is available, together with the high freight rates which plague all of the West, make our operations more

difficult than they are in some other areas. I am sure this is also true in many other Western and Southwestern States.

In my opinion, Mr. President, we should be doing everything we can to keep our farm cooperatives healthy and afloat. They are a sound instrument through which farmers can help themselves and gain a greater measure of independence from the Federal Government.

It is the announced policy of the Department of Agriculture, as stated by Secretary Freeman, that the Federal Government shall sponsor, support and aid in the development of agricultural cooperatives. This policy received an interesting interpretation in the Kiplinger Agricultural Letter of March 24, 1967:

> Government is in the process of disconnecting itself from agriculture—commercial agriculture—gradually trying to ease out of its commitments. Farmers must do more for *themselves*—without so much government help.
>
> Cooperatives are to be built up, in a way, to replace government as the biggest single influence in farm affairs—gradually but surely. Co-ops and farm trade associations are to take over government price functions.
>
> It (government) will make a point of encouraging farmers to support the co-ops or form news ones or farm trade associations to perform many of the functions now handled by the USDA—involving both production goals and marketing.

Whether every nuance in this prediction is true or not, it is certainly clear that the farm cooperatives do offer the many American farmers who seek to lessen the influence of the Federal Government in their affairs a way of so doing without losing many of the benefits they now have.

And, I think it follows logically that we should do everything possible to strengthen the farm cooperatives we already have, and ease the way for new ones to be formed. One of the best ways is to assure low-cost financing.

Mr. W. B. Robins, president of the Utah Council of Farmers Co-ops, says frankly:

> I believe without question that Utah farmers will be in the toughest spot in history unless we find ways to strengthen the genuine cooperatives now operating in the State, including UCA and its member cooperatives. And we must organize new ones. I believe if we do this, primarily through making available low cost, sound loans, that we can move a long way toward keeping Utah farmers on the land.

This same situation prevails, I am confident, in many other sections of the country.

Mr. President, I send to the desk a bill to amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans to certain cooperatives serving farmers and rural residents, and for other purposes, and ask that it be appropriately referred.

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

The bill (S. 1971) to amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans to certain cooperatives serving farmers and rural residents, and for other purposes, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Banking and Currency.

DISPOSITION OF FUNDS APPROPRIATED IN FAVOR OF THE EMIGRANT NEW YORK INDIANS

Mr. NELSON. Mr. President, I am today introducing legislation to provide for the disposition of funds appropriated by Congress to pay a judgment in favor of the Emigrant New York Indians in Indian Claims Commission docket No. 75, and for other purposes.

On October 14, 1966, the U.S. Court of Claims upheld the award by the Indian Claims Commission of $1,313,473 to the Emigrant New York Indians in compensation for Wisconsin lands of which they were unjustly deprived in 1832. The Indians in question are members of various New York Iroquois tribes which in 1822, with the full encouragement, assistance, and approval of the U.S. Government, concluded a treaty with the Menominee Tribe of Wisconsin for one-half interest in approximately 4 million acres of land in the vicinity of Green Bay. The New York Indians subsequently sold their eastern holdings and settled on their new Wisconsin lands.

In 1831 and 1832 the Menominee Tribe ceded to the United States a large portion of their lands, including the 4 million acres sold to the Emigrant New York Indians. The latter were not a party to this treaty and protested strongly. Under threats that they would be deprived of all their lands, they were forced to accept a reserve of 569,120 acres for their exclusive use. The $1,313,473 final judgment awarded the Emigrant New York Indians represents the value of their one-half interest in the 4 million acres less certain offsets, including the value of the lands received in exchange. The Emigrant New York Indians today include the Oneida Tribe of Indians of Wisconsin, members of the Stockbridge-Munsee Indian Community of Wisconsin, and Brotherton Indians of Wisconsin of at least one-fourth degree Emigrant New York Indian blood.

The funds for this judgment have already been approved by title XIII of Public Law 90–21, the Second Supplemental Appropriation Act for 1967. My bill simply provides, according to standard and equitable practice, for the disposition of these funds to the Emigrant Indian tribes. It is thus only a routine measure, the necessary final step toward righting an old injustice. I urge the bill's immediate adoption.

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

The bill (S. 1972) to provide for the disposition of funds appropriated to pay a judgment in favor of the Emigrant New York Indians in Indian Claims Commission docket No. 75, and for other purposes, introduced by Mr. NELSON, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

NOTICE OF HEARINGS ON BILL TO CREATE A NATIONAL SCIENCE FOUNDATION

Mr. HARRIS. Mr. President, I wish to announce that the Subcommittee on Government Research of the Senate Committee on Government Operations will hold hearings tomorrow, Tuesday, June 20, 1967, at 8 a.m. in room 1318 of the New Senate Office Building in the further consideration of the bill to create a National Social Science Foundation.

NOTICE OF HEARINGS ON FEDERAL JURY SELECTION BILLS—S. 383, S. 384, S. 385, S. 386, S. 387, S. 989, AND S. 1319

Mr. SMATHERS. Mr. President, on behalf of Senator TYDINGS, the chairman of the Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, who is ill today, I wish to announce a second set of hearings for the consideration of S. 383, S. 384, S. 385, S. 386, S. 387, S. 989, and S. 1319. These bills would provide improved judicial machinery for the selection of Federal juries.

The hearings will be held at 9:30 a.m., on Wednesday, June 28, 1967, in the District of Columbia Committee hearing room, room 6226, New Senate Office Building.

Any person who wishes to testify or submit a statement for inclusion in the record should communicate as soon as possible with the Subcommittee on Improvements in Judicial Machinery, room 6306, New Senate Office Building.

NOTICE OF HEARING ON THE FEDERAL JUDICIAL CENTER—S. 915

Mr. TYDINGS. Mr. President, as chairman of the Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, I wish to announce a hearing for the consideration of S. 915. This bill would provide for the establishment of a Federal Judicial Center.

The hearing will be held at 10:30 a.m., on June 22, 1967, in the District of Columbia Committee hearing room, room 6226, New Senate Office Building.

Any person who wishes to testify or submit a statement for inclusion in the record should communicate as soon as possible with the Subcommittee on Improvements in Judicial Machinery, room 6306, New Senate Office Building.

NOTICE OF RESCHEDULING OF HEARING ON THE REVOLVING CREDIT ASPECTS OF S. 5, THE TRUTH-IN-LENDING BILL

Mr. SPARKMAN. Mr. President, I should like to announce that the Committee on Banking and Currency has rescheduled its hearing on the revolving credit aspects of the truth-in-lending bill, S. 5.

The hearing, which was originally scheduled for 3 p.m. on Tuesday, June 20, has now been rescheduled for Friday, June 23, 1967, at 10 a.m.

NOTICE OF CANCELLATION OF HEARINGS ON S. 1299, MARGIN REQUIREMENTS FOR SECURITIES TRANSACTIONS

Mr. SPARKMAN. Mr. President, I should like to announce that the Committee on Banking and Currency has canceled the hearing to be held on Thursday, July 13, on the bill S. 1299, to amend the Securities Exchange Act of 1934 to permit regulation of the amount of credit that may be extended and maintained with respect to securities that are not registered on a national securities exchange.

This hearing will be rescheduled at a later date at which time notice will be given.

NOTICE OF RESCHEDULING OF HEARINGS ON S. 1659, INVESTMENT COMPANY AMENDMENTS ACT OF 1967

Mr. SPARKMAN. Mr. President, I should like to announce that the Committee on Banking and Currency has rescheduled its hearings on S. 1659, the Investment Company Amendment Act of 1967.

These hearings, which were to be held on June 21 through June 23, have now been scheduled to begin on Monday, July 31, 1967.

NOTICE OF CANCELLATION OF HEARINGS ON SENATE JOINT RESOLUTION 75, RESTRICTIVE TRADE PRACTICES OF BOYCOTTS

Mr. MUSKIE. Mr. President, I should like to announce that the Subcommittee on International Finance of the Committee on Banking and Currency has canceled the hearings to begin July 6, 1967, on Senate Joint Resolution 75 which would authorize the Banking and Currency Committee to study the effectiveness of present law in protecting the U.S. trade and businesses against adverse effects from restrictive trade practices or boycotts imposed by foreign countries against other countries friendly to the United States.

These hearings will be rescheduled at a later date at which time notice will be given.

THE PRESIDENT AND FOREIGN POLICY

Mr. MANSFIELD. Mr. President, President Johnson made a most important foreign policy speech this morning. It was a statement which was reasonable in tone and which placed the initiative on the Middle East states themselves to act to bring the situation into peaceful focus. In this speech, the President has made clear that he maintains a flexible position designed to be of assistance in any way by which a peaceful settlement might be achieved in that area.

In effect, what he did was to outline possibilities for the United Nations to discuss and consider; and, if I interpret correctly, it indicated to me that he is willing to meet with Premier Kosygin while he is in this country if Mr. Kosygin desires such a meeting.

Mr. President, I ask unanimous consent that the President's speech be printed in the RECORD.

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

REMARKS OF THE PRESIDENT AT THE FOREIGN POLICY CONFERENCE FOR EDUCATORS, STATE DEPARTMENT

Secretary Rusk, Ladies and Gentlemen:

I welcome the chance to share with you this morning a few reflections of American foreign policy, as I have shared my thoughts in recent weeks with representatives of labor and business, and with other leaders of our society.

During the past weekend at Camp David—where I met and talked with America's good friend, Prime Minister Holt of Australia, I thought of the General Assembly debate on the Middle East that opens today in New York.

But I thought also of the events of the past year in other continents in the world. I thought of the future—both in the Middle East, and in other areas of American interest in the world and in places that concern all of us.

So this morning I want to give you my estimate of the prospects for peace, and the hopes for progress, in these various regions of the world.

I shall speak first of our own hemisphere, then of Europe, the Soviet Union, Africa and Asia, and lastly of the two areas that concern us most at this hour—Vietnam and the Middle East.

Let me begin with the Americas.

Last April I met with my fellow American Presidents in Punta del Este. It was an encouraging experience for me, as I believe it was for the other leaders of Latin America. For they made, there at Punta del Este, the historic decision to move toward the economic integration of Latin America.

In my judgment, their decision is as important as any that they have taken since they became independent more than a century and a half ago.

The men I met with know that the needs of their 220 million people require them to modernize their economies and expand their trade. I promised that I would ask our people to cooperate in those efforts, and in giving new force to our great common enterprise, which we take great pride in, the Alliance for Progress.

One meeting of chiefs of state, of course, cannot transform a continent. But where leaders are willing to face their problems candidly, and where they are ready to join in meeting them responsibly, there can be only hope for the future.

The nations of the developed world—and I am speaking now principally of the Atlantic Alliance and Japan—have in this past year, I think, made good progress in meeting their common problems and their common responsibilities.

I have met with a number of statesmen—Prime Minister Lester Pearson in Canada just a few days ago, and the leaders of Europe shortly before that. We discussed many of the issues that we face together.

We are consulting to good effect on how to limit the spread of nuclear weapons.

We have completed the Kennedy Round of tariff negotiations, in a healthy spirit of partnership, and we are examining together the vital question of monetary reform.

We have reorganized the integrated NATO defense, with its new headquarters in Belgium.

We have reached agreement on the crucial question of maintaining allied military strength in Germany.

Finally, we have worked together—although not yet with sufficient resources—to help the less developed countries deal with their problems of hunger and over population.

We have not, by any means, settled all the issues that face us, either among ourselves or with other nations. But there is less cause to lament what has not been done, than to take heart from what has been done.

You know of my personal interest in improving relations with the Western world and the nations of Eastern Europe.

I believe the patient course we are pursuing toward those nations is vital to the security of our nation.

Through cultural exchanges and civil air agreements, through consular and outer space treaties, through what we hope will soon become a treaty for the nonproliferation of nuclear weapons, and also, if they will join us, an agreement on anti-ballistic missiles.

We have tried to enlarge, and have made great progress in enlarging, the arena of common action with the Soviet Union.

Our purpose is to narrow our differences where they can be narrowed, and thus to help secure peace in the world for the future generations. It will be a long slow task, we realize. There will be setbacks and discouragements. But it is, we think, the only rational policy for them and for us.

In Africa, as in Asia, we have encouraged the nations of the region in their efforts to join in cooperative attacks on the problems that each of them faces: economic stagnation, poverty, hunger, disease, and ignorance. Under Secretary Nicholas Katzenbach just reported to me last week on his recent extended trip throughout Africa. He described to me the many problems and the many opportunities that exist in that continent.

Africa is moving rapidly from the colonial past toward freedom and dignity. She is in the long and difficult travail of building nations. Her proud people are determined to make a new Africa, according to their own lights.

They are now creating institutions for political and economic cooperation. They have set great tasks for themselves—whose accomplishments will require years of struglge and sacrifice.

We very much want that struggle to succeed, and we want to be responsive to the efforts that they are making on their own behalf.

I can give personal testimony to the new spirit that is abroad in Africa, from Under Secretary Katzenbach's report, and from Asia, from my own travels and experience there. In Asia my experience demonstrated to me a new spirit of confidence in that area of the world. Everywhere I traveled last autumn, from the conference in Manila to other countries of the region, I found the conviction that Asians can work with Asians to create better conditions of life in every country. Fear has now given way to hope in millions of hearts.

Asia's immense human problems remain, of course. Not all countries have moved ahead as rapidly as Thailand, Korea, and the Republic of China. But most of them are now on a promising track, and Japan is taking a welcome role in helping her fellow Asians toward much more rapid development.

A free Indonesia—the world's fifth largest nation, a land of more than 100 million people—is now struggling to rebuild, to reconstruct and reform its national life. This will require the understanding and the support of the entire international community.

We maintain our dialogue with the authorities in Peking, in preparation for the day when they will be ready to live at peace with the rest of the world.

I regret that this morning I cannot report any major progress toward peace in Vietnam.

I can promise you that we have tried every possible way to bring about either discus-

sions between the opposing sides, or a practical de-escalation of the violence itself.

Thus far there has been no serious response from the other side.

We are ready—and we have long been ready—to engage in a mutual de-escalation of the fighting. But we cannot stop only half the war, nor can we abandon our commitment to the people of South Vietnam as long as the enemy attacks and fights on. And so long as North Vietnam attempts to seize South Vietnam by force, we must, and we will, block its efforts—so that the people of South Vietnam can determine their own future in peace.

We would very much like to see the day come—and come soon—when we can cooperate with all the nations of the region, including North Vietnam, in healing the wounds of a war that has continued, we think, for far too long. When the aggression ends, then that day will follow.

Now, finally, let me turn to the Middle East—and to the tumultuous events of the past months.

Those events have proved the wisdom of five great principles of peace in the region.

The first and greatest principle is that every nation in the area has a fundamental right to live, and to have this right respected by its neighbors.

For the people of the Middle East, the path to hope does not lie in threats to end the life of any nation. Such threats have become a burden to the peace, not only of that region but a burden to the peace of the entire world.

In the same way, no nation would be true to the United Nations Charter, or to its own true interests, if it should permit military success to blind it to the facts that its neighbors have rights and its neighbors have interests of their own. Each nation, therefore, must accept the right of others to live.

This last month, I think, shows us another basic requirement for settlement. It is a human requirement: Justice for the refugees.

A new conflict has brought new homelessness. The nations of the Middle East must at last address themselves to the plight of those who have been displaced by wars. In the past, both sides have resisted the best efforts of outside mediators to restore the victims of conflict to their homes, or to find them other proper places to live and work. There will be no peace for any party in the Middle East unless this problem is attacked with new energy by all, and, certainly, primarily by those who are immediately concerned.

A third lesson from this last month is that maritime rights must be respected. Our Nation has long been committed to free maritime passage through international waterways, and we, along with other nations, were taking the necessary steps to implement this principle when hostilities exploded. If a single act of folly was more responsibile for this explosion than any other, I think it was the arbitrary and dangerous announced decision that the Straits of Tiran would be closed. The right of innocent maritime passage must be preserved for all nations.

Fourth, this last conflict has demonstrated the danger of the Middle Eastern arms race of the last 12 years. Here the responsibility must rest not only on those in the area—but upon the larger states outside the area. We believe that scarce resources could be used much better for technical and economic development. We have always opposed this arms race, and our own military shipments to the area have consequently been severely limited.

Now the waste and futility of the arms race must be apparent to all the peoples of the world. And now there is another moment of choice. The United States of America, for its part, will use every resource of diplomacy, and every counsel of reason and prudence, to try to find a better course.

As a beginning, I should like to propose that the United Nations immediately call upon all of its members to report all shipments of all military arms into this area, and to keep those shipments on file for all the peoples of the world to observe.

Fifth, the crisis underlines the importance of respect for political independence and territorial integrity of all the states of the area. We reaffirmed that principle at the height of this crisis. We reaffirm it again today on behalf of all. This principle can be effective in the Middle East only on the basis of peace between the parties. The nations of the region have had only fragile and violated truce lines for 20 years. What they now need are recognized boundaries and other arrangements that will give them security against terror, destruction and war. Further, there just must be adequate recognition of the special interest of three great religions in the holy places of Jerusalem.

These five principles are not new, but we do think they are fundamental. Taken together, they point the way from uncertain armistice to durable peace. We believe there must be progress toward all of them if there is to be progress toward any.

There are some who have urged, as a single, simple solution, an immediate return to the situation as it was on June 4. As our distinguished and able Ambassador, Mr. Arthur Goldberg, has already said, this is not a prescription for peace, but for renewed hostilities.

Certainly troops must be withdrawn, but there must also be recognized rights of national life—progress in solving the refugee problem—freedom of innocent maritime passage—limitation of the arms race—and respect for political independence and territorial integrity.

But who will make this peace where all others have failed for 20 years or more?

Clearly the parties to the conflict must be the parties to the peace. Sooner or later it is they who must make a settlement in the area. It is hard to see how it is possible for nations to live together in peace if they cannot learn to reason together.

But we must still ask, who can help them? Some say, it should be the United Nations, some call for the use of other parties. We have been first in our support of effective peace-keeping in the United Nations, and we also recognize the great values to come from mediation.

We are ready this morning to see any method tried, and we believe that none should be excluded altogether. Perhaps all of them will be useful and all will be needed.

I issue an appeal to all to adopt no rigid view on these matters. I offer assurance to all that this Government of ours, the Government of the United States, will do its part for peace in every forum, at every level, at every hour.

Yet there is no escape from this fact: the main responsibility for the peace of the region depends upon its own peoples and its own leaders of that region. What will be truly decisive in the Middle East will be what is said and what is done by those who live in the Middle East.

They can seek another arms race, if they have not profited from the experience of this one, if they want to. But they will seek it at a terrible cost to their own people—and to their very long-neglected human needs. They can live on a diet of hate—though only at the cost of hatred in return. Or they can move toward peace with one another.

The world this morning is watching, watching for the peace of the world, because that is really what is at stake. It will look for patience and justice—it will look for humility—and moral courage. It will look for signs of movement from prejudice and the emotional chaos of conflict—to the gradual, slow shaping steps that lead to learning to live together and learning to help mold and shape peace in the area and in the world.

The Middle East is rich in history, rich in its people and in its resources. It has no need to live in permanent civil war. It has the power to build its own life, as one of the prosperous regions of the world in which we live.

If the nations of the Middle East will turn toward the works of peace, they can count with confidence upon the friendship, and the help, of all the people of the United States of America.

In a climate of peace, we here will do our full share to help with a solution for the refugees. We here will do our full share in support of regional cooperation. We here will do our share, and do more, to see that the peaceful promise of nuclear energy is applied to the critical problem of desalting water and helping to make the deserts bloom.

Our country is committed—and we here reiterate that commitment today—to a peace that is based on five principles: first, the recognized right of national life; second, justice for the refugees; third, innocent maritime passage; fourth, limits on the wasteful and destructive arms race; and fifth, political independence and territorial integrity for all.

This is not a time for malice, but for magnanimity: not for propaganda, but for patience: not for vituperation, but for vision.

On the basis of peace, we offer our help to the people of the Middle East. That land, known to everyone of us since childhood as the birthplace of great religions and learning, can flourish once again in our time. We here in the United States shall do all in our power to help make it so.

Thank you.

FREEDOM OF BALANCED OPEN STUDENT FORUMS

Mr. MORSE. Mr. President, at this time, I would like to insert in the RECORD an excellent speech by the Honorable Frank P. Graham which he gave at the University of North Carolina on June 6, 1966. The speech is on the subject of the freedom of balanced open forums at the university and the State colleges of North Carolina.

Dr. Graham is one of the great Americans of our time. He is a former president of the University of North Carolina and a former U.S. Senator from the State of North Carolina. Since leaving the Senate, he has performed distinguished and dedicated work at the United Nations.

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

SOME OBSERVATIONS ON REPRESENTATIVE EPISODES IN THE HISTORY OF THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL IN HER FIRST AND BASIC CENTURY AS BACKGROUND FOR CONSIDERING THE ISSUE NOW IN THE COURTS REGARDING THE FREEDOM OF BALANCED OPEN STUDENT FORUMS IN THE PAST SPRING SEMESTER AND THE SEARCH FOR A COMMON GROUND IN THE CLARIFYING DECISION BY THE COURTS IN THEIR INDEPENDENT DISCRETION AND WISDOM

(Address at the University of North Carolina by Frank P. Graham)

THE CONTENT OF THE DIPLOMA

The diplomas you receive this day hold many things of substance and spirit. Contained therein are your mothers, fathers and families, here tonight and at home, who sacrificed that you might be here; the teachers and schoolmates of earlier years, who spurred you on your way here; the friendships of your college years precious beyond price; the spacious libraries which opened for you the

cultural treasures gathered from all ages and all lands; modern laboratories for testing old theories and finding new truths; discussions in dormitories, fraternities and in the shops and homes of the friendly folk of Chapel Hill; vigorous interchange in the student legislature and in the lively columns of the *Daily Tar Heel;* dialogues in classrooms with fellow students under the stimulus of professors distinguised in the world of scholarship, teaching and research; spiritual renewals at high levels in the comradeship of religious associations, ministers, priests and rabbis, as you reach upward with the towers and steeples of Chapel Hill toward the life of the spirit; sixteen years of your own hard scholastic work; your struggles and your deams; and not least of all, the people who founded, builded, endowed and supported this university for your years of all-round development here—all these are packed in the meaning of the diploma you receive tonight. May you ever be worthy of the noble name it bears as your *alma mater* for all time to come.

DEEPLY MINDFUL OF THE GREAT HISTORIES AND VALUES OF ALL COLLEGES AND UNIVERSITIES

Commencement day marks not only the real commencement of life's tests of the higher education of youth, but also the annual rebirth of America in the legions of youth who graduate from all the colleges and universities these June days in this land of hope and in this world of peril. We are deeply mindful of the great histories, struggles and values of all our sister colleges and universities, publicly supported, church related and privately endowed. On this night, as appropriate to this occasion, we confine ourselves to the heritage and hopes of this University in Chapel Hill.

This commencement occasion moves me to say to the Class of 1966, as you leave this place, that however far you may go on life's ways, *alma mater* will ever reach out across all the miles and years to hold you close in her great spirit. As on the playing field, so ever in the venturesome game of life she would have you play the game so hard and clean that if you lose, you will win something bigger than the game, and if you win, you will not lose something greater than the victory.

HER HERITAGE AND HOPES ARE PART OF YOUR HERITAGE AND HOPES

Since the heritage and hopes of this place have become a part of your own life, we will recall for you some bits of its early history and present hopes. To be unaware of the depth of our heritage is to impair the foundations of the height of our hopes.

In this American institution in North Carolina, in the forest of Orange, in Chapel Hill, voted by American universities for several decades to be at the front in the South, have been blended for you here traditions as old as the American Revolution, whose veterans founded this university, and hopes as young as the youth gathered here. In Chapel Hill are rock walls more ancient than the moss which covers them and historic halls more classic than the ivy which keeps them ever fresh with nature's own renewing life. In these surroundings of history and beauty, light and liberty, you have been challenged to stretch the mind to the height of your individual ability and to the depth of the inner person for nobler creations of the human spirit. It has become your responsibility to test thoroughly, to organize logically, to think and write clearly, and to judge fairly, and, with the opportunity, on your own initiative, to evaluate what is sound in your learning, honorable in your citizenship, true in your heritage, and best in our American hopes. Your college life has thus become not only the place for the joyous development of the whole personality and the wholesome life, but also the training ground for continuing your general learning, for increasing your special skills, and for participation in the civic affairs of your generation. The campus democracy will now deepen for you in the larger commonwealth as a more hopefully creative part in the adventurous business of making a nobler nation in the wider world, in need of the best which youth has to give to all mankind.

Foretold at Halifax in the revolutionary Constitution of 1776, chartered in Fayetteville in 1789, its cornerstone laid here by General William R. Davie on October 12th, 1793, and opened as the University of the people, January 15, 1795, six years before the next State University chartered in 1785, actually opened in 1801. The life of this university has been an embattled struggle from the last decade of the 18th century to the 6th decade of the 20th century. In each of the 43 generations of students, there have ever been loyal people, who, in the midst of the battles, have become sincerely concerned about the impact of the struggles upon the image of this university, reflected in the mirror of the times, as the university sought to prepare youth and the people for a freer and fairer life.

In the limits of this occasion we will take random glimpses of a few persons and episodes representative of the struggle in her now dimmer but not to be forgotten basic first century and her now latest more vivid year.

We catch a view of the first President, Joseph Caldwell, buried under the oaks on this campus, who, in the days of a highly valid but too exclusive emphasis on the classics, struggled to emphasize the no less valid meaning of science and to open for youthful minds glimpses of the then largely unexplored universe, when he brought from England and established in Chapel Hill the first astronomical observatory in any American University. He thus dimly foreshadowed the age of outer space, over whose explorations an alumnus of this University, James Webb, now presides in the leadership of venturesome pioneers, who, after glimpses in the Morehead Planetarium, blaze the hazardous trails in the infinite reaches of the expanding universe.

PRESIDENT CALDWELL AND TWO OF HIS STUDENTS, ARCHIBALD DE BOW MURPHEY AND JOHN MOTLEY MOREHEAD

During Caldwell's influential years at Chapel Hill there were at various times many most remarkable young men. One was Archibald de Bow Murphey, who drafted a plan for public education and state development, which, if the plan, on the grounds of its alleged radicalism, had not been rejected by privilege and reaction, would have placed North Carolina at the forefront of the American States, instead of for decades being called the "Rip Van Winkle of the States".

Another was John Motley Morehead, the first, who favored the gradual emancipation of the slaves, the right of free Negroes to vote, founded a college for women, and, as Governor, championed the establishment of a school for the blind and the building of the first railroad in North Carolina to connect the sharply divided east and west.

In vision and progress he was the forerunner of his grandson, John Motley Morehead, who was the builder of an industrial enterprise, which reaches across the world in this generation, and the founder of an endowment for excellence in scholarship at his *alma mater* which will reach across all the generations to come.

In the decades after Morehead's student days, when spending public funds for public elementary schools was considered a form of dangerous radicalism, it was on the groundwork of ideas laid by Murphey that sons of the University, Yancey, Hill and Cherry, led the fight for founding the first public schools in our State. When, under the pressures of the Civil War, it was proposed that the money for public schools be used in the war effort, another son, our first State Superintendent of Public Instruction, Calvin H. Wiley, successfully cried out against using up the seed corn of the State's future hopes.

UNDER PRESIDENT SWAIN THE LARGEST STUDENT BODY NEXT TO THAT OF YALE

In pre-Civil War years, under President Swain, attracted by her fame, there came to Chapel Hill from the wide region from Virginia to Texas, more students than were in any American college or university except Yale.

THE DISMISSAL OF PROFESSOR HEDRICK OF SALISBURY

It must be confessed that in the tense times of the approach toward the Civil War, a courageous University professor of chemistry, Ben Hedrick from Salisbury, favored the election of John C. Freemont, the first Republican candidate for President. He was wrongfully dismissed by the Trustees. Hinton Rowan Helper, a resident of Salisbury, had written "The Impending Crisis in the South", which, despite satistical fallacies, emphasized that slavery was a block to Southern progress and a heavy load on the back of the vast majority of the Southern people. Because of widespread demands, joined in by some University alumni, he left the State under the intolerance of the law to ban the book.

THE VOTE AGAINST SECESSION AND THE LATER STAND AGAINST INVASION OF THE SOUTH

After the States in the lower South had seceded, many sons of this university led the people of North Carolina in voting against secession. However, when the call came for the invasion of the Southern States by Federal armies, North Carolina joined the Confederacy and provided more soldiers than any other state. The sons of this university provided more volunteers and suffered more casualties than any college or university on either side of that titanic conflict. The spirit of these sons and our people was revealed, when, on a high ridge of valor at Gettysburg, Isaac Erwin Avery of Morganton, as he lay dying, wrote on the back of a blood stained envelope, "Tell my father that I fell with my face to the foe."

The historic and personal relationship of the people and their university, through the generations, is exemplified in such facts as follows: The grandfather of that soldier was Waightstill Avery, who inserted in the North Carolina Constitution of 1776 the provision for one or more universities. He was named "Waightstill because his parents of many sons were waiting still on the Lord for the daughter who did not come. Yet, a great granddaughter of Waightstill Avery, later did come, Gladys Avery Tillett of Charlotte, a graduate of the Woman's College and of this University. With her face forward to the foes of equal rights of women, she has, by valorous persistence, wrought a revolution on the foreign policy of the United States from an established policy of abstaining from voting to the new policy of voting for conventions on human rights in the United Nations.

MRS. SPENCER AND THE REOPENING OF THE UNIVERSITY

Nine decades earlier it was an indomitable woman, Mrs. Cornelia Phillips Spencer, who, when the University was closed in the period of "Reconstruction" stayed on in Chapel Hill amid the desolation which followed the Civil War and amid the weeds which had taken over the campus. She persistently wrote to "her boys", long leaders in the State, to reopen the University. They gathered on a hopeful mission in Raleigh in 1875. She waited with high hopes in Chapel Hill. From them came to her the simple message that it was voted that day to reopen the University. With filial joy, this valiant woman climbed the stairs of the Old South

Building into the belfry. With the end of a broken rope she rang the bell which has not rung for five years in Chapel Hill. As the old bell rang out clear and true in tones of the spirit which carried across the State, the people of North Carolina were on the march again with faces forward to this day.

THE GREAT EDUCATIONAL CRUSADE AND ITS HIGH PEAK UNDER AYCOCK

As Mrs. Spencer was the mother of the re-opening, President Kemp P. Battle was the father. He gathered funds, selected a strong faculty, and won the first annual State appropriation. Under him gathered in Chapel Hill in the early 1880's, one of the most remarkable group of young idealists ever to gather in the same student community on any campus: Note well the names: Charles B. Aycock, Edwin A. Alderman, Charles D. McIver, James Y. Joyner, M.C.S. Noble, Horace Williams, Robert Pell, A. W. McAllister, A. A. F. Seawell, Josephus Daniels in the summer Law School, and their fellow student peers.

Without a Marshall Plan for recovery from the ruins of war, with the handicaps of discriminatory freight rates against Southern agriculture and industry, with the responsibility of the Southern people for providing for the disabled Confederate veterans and for helping to provide for the disabled Union veterans, these young men, challenged by it all, highly resolved that they would rebuild a broken society, then heavy-laden with poverty and illiteracy. Two of them, Alderman and McIver, on their graduating evening, talked the long night through as to how they would use their lives to that purpose. As Alderman later said, they decided toward sunrise by a light that was never seen on land or sea, to give their lives to education. They carried on their great crusade that the way out and up from poverty and ignorance was through the schoolhouse door. School houses, and soon teachers colleges, began rising across the State from the sand dunes to the mountain coves. As a part of the educational crusade, the Southern industrial revolution, the agricultural depression, and the farmers' revolt, and in response to the militant leadership of Colonel Leonidas Polk, and the Wautauga Club, there was founded at Raleigh the North Carolina State College, well on the way to becoming another M.I.T. in the nation, as a part of the land grant college movement which worked a democratic revolution in higher education, whose impact was felt across the State, the nation, and is being felt around the world today. Also as a part of the same educational crusade, the awakening of the people, the woman's movement, and in response to the dynamic eloquence of Charles D. McIver, there was founded in Greensboro, the Woman's College, whose graduates, under his successors, have creatively helped through the churches, the homes, the schools, the farms, offices and civic enterprises, to make North Carolina a more productive, wholesome and beautiful place in which to live and serve the needs of the people in all the succeeding generations. This fairest daughter of the Old North State, on the way for some time to becoming another Bryn Mawr in the nation, is now on the eve of a new efflorescence as the University of North Carolina in Greensboro, under an able and gallant leadership in the four-fold University of the people in Chapel Hill, Raleigh, Greensboro and Charlotte.

THE ANSWER OF CHARLES B. AYCOCK TO UNFAIR PROPOSALS

The educational crusade reached a high peak at the turn of the century in the administration of Charles B. Aycock, North Carolina's great Educational Governor. While speaking for the public schools in Birmingham, Alabama, he fell dead on the platform immediately after saying those prophetic words which he had said many times in North Carolina, and I quote: "For the equal right of every child to burgeon out all that is in him."

On one occasion he was heavily advised on the grounds of political expediency to lead his party (1) for the indefinite postponement of the year 1908 as the termination date for ending the exclusion of voters on account of race and (2) that funds for the separate public schools be apportioned in proportion to the taxes paid by the respective races. As much in sorrow as in indignation, he replied that, if such measures were adopted by his party for the sake of political power, that they would break his campaign pledge given all over North Carolina and that he would resign as Governor in protest at what would have been his broken word, the dishonor of his party and the shame of his State, which he loved too much to betray. The bi-racial structure which he championed at that stage, is now equitably passing away, but the keeping of his word that education not color should be the qualification for voting—though later misused—and that public funds for schools should not be apportioned according to racial sources but according to the number of children, will live in the grateful remembrance of the people, who loved him and honor him to this day.

Those who today look down on the work of Charles B. Aycock and Booker T. Washington, as they grappled with the issues of their day, should acknowledge that while they are looking down they are standing on the shoulders of the men upon whom they are looking down, and should rather be looking up to achieve correspondingly in our day what such leaders as Aycock and Washington achieved in their day.

A LEAP FROM PRESIDENT BATTLE TO 1966

Time does not permit me to follow the observations just made on the administrations of Presidents Caldwell, Swain and Battle with observations on the administrations of Presidents Winston, Alderman, Venable, Edward K. Graham, Harry W. Chase, and their successors, with their distinctive contributions to the life growth, freedom, eminence and service of this University. We now leave them for other times.

Accordingly, I take a long leap from the Battle administration, when Aycock and his fellow college mates went forth to war on poverty and ignorance, to the year 1966 to make a few, and, I trust, helpful observations on the issue of open student forums in our State-supported colleges and universities. My own personal position on the basic issues was set forth in talks made at the invitation of students at the North Carolina State University in Raleigh, the Administration of the University of North Carolina in Greensboro, and the Model Student Legislature. This position, of course, still stands.

While freshly resourced in some representative bits of the University's first and basic century, I pray your patience and understanding while I take the minimum time necessary to make, I trust, a balanced and fair analysis in seeking to find a common ground for our whole University family.

In the situation, which has developed from forces and trends in the State and from the resulting circumstances, the Chancellor was the only person with the delegated authority to make the decision now in issue; and the representative student leaders, it seems, were, in practical terms, the only persons who could test the constitutional principles involved in this case.

Many on both sides have long been known to me. On the basis of that knowledge I am sure that the positions, which they respectively hold, are honestly held by the leaders on both sides.

ONE OF THE BASIC ISSUES

In cutting through a tangle of many complex facts, a basic issue is found to have arisen from the fact that Mr. Herbert Aptheker, a communist theoretician, and Mr. Frank Wilkinson, a pleader of the fifth amendment against self-incrimination in an alleged security situation, both of whom have spoken this past spring semester without untoward incidents, on many college campuses, when invited by a group of responsible university student leaders, were denied the right to speak during the last spring semester on the campus at Chapel Hill.

THE ACTING CHANCELLOR, DR. J. CARLYLE SITTERSON, IN REACHING HIS DECISION FOLLOWED THE PROCEDURES PRESCRIBED BY THE BOARD OF TRUSTEES.

In reaching his decision, the Acting Chancellor followed procedures adopted by the Board of Trustees, as he understood them, and made his decision under the responsibility which had been delegated to him by the Trustees. He appointed and consulted a well balanced faculty-student committee for advice in the matter. He also consulted the Faculty Advisory Committee, who are regularly elected by the faculty for advice on vitally important matters. These two committee make up two of the University's honor rolls.

Also, I am moved to say that the Governor, the members of the Board of Trustees, the President, many members of the faculty, the former Editor-in-Chief of the *Daily Tar Heel,* many members of the student body, and a very large body of citizens of the State, in their support of Chancellor Sitterson and his decision in the case, are all sincere in their concern and their support.

CHANCELLOR SITTERSON

Since Chancellor Sitterson is the focus of this situation, I am moved, as a citizen and an alumnus, a twin status which even an ex-President does not lose in matters of statewide public policy, to speak out of my knowledge of him. There is no need for this on his part but it is appropriate on the part of an alumnus and citizen.

I have known Chancellor Carlyle Sitterson and his wife since they were children. They both come from homes of religion and learning, light and liberty, and loyalty and devotion to this University. Those homes have been strongholds of freedom, and, with other such families all over the State, they have long been a source of freedom, strength and support of this University. His integrity, high scholarship, campus leadership, teaching experience and administrative ability, provided the background for his recommendations by President Friday and unanimous election by the Trustees as Chancellor of the University of North Carolina at Chapel Hill.

THE STUDENT LEADERS IN THIS CASE

Since the student leaders, on their own initiative, are the source of the action now pending in the courts, I am also moved to make the following observations.

The group of student leaders in this case is composed of the former and present Presidents of the Student Body, elected in campus-wide elections, the Presidents of the Y.M.C.A., the Y.W.C.A., the Di-Phi Literary Society, the Carolina Political Union, and the Carolina Forum, all elected by their respective associations, and the present Editor-in-Chief of *The Daily Tar Heel*—all these represent long established student organizations on the campus of the University at Chapel Hill. The two members of the Steering Committee of the Students for a Democratic Society represent a recent organization established at Chapel Hill and in colleges in many parts of the country. All these student leaders are, I believe, responsible and sincere in their concern and in their action in this case.

The Student Body, in electing their present President, who made one of the main planks in his campaign for election the right of having student-sponsored, responsible,

balanced and free open forums, were aware of his vigorous position on this matter and were sincere in their support of him.

The student leaders, instead of resorting to sit-ins, resorted to sittings on the highest court, in accordance with due process of law and their faith in the courts.

THE POSITION OF THE NORTH CAROLINA CHAPTERS OF THE AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS IN THE UNIVERSITIES AND COLLEGES OF NORTH CAROLINA

The North Carolina Chapter of the American Association of University Professors, whose membership includes institutions in all sections of the State, and whose President is Dr. C. E. Boulware of North Carolina College in Durham, joined in the action of the students. The main concern of this Association in colleges all over the United States, is the preservation of academic freedom. They have long held and supported in the leading universities and colleges of the country the position that student-sponsored, responsible, balanced, free and open student forums are one of the basic principles of academic freedom in America and serve an important educational purpose. They are concerned, I understand, that while spokesmen for the extreme right, the conservative and the liberal views were permitted to speak this past spring semester on the campus at Chapel Hill, two spokesmen for the extreme left were prohibited from speaking this last spring semester on the campus at Chapel Hill. Furthermore, they are concerned that, while spokesmen for the extreme left were allowed to speak to classes and special groups on the initiative of a Political Science Fraternity of students, and on the invitation of professors, that the two speakers in question in this case were not allowed to speak upon the invitation of elected student leaders, representing the whole student body and long established student associations, with their traditional freedom for responsible, balanced and free open forums.

THE POSITION OF THE NORTH CAROLINA CHAPTER OF THE CIVIL LIBERTIES UNION

The North Carolina Chapter of the Civil Liberties Union has joined in the action of the students. Their concern, as is also the original concern of the student leaders and the Chapters of the Association of University Professors, is with civil liberties, in accordance with the American Bill of Rights. The Civil Liberties Union has a membership that includes highly respected citizens as far east as Wilmington and Wagram, and as far west as Boone, and includes specialists on civil liberties in North Carolina colleges and universities. Their Chairman is Charles F. Lambeth, Jr. of Thomasville, whose father was a leading Methodist, a graduate and long time trustee of Duke University, and whose mother was of a family of ministers, professors, editors and historians, who were devoted alumni and alumnae of Wake Forest and Meredith Colleges.

The concern of members of this North Carolina Chapter of Civil Liberties in this case is with the questions as to possible violations of the Constitution of the United States, which guarantees to its citizens: (1) in the First Amendment, freedom of speech and assembly; (2) the right to plead the Fifth Amendment in certain circumstances; (3) the right to equal protection of the laws in the Fourteenth Amendment; and (4) the right not to be attainted by a discriminatory classification, as provided in Article 1, Section 9 of the Constitution.

Since these questions and these issues are now in the hands of the court, it is well that the case for the State and the University is in the hands of such distinguished and able lawyers as the State Attorney-General, the Honorable Wade Bruton; and William T. Joyner. William T. Joyner is both a loyal son of the University and of James Y. Joyner, who went forth from Chapel Hill in the 1880's with Alderman, McIver, Daniels, and Aycock, whose strong right arm he became in the great educational crusade for a freer and fairer society in North Carolina.

It is also well that the case for the Association of University Professors, the Civil Liberties Union and the Student Leaders, is in the respectively able hands of Professor William Van Alstine of Duke University, a constitutional specialist in academic freedom; Professor Dan Pollitt, a constitutional specialist in civil liberties in the Law School at Chapel Hill; and McNeill Smith, long a champion of equal justice under the Constitution. He, like other members of the Civil Liberties Union, such as R. Mayne Albright and Charles F. Lambeth, were promoters of traditionally responsible and balanced free and open student forums at Chapel Hill, which provided the ways for the exercise of individual initiative in their educational growth and knowledge of the world in which they were to play their self-reliant and responsible parts.

The list of student leaders; the members of the Association of University Professors; and the members of the North Carolina Chapter of Civil Liberties, are also among the honor rolls of our State.

IN A SITUATION IN WHICH LEADERS ON BOTH SIDES ARE BELIEVERS IN AND COMMITTED TO THE AMERICAN BILL OF RIGHTS, THE NEED NOW IS NOT FOR TAKING HOSTILE SIDES BUT RATHER THE NEED IS FOR A CLARIFICATION BY THE HIGHEST COURTS OF THE RELEVANCY OF THE PRINCIPLES OF THE BILL OF RIGHTS, TO WHOSE SIDE ALL SIDES MAY RALLY ON A RECONCILING COMMON GROUND

It appears that there was a carryover of influence in the fact that before a decision made by the Trustees prohibiting the two speakers in question from speaking (a decision made pending the establishment of regulations regarding far left wing speakers) the then Dean Sitterson supported Chancellor Sharp who was in favor of allowing them to speak. It was after action by the Trustees, which delegated authority to him as Acting Chancellor, that he made his decision in deference to the previous action of the Trustees, and also in his interpretation, under the circumstances, of the meaning "of serving an educational advantage".

Since the leaders of the two sides believe in and are committed to the American Bill of Rights, the need now is not for hostile lineup of sides. Rather the need is for the determination and clarification by the highest courts of the relevancy of the American Bill of Rights, to the side of which all sides may rally on a reconciling common ground.

Rising above any question of the sincere zeal of youth in their democratic faith in the educational values of balanced open student forums; rising above any lack of clarity regarding the carry-over of the influence of the speaker ban law, its modification, the action of the Trustees under the law, and the decision of the Chancellor in his interpretation of, and in his deference to, the action of the Trustees; and rising above any proposals for a State-wide campaign for the revival of the original speaker ban law—rising above them all is the grandeur of the American Bill of Rights and the majesty of the courts in their responsible clarification, application and determination of the relevancy of the American Bill of Rights.

This clarification and determination of any relevancy of the issues in this case to the Bill of Rights by the court will in the long run, be a real service of information to Governors, Legislators, Trustees, Presidents, Chancellors, Professors and Students of all our State institutions and, by implication, to all colleges and universities in the State and the Nation. This clarification and determination will be of service also to professors who may hereafter be considering becoming members of our four-fold University and State colleges, and not least important of all, for the information and understanding of the people of the State.

WITH THE ISSUE DECIDED BY THE HIGHEST COURT, A RECONCILING COMMON GROUND IS FOUND FOR A RENDEZVOUS OF THE PEOPLE WITH BOTH OUR GREAT HERITAGE OF FREEDOM AND THEIR HIGHER DESTINY OF SERVICE TO TRUTH, YOUTH AND THE COMMONWEALTH

With any lingering or indirect influences of the speaker ban law and its modification eliminated, insofar as found in violation of the American Bill of Rights by the highest court in their free discretion and independent wisdom, what a present and future prospect calls to be reunited people for a rendezvous with both their heritage of freedom and their higher destiny of service in this land!

In this land, once so heavy laden with poverty and illiteracy, now renewing its productive life with the growing cooperation of the races on the rising basis of equal justice and opportunity, the people of the South, against heavy odds, have increasingly made their recovery and are rising to the opportunity of this hour. Here in the old South, whose people played a decisive part in the creation of this Republic, where human slavery made one of the last stands in the modern world, and where industrialism made fresh beginnings on productive soil, we have the lessons in the tragedies of one and the opportunities in the power of the other to help build a nobler civilization that has yet characterized the relations of the religious communions, labor and management, the races and all the nations. As the school houses open wider with equal opportunity, the mills move into the waste places, and the rivers come rushing from the hillsides with the power for the electrification of our homes, towns, farms and factories, we will place in the center of it all the children of today, upon whose hopes will move forward the civilization of tomorrow in the spirit of Him who said, "suffer the little children to come unto me and forbid them not for such is the Kingdom of God."

Here in North Carolina, under a gracious and invigorating Southern sun, in this pleasant land from the mountains to the sea, through the cooperation of the fourfold University of North Carolina, Duke University, the Research Triangle, all of the colleges, publicly supported, church-related and privately endowed, community colleges, technical institutes, industrial education centers, the public and private elementary and secondary schools, the North Carolina Fund, the Center for the Performing Arts, and all the humane institutions and the productive agencies of the people's life and welfare, the opportunities are as boundless as the aptitudes, imagination and high resolve of the people. The opportunity is nothing less than building by the people in this blessed land through this manifold free cooperation under able and devoted leaders, trustees, administrators, professors and students, one of the great educational, agricultural, industrial, medical, humane and spiritual centers of the modern world.

THE NEED FOR A NONPARTISAN PEOPLES' MUSTER OF UNDERSTANDING TO THE SIDE OF OUR EMBATTLED UNIVERSITIES AND COLLEGES

Against such a development, some special interests will possibly seek again to trade on the popular fears and resentments growing out of students' and professors' active interest in, and lawful petitions for, equal opportunities of all Americans. As in other crises, such as the depression; the threats to the schools, colleges and universities; the need of roads, medical education and statewide hospital care, there must be organized again at the grass roots in all the counties a non-partisan people's movement for the people's understanding of the necessity of the freedom and support of the universities, so basic to the freedom and welfare of the people. Free and responsible student open

forums are necessary for their understanding of the kind of a world in which youth has to live, work, vote and play their responsible parts. Freedom is necessary for industrial and agricultural research and extension, and for the equal rights of collective cooperation between labor and management, which together have produced an economic abundance in America unprecedented in human history. Freedom is necessary for the widening of the base of the general health and social welfare in order to lift the level of human liberty. All these interrelated freedoms are necessary for the noblest creations of the human spirit in building that great civilization in North Carolina for which voices are calling from generations gone, from the generation living, and from generations yet unborn. Since all basic freedoms are interrelated, the people, when informed and aroused, will rally to the side of the embattled universities and colleges against the false charges that they are breeding grounds of atheism and communism.

For meeting head on these charges made against the historic freedom and present hopes of our universities and colleges, you, your excellency, as Chairman of the Board of Trustees, out of your own ancestral inheritance and your personal knowledge, you, Mr. President, and you, Mr. Chancellor, and all those who constructively share your heavy responsibilities, need the understanding and help of the legions of people of good will in our State. As we all now rally to the side of the President, the Chancellor, the whole university, the Chairman of the Board of Trustees, the professors, and the students, the people, in the long run, not by cutting and tearing down, but rather by building up with adequate investments in youth, will create the way out and up for a more productive, freer and fairer North Carolina.

THE MISDIRECTED CHARGES OF ATHEISM AND OF COMMUNISM AGAINST THE FREEDOM OF THE COLLEGES AND UNIVERSITIES, WHOSE FREEDOM IS THE OPPOSITE OF ALL FORMS OF TOTALITARIANISM

Regarding the charge of atheism, let us recall that many honest young minds in the colleges have in times past effectively grappled with (1) the Copernican dethronement of the earth as the center of the universe, (2) the Darwinian evolutionary identification of man with animals, (3) the alleged overriding of spiritual power by Marxist economic determinism, (4) the Freudian subjection of the conscious mind to primitive drives and subconscious forces, and (5) the modification of absolute theories by the theory of relativity. It has come to pass that youthful minds in the colleges are grappling with the idea of the death of God, as now honestly put forward by some theologians.

With full freedom of thought and dissent, some of the most distinguished scientists in our universities, such as Einstein, found that a universe without God would be more inconceivable and the subject of more skepticism than a universe with God.

At the very time that some theologians are proclaiming that God is dead, many preeminent scientists and professors in the universities, as citizens of the general community or as members of religious communions, are finding God alternatively, or in combination, in (1) the design, order and majesty of the universe; (2) the fact, in spite of the cruelties of nature and man and the incomprehensibility of the suffering of the innocent and the power of the ruthless, that there is a moral sovereignty which undergirds the nature of man and nations, whose moral laws cannot be ultimately defied without damage to human beings and to nations; (3) the intimations and revelations of the spiritual power of the great seers of history, East and West; (4) the spiritual lightning of the great Hebrew prophets which flashes from the inner presence of God, and their moral thunder, which resounds across the centuries, to help in the struggles of individuals over human frailties for the good life and social justice; or in (5) the supreme revelation of both the humanity and divinity in Him who preached the gospel to the poor, ministered to the sick and hungry, redeemed the fallen with forgiveness, selected a member of a despised people as the example of brotherhood, said, "I and the Father are one and ye are my brethren". "As I am in this world so are ye", "the Sabbath was made for man and not man for the Sabbath", "know the truth and the truth will make you free", made merry at the wedding feast, ate with publicans and sinners, drove the money changers from the temple, and against all counsel of expediency set His face steadfast to take the Jerusalem road, was crucified, suffered and died, and made the Cross a symbol of love and sacrifice with its call to heroism and compassion in the sharing and giving of life, and rose in spiritual power for all persons as children of one God and brothers of all people in one world neighborhood of human brotherhood.

Resourced in such a spiritual heritage, a mother, when suddenly told of the death of her son, while serving with the Peace Corps in the high Andes, was asked in the midst of her overwhelming grief, what she had to say. She said simply, "I am glad that he was happy in being where he wanted to be in the service of others." Something more than materialism and something higher than an accidental collocation of atoms spoke in the love of that mother and the service of that son.

THE CHARGE THAT THE UNIVERSITY IS SOFT ON COMMUNISM

The charge that the university is soft on Communism is no more justified than that the university is a center of atheism. The fact that the students wish to hear communists speak in their responsible and fairly balanced open forums along with speakers who represent the extreme right, the conservative and the liberal points of views, does not mean that they are soft on communism, but simply means they wish to understand the nature of the world of their generation. In overwhelming numbers they have faith not only in responsible student open forums but also they have faith in themselves, the values of freedom and the robustness of our American democracy. This charge is made by some, because, in the conception of universities' responsible teachers and interpreters, people include, rightfully, not only the financially affluent, the socially privileged and the politically powerful, but also the minority religious groups, the small business men, the small farm families, industrial, agricultural and migrant workers, colored people, and the disinherited of the earth. This charge, made in the very midst of the universities' struggle in behalf of the freedom of the mind, the equal dignity of the individual human person, civil liberties, the freedom of assembly, speech, publications and responsible student open forums, is a charge made in historical reverse. Civil liberties, academic freedom and open forums are prohibited in Communist societies and are promoted in free societies. When both Hitler and Stalin were on their road to totalitarian tyranny, they found across their road to power autonomous organizations which were the creations of successive chapters of almost 2000 years of the history of the rise of liberty in the Western world. The institutions which blocked their way were churches, parliaments, universities, corporations, labor unions, voluntary associations of the people, and open forums. In order to rise to totalitarian power, both Communism and Fascism had to crush, subjugate or restrict the freedom of all these historic autonomous institutions of the people.

THE RESPONSIBLE FREEDOM OF UNIVERSITIES, A SACRED TRUST

One of the most precious of these autonomous institutions was born in the Middle Ages. With the fall and disintegration of the Roman Empire, as the transmitter of the classical legacies to the West, it was then that the classical intellectual heritage of the academy of Plato, the lyceum of Aristotle, the libraries, museums and institutes of Alexandria, and the colleges of rhetoric of Quintillian of Rome, were largely lost in the Western world. During the Dark Ages the flickering light of learning was kept burning in the monasteries, and the vigorous minds of the conquering barbarians at a necessarily lower level were tutored by the church.

With the papal reintegration and the slow recovery of Europe, the rise of trade, towns and the middle class, and the rise of scholasticism in response to the spreading intellectual ferment of the times, given impetus by the great Islamic intellectual revival, universities were founded in the later Middle Ages. Great universities were founded and conducted by professors. Great universities were founded and conducted by students. Professors and students together became the most essential parts of our medieval and modern universities. Administrators represent not only the authority of trustees but also embody the academic freedom of professors and the self-government of students in the free community of scholars, long established in the tradition of the University world. The universities, along with the parliaments and the cathedrals, still tower across the centuries as among the noblest creations of the human spirit. The academic freedom of the community of scholars became the sacred trust of the trustees, the administrators, the faculty, the students and the people.

Their freedom may be temporarily impaired at times by ecclesiastical and state authorities, but not without heavy damage to the universities, the churches, the state and the people. Thus we observe that almost 2,000 years of the history of the rise of autonomous institutions of the people, and 750 years of medieval and modern universities were reversed in the rise of totalitarian tyranny and in the rise of movements to impair the responsible freedom of professors and the responsible open forums of the students. The fact that there have been since the inflexible iron tyranny of Stalin, some real advances in the common life of the great Russian people, the midst of the moral imperative of an honorable peaceful coexistence, in no way lessens, our continuing need for emphasis on the values of autonomous organizations, civil liberties, and the American Bill of Rights, especially in view of the continuation of much of the substance of totalitarianism in the Soviet Union today, which still prohibits the freedom of these institutions.

Not only so, but also North Carolina, which was the first State to authorize its delegates to vote for a Declaration of Independence at Philadelphia, became involved in struggles for the very principles for which the American Revolution was fought, such as the freedom of religion, the press, speech, assembly and open forums. Thus also there became involved in North Carolina the validity of the American Bill of Rights. Yet it was North Carolina which refused to ratify the Constitution of the United States until her leaders were assured that the Bill of Rights would at the first feasible opportunity be made a valid and vital part of the Constitution of the United States. It is not in the heritage and hope of the people of North Carolina to turn to totalitarian ways and thereby turn their backs on (1) our Judaic-Christian-Greco, Roman-European-British-American heritage, (2) the principles of the

American Revolution, and (3) the American Bill of Rights. They are all the very antithesis of Communism and Fascism. It is therefore contrary to our heritage to charge that the universities are the breeding ground of atheism and communism. The real objection held by some interests to this university community is not that it is a center of atheism and communism, but that its people take seriously our Judaic-Christian heritage and our revolutionary historic Americanism. Our advancing democracy at its humane best seeks to help make the world free for differences so that freedom of difference may become the source of progress and that progress means not the exploitation or annihilation of people but the cooperation of nations for freedom, justice, compassion and peace in the world.

It is wholesome from time to time to recur to the fundamental principle of human freedom, for which the American Revolution was fought, the Constitution framed, the Bill of Rights formulated, and this University founded, as a child of the Revolution to help fulfill.

We must make clear to ourselves and the world that the great autonomous organizations of the people, the historic freedom of universities, and the guarantees of our Constitution, are not only the past and historic, but the present and living source of America's faith in herself, the world's faith in America and America's moral influence and power in the world in this time of hazard and hope for all mankind.

CRISIS IN THE COURTS

Mr. DIRKSEN. Mr. President, in the past few weeks I have been placing in the RECORD the series of articles by Howard James published in the Christian Science Monitor under the title "Crisis in the Courts." Because of the timeliness of these articles, I ask unanimous consent that two more of the series, Nos. 9 and 10, be printed in the RECORD.

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

[From the Christian Science Monitor, June 7, 1967]

DEFENDANTS WITHOUT FUNDS AND THEIR RIGHT TO LEGAL COUNSEL

(By Howard James)

On an average working day William P. Gibson sits in his corner office on the 11th floor of the Texaco building in Houston. From his window he can look out on the city. The Astrodome gleams in the hot Texas sunshine.

Mr. Gibson's job is to ponder the thorny legal problems that confront a large corporation leasing land, drilling wells, and selling oil and natural gas.

Like many big city lawyers, he had never had a reason to enter a criminal courtroom. That is, not until the day I met him at a preliminary hearing in a justice of the peace court. Mr. Gibson was there to defend a young man charged with the armed robbery. Neither he nor his company had heard of the youth until a few days before. Yet, as a court-appointed defense attorney, Mr. Gibson was in court on company time. And the young man was charged with, of all things, holding up a rival firm's gas station.

STARTED WITH SUPREME COURT

How did this come about?

The story begins with the Supreme Court of the United States and its often criticized recent decisions on criminal law.

What the high court has done, among other things, is to make it clear to the nation's state courts that "equal justice under law" is more than a nice slogan to chisel over the courthouse door. It is now a mandate.

In 1963 the court held (Gideon v. Wainwright) that a man is entitled to legal representation whether he can afford a lawyer or not. The high court reasoned that "any person haled into court, who is too poor to hire a lawyer cannot be assured a fair trial unless counsel is provided for him. This seems an obvious truth."

It explained that states spend millions of dollars to "establish machinery to try defendants accused of crime." Every man who can afford to hires the best lawyer he can get when charged with a crime. "The government hires lawyers to prosecute. . . ." Thus lawyers must be considered "necessities, not luxuries" in the United States.

Yet this position, I found, is still opposed by some police, prosecutors, and those unfamiliar with the field of criminal law, who see it as another way to raise taxes, take business from private law firms, or move toward socialism or worse.

CONSTITUTION CITED

Those who defend providing lawyers to the poor point out that the Sixth Amendment to the United States Constitution states: "In all criminal prosecutions, the accused shall enjoy the right to . . . have the assistance of counsel for his defense."

Too often when judges comply with the Supreme Court mandate, methods of compliance circumvent the court's intent.

A few months ago a Negro in New York City was arrested in a neighbor's apartment in the building where he lived. He entered the apartment through a window from a fire escape. Police charged him with burglary. On the surface it looked like an open-and-shut case.

When he got his day in court, the judge asked him if he had a lawyer. The youth said no, so a member of the public defender's staff was assigned. The defender took the youth aside and in a brief conference told the young man, "I can get you off on a misdemeanor [less serious crime], and the judge will probably give you a break if you plead guilty." The lawyer made almost no effort to find out the facts.

The next thing the young man knew he was pronounced guilty. While he sat in jail for three weeks for a presentence investigation, his mother entered the office of Henry B. Rothblatt, widely known Bronx lawyer, and asked for help.

Mr. Rothblatt checked the record and found that the judge had not advised the youth he had a right to hire his own lawyer. Nor had he been told he could have a postponement to hire that lawyer. Mr. Rothblatt also contended that the youth was not in the apartment to commit burglary. Rather, he said, he was on a secret visit to his girl friend, who was afraid to tell her mother or the police the truth.

COURTS HELD RESPONSIBLE

"The judge," said Mr. Rothblatt, "had no choice but to set the conviction aside. The young man was obviously denied effective counsel. It cannot be just nominal: Counsel must be effective. It is clear that the courts are responsible for the competency of the counsel they assign."

There long has been a shortage of competent criminal lawyers. And as I traveled I found that the recent Supreme Court rulings have made this shortage even more acute by increasing the need for lawyers at least tenfold.

To many the work remains "unclean" compared with corporate law, and the pay is low. Only attorneys retained by professional criminals and a few name lawyers like F. Lee Bailey of Boston, who are hired by the wealthy when accused of murder or some other serious crime, find the field really profitable.

Further, the criminal process is exceedingly complicated. A man caught up in it—whether guilty or not—feels bewildered and alone.

He faces investigation; arrest; police questioning; possible publicity in the press, financial chaos at home, and loss of his job; jail unless he can raise bail; a preliminary hearing before a minor-court judge; the grand jury (in some states); arraignment before another judge; strong prosecution accusations and arguments couched in unfamiliar legal jargon, along with the strange and seemingly stilted formalism of the court procedure; sometimes an indifference or disdain toward him as a human being, witnesses who swear to his guilt—sometimes falsely; and a skeptical judge or jury.

APPEAL DEPENDS ON MONEY

If he enters a guilty plea, it may be the result of a plea-bargaining session which merely served expediency—saving the court's time. Or he may be found guilty by a jury—in rare cases unjustly.

In either case, he then faces a sentence that too often does not rehabilitate him. Or else he can appeal to a series of higher state and federal courts—if he has the money or can convince a judge that he is entitled to free counsel for the appeal.

Without a lawyer that defendant may have little hope of justice, especially in such a complex system.

The system could, of course, be simplified. But at present this seems unlikely.

Under the Supreme Court rulings, free counsel to the indigent is the only solution. It is provided in several ways.

In urban areas I found that the public defender system, which can best be described as a parallel system to the prosecutor's office, is growing in popularity. At last count 272 agencies are operating in the nation's 3,100 counties.

VARIOUSLY FINANCED

Many are tax-supported. Others operate as charitable agencies known as legal-aid societies (usually the name for the 398 agencies that handle civil cases for the poor).

These charitable agencies are often criticized. Ellery E. Cuff, when public defender of Los Angeles County, put it this way:

"While it is true that a legal aid organization may have one or two highly capable and experienced men at the top, the individual destined to carry the brunt of the workload are young attorneys who are starting out and who will be affiliated with the organization for only a short period of time. A new lawyer is hardly qualified to meet career men steeped in the art of criminal trial work such as are found in [some large city] prosecutor's offices.

"Experience aside, most legal aid organizations suffer from a chronic lack of funds; certainly few such organizations can afford to maintain a staff of skilled investigators—a growing practice of defender offices."

Ironically, this reporter heard similar complaints about many of the public defenders' offices around the nation.

In Philadelphia, for example, I watched several public defenders at work in night court. All were pleasant, conscientious young men. In a few years they will undoubtedly become skilled trial lawyers. But they were obviously doing their clients more harm than good.

LAWYER BULLIED

One was shy, inarticulate, and badly bullied by the magistrate. Every three or four minutes he had a new client assigned to him. After hurried, whispered conferences with them, he would stand before the magistrate and argue their case.

Some were charged with felonies (serious offenses) and would have another chance in a higher court. For them this was the preliminary-hearing step in the judicial process.

But many others were accused of only

misdemeanors. The magistrate would hear the argument and then, if they were found guilty, fine them or send them to jail, and enter their names on the criminal record.

In each case the young defender held a law book and leafed through it—like a weekend handyman trying to find out how to repair a faulty air conditioner or television set.

Later, when I interviewed the young lawyer, he told me he was just five months out of school. I found a similar pattern across the country, with many a defender's office simply a do-it-yourself training ground for would-be trial lawyers.

Assigning inexperienced men is supposed to satisfy the "law" and make the client believe he is getting "justice."

These beginners are often assigned to lower courts because they "can't do too much harm there," I was told.

ANTIPOVERTY MONEY USED

The federal antipoverty program is providing some funds for legal defense of the poor in criminal cases, although these lawyers normally deal in civil matters.

In some 2,700 of the nation's 3,100 counties, judges simply appoint a local lawyer when a defendant cannot afford one.

I have watched this system in operation. Some appointed lawyers are both skilled and conscientious. But all too often the judge, knowing he must appoint an attorney to satisfy the higher courts in case of later appeal, points his finger at the nearest available lawyer.

This may either be a young and inexperienced man hoping for such an assignment or a skilled attorney who figures his time is worth $35 or $40 an hour and wonders why the judge is picking on him.

Often as not, the competent lawyer spends five minutes whispering in a corner of the courtroom with his "client," then—without any investigation in the man's behalf—offers to plead him guilty.

Judge Temple Driver, a noted judge from Wichita Falls, Texas, sums it up for much of the nation when he says:

"Appointed counsel can be about the same as no counsel at all."

Some cities operate with a combination of these systems. They may depend upon public defenders or legal aid for run-of-the-court cases. They select name lawyers from the trial bar for cases that catch the attention of the press and public.

But of all the defender systems in the United States, that in Houston is more and more often cited as the one with the greatest promise.

The criminal bar, until this was launched a little more than a year ago, was made up of between 100 and 150 lawyers of varying skill. Too many drifted into criminal practice because they couldn't make it elsewhere.

Now, under the supervision of the Houston Legal Foundation, all lawyers under 50—and this means roughly 2,800 of the 4,000 lawyers in Harris county—are appointed as counsel in criminal court. This regardless of their normal practice: auto-accident cases, real estate, corporate law, patents, tax matters, or a dozen other specialties.

The foundation is headed by Judge Sam Johnson. The Ford Foundation splits the $250,000 annual costs with five local groups.

Among other things, it supplies lawyers with an investigative staff—something most volunteer systems lack. And for the lawyer inexperienced in criminal court, experts in criminal law provide instructions or even a cram course in criminal-court procedure.

Equally important, most Legal Foundation lawyers work in pairs.

Mr. Gibson's partner (in the case mentioned at the beginning of this report) is Louis J. Andrews, an experienced civil trial lawyer. This is Mr. Andrew's second case since the program was launched.

The youth is scheduled to be tried in Houston's criminal district court next week.

PROGRAM PRAISED

Because lawyers in other cities who had heard about the Houston plan expressed skepticism, I told no one in Houston that I planned to watch foundation lawyers in action. I even picked the courtroom at random, and found Mr. Andrews and Mr. Gibson at work.

They were as skilled as any public defender I have seen, and probably better than the average trial lawyer hired by a client.

Later I asked them about the program and their role in it. Mr. Gibson's corporation supports it. So does Mr. Andrews's. Their enthusiasm was obvious.

"I want to give [the young man] the same representation he would get if he were a paying client," asserts Mr. Andrews.

The young man gets better-than-average help from Mr. Gibson because this corporate-lawyer-turned-defense-attorney is determined to prove to his company that he can handle cases not normally in his area of law.

But benefits go far beyond helping the poor find justice in the criminal courts of Houston. Judge Johnson puts it this way:

"This program has helped lawyers understand their basic obligation as lawyers. Originally there were three professions—the ministry, medicine, and the law. A person called to one of these professions expected to make sacrifices.

"This has been largely put aside, until now. Most attorneys have looked on the law as a profitmaking enterprise. As a business. Our plan has helped bring about a reawakening. Lawyers are beginning to understand they have a basic obligation to mankind.

"And attorneys are taking pride in what they are doing. For many who practice corporate law, this is the first time they have had clients with eyes and arms and legs—alive and breathing. This has been a real awakening for them."

It has also resulted in better performances on the part of judges and prosecutors—a total upgrading of the Houston system of justice.

Now the word gets around quickly if judges or prosecutors are lazy or incompetent. For they must face a cross section of the entire bar—including some of the highest-paid corporate lawyers in the Southwest. This keeps them alert and busy, Judge Johnson asserts.

This growing involvement of all lawyers in criminal law has also helped stimulate interest among members of the bar in crime legislation for the first time, he says.

WIDER UNDERSTANDING SEEN

He adds that for the first time many lawyers begin to understand that the people who end up in criminal court are fellow human beings.

This new view may help improve jails, the state corrections system, and other court-related agencies and institutions, he says.

"It has already resulted in the awakening of the law schools here and elsewhere to the need to look at criminal law and the whole problem of legal ethics," he adds.

The Houston plan is one solution. What of the others?

Many lawyers and judges interviewed feel the public-defender system is the best solution to the right-to-counsel problem. Yet they also raise questions.

"What kind of lawyer can you hire for $7,000 or $8,000 a year?" is a complaint often heard around the nation.

"Our county can't afford a defender's office," is another common argument.

Which may be a strong reason for adopting the Houston plan.

Judge Johnson estimates that an adequate public defender system in Houston could easily cost $1 million a year or more, since it would parallel the Harris County prosecutor's office in staff.

The Legal Foundation operates on $250,000 a year. In addition to this, as in many sections of the nation, lawyers are paid a token amount from county funds when they appear in court. In Houston this amounts to $25 a day.

The real savings, he quickly adds, comes from the thousands of dollars in free time donated by the high-priced lawyers who serve under the plan.

There is little question that a public defender system is costly—although in almost no cities does it have a staff comparable to that of the prosecutor's office.

Los Angeles County is credited with the first defender's office (operating as it is known today) in the United States. That office was created in 1914.

A half century later (the 1964–65 fiscal year), the county budgeted $1,180,992 for the public defender. And that was before the full impact of the federal Supreme Court rulings was felt.

This year more than twice that amount—$2.5 million—has been budgeted. And the staff has jumped from 66 to 166 lawyers in a four-year period. It includes 15 investigators and 32 clerical workers, plus an executive assistant with business experience, pushing the total to 214.

To make sure first-class lawyers are signed on, the pay has been improved. The beginning lawyer (there are 47 young lawyers) is paid $10,000 a year. As quickly as possible he is jumped to the rating of Deputy Public Defender II, which pays $14,800. There are 54 men in this Category. Twenty-nine others have advanced to Category III, which pays $18,500. And 27 are in Category IV, earning $20,500 a year.

This is more than judges make in many of the states surveyed by this newspaper. It means young men can sign on without feeling they will shortchange their families. And it helps assure the office of finding young men like Peter Paul Gamer, a recent graduate of Harvard Law School.

I watched him handle three lengthy preliminary hearings before Judge David J. Aisenson. He won two out of three for his clients.

FIRST EXPERIENCE IN BOSTON

Later, when I interviewed Mr. Gamer, I learned he had gained some courtroom experience while a student at Harvard under a new program in the municipal courts of Boston.

Los Angeles is also pioneering in selecting clients who do not usually fall under the classification of hard-core poor. For example, a man earning $10,000 a year but who has 10 children and stacks of unpaid bills may be as much in need of a free attorney, in the eyes of the Los Angeles public defender's office, as a Watts Negro.

Miami (Dade County) also has a public defender's office. With a population of one-sixth that of Los Angeles, Dade County has only nine assistant public defenders—one-sixteenth the number found in the West Coast city. And with a top salary of $8,800 a year, Miami defenders may maintain a private law practice on the side.

Because of a lack of funds, Miami's defender has no investigators, says Robert L. Koeppel, who has held the elective office 10 years.

Despite the existence of a public defender's office, the court still appoints the defense attorney in a capital case. I interviewed one of these, Irwin Block, who says an appointed lawyer is paid up to $500. He was defending a young Negro in a rape case.

"I've already spent $350 of that for the investigation," he said. "And the trial hasn't even started."

This is the kind of problem that bothers men like F. Lee Bailey, who gained national

recognition in his defense of Dr. Sam Sheppard in the second trial in Cleveland. Mr. Bailey places great emphasis on investigation. When a man's life is at stake, he contends, $50,000 isn't too much to spend on that part of the case alone.

CHICAGO STAFF SMALLER

In Cook County, Ill., where the population is roughly five-sixths that of Los Angeles, the defender's office operates with only a quarter of the attorneys—39. On Aug. 1 that figure will climb, but only to 42, says Defender Gerald W. Getty, who handled the Speck murder case. He is also short on other staff, operating with four investigators and seven clerical workers.

Lawyers in the Chicago defender's office start at $7,200 a year and can work up to $15,600, he says—depending upon turnover at the top. Most are young men with limited trial experience.

Only 30 percent of defendants facing felony charges go to trial. The rest plead guilty under the plea-bargaining process described in an earlier article in this series.

"Of the 30 percent we contest, we win about half," Mr. Getty says.

Oklahoma County, with a population of 545,000, has three full-time lawyers on the defender's staff. Don Anderson, who has a Phi Beta Kappa key, is paid $10,200 a year. Each of his two assistants earns $9,000.

The prosecutor's salary is over $15,000 a year, with 14 assistants receiving salaries up to $12,000, plus "three or four investigators," says Mr. Anderson. In what must be an understatement, he asserts his office could use "at least three more" defenders.

NEW JERSEY PIONEERS

New Jersey's new public-defender system goes into effect July 1. The office has Cabinet-level status and is appointed by the governor with advice and consent of the Senate for a five-year term. No one has been appointed yet.

The public defender will have a deputy, assistant deputy, and office staff. He will set up regional offices in major urban areas.

The public defender may use his own legal staff or farm out work under contract to private law firms. In such cases, he retains supervision of cases. Up to the present, lawyers have volunteered for public-defender work. They may continue to do so, giving the public defender a pool of talent to draw on.

The public defender will determine who is eligible for such defense aid. Presently, the judge on the case makes that determination. If a defendant cannot pay costs now but later becomes able to do so, the state can collect the value of services rendered.

There are no official estimates of the cost to the state, but expectation is it may run around $2 million for the first year. Cost of the system will be financed out of general state revenues.

Many of the recently opened defenders' offices operate, or had their start, through Ford Foundation grants and the formation of National Defender Project of the National Legal Aid and Defender Association. The Ford Foundation's grants to the national defender projects have totaled $6.1 million.

In the past five years, the number of defender offices has increased from roughly 100 to the present 272. Most have local matching funds.

One of the most recent is starting up in Clarke County (Athens) Ga.—the first in the state. A full-time defender attorney is assisted by law students at the University of Georgia.

Similar programs have been under way for some time at other schools, and some have expired. The Wyoming Defender Aid Program was launched in 1965 in cooperation with the Wyoming bar and the University of Wyoming. Other cooperating schools include Boston University, the University of Chicago, University of Missouri, Stetson University, University of Virginia. In each the schools agreed to expand instruction in criminal defense.

Public defenders should be more skilled than those who represent the paying clients, says Junius L. Allison, executive director of the National Legal Aid and Defender Association. He points out:

"These clients will always be poor, often confused, many times frightened by the 'law,' and inarticulate in telling their stories. A higher degree of interviewing skill and a greater amount of patience will be needed than usually required for private clients."

MANY AREAS LAGGING

And many areas are slow to adopt a system of legal aid for the poor. Dean Russell N. Sullivan of the University of Illinois Law School notes that in his state there still are "many counties in which there is no public defender and no formalized method of securing counsel."

Seattle, Wash., remains one of the largest urban areas without a public-defender system.

Last year 322 indigent defendents—carefully screened as to need by King County (Seattle) Superior Court judges—received appointed counsel.

These appointed lawyers are paid $75 for each day of trial as long as the total cost is less than $325. In first-degree murder trials and other serious or complicated cases the fee may be fixed higher by the court. Total cost last year, including 15 juvenile cases, reached $39,295.76, says Robert C. Wetherholt, the court administrator.

In Seattle there is interest but also some opposition—perhaps widespread—to a public-defender system, because it would increase city costs considerably. A defender would need a full-time staff, office space, furniture, and clerical help, it is pointed out.

Other states continue to back the old system of appointing lawyers to defend the poor.

Maine has "many former county prosecutors who are out of office and willing to accept the assignment" of defending indigents, says Superior Court Judge Thomas E. Delahanty of Auburn.

He adds that if there is a shortcoming, it is that "counsel for the indigent feel they have an unusually heavy burden . . . and are deeply concerned with the complete protection of the individual rights of the accused as well as protecting themselves from a charge [after the case is tried] of incompetency."

RULING OFTEN CIRCUMVENTED

This may result, he contends, in the appointed lawyer's going to trial even when he might advise a paying client to plead guilty because the evidence is strong against him.

Regardless of the system, the Supreme Court ruling is being circumvented in some areas—this through the defendant's waiving his right to a lawyer.

Some officials, like Judge J. Skelly Wright of the Federal Court of Appeals in Washington, D.C., wonder if the same kind of pressure used on defendants to confess may not be used to get the defendant to waive his right to an attorney.

The system also falters when less serious crimes are involved. Even the best defender systems are unable to staff every case in every courtroom—although I found some cities (San Francisco for example) providing counsel for minors in traffic court.

And too often defenders and appointed counsel enter the case too late—after the defendant has been in jail for days or weeks, and has had a preliminary hearing. By then the defendant may have lost his job, and his family is probably on welfare. The defense lawyer has missed the "discovery" opportunity of the pretrial hearing, where the prosecution attempts to convince the judge that it has enough evidence to put the man on trial. It is at this point that the defense lawyer should be able to find out how strong the case against his client is.

While interest has been growing in the criminal field, the civil area is not being neglected either.

It is easy for the poor to find a lawyer who will take a case that will yield a large judgment. This is usually in the auto-accident field, where the lawyer takes the case on a contingency basis—if he wins he gets a third or more of any settlement or judgment.

But what does the newcomer to Chicago do when he finds himself trapped into paying three times the going rate of interest under a contract with a Shylock used-car dealer—and the car probably ready to fall apart?

There are many lawyers who say they will take a case without charge when an indigent defendant walks in the door. Interviews indicate that lawyers today take few free cases voluntarily. But there is great variation from region to region and lawyer to lawyer.

Traditional legal aid societies in large cities often have been located inconveniently for those they are designed to help. The trend now—especially under the antipoverty program—has changed to put these offices in the neighborhoods where the poor live.

OFTEN VERY SELECTIVE

These traditional legal-aid societies have also been very selective in choosing their cases to avoid being overrun by indigent applicants. These societies are also selective for fear of treading on the toes of private lawyers, who complain that the legal-aid people are taking business away from them.

Antipoverty legal offices have moved into areas of law—such as divorces and other family problems—which have been avoided by the traditional legal-aid groups.

Wisconsin has one of the more interesting programs. In the 26 sparsely populated northern counties where a half million people live a "judicare" program has been launched. There 37,000 families with annual incomes of less than $3,000 a year have had no formal legal aid available to them. They either went without legal help or asked lawyers to take their cases without pay.

Now they can hire the lawyer of their choice and have the fee paid by the government upon presentation of a wallet-sized card. The fee is computed on the basis of $16 an hour, or 80 percent of the minimum local bar fee schedule, whichever is lower. Without special permission, lawyers must charge less than $300. Most have kept the figure under $100. And no attorney is allowed to bill more than $3,000 in any one year.

The advantages, according to those who support the program, include allowing the person using the service to feel he is not signed out and getting less than the best possible legal help.

CIVIL FIELD EXPANDING

The civil-law field really began blossoming with the arrival of the Office of Economic Opportunity's antipoverty program. Currently its budget is $47 million, says Earl Johnson, who heads the legal-services program.

The need is so great, however (it is estimated that there are between 14,000,000 and 20,000,000 potential legal cases a year throughout the United States), that the OEO is concentrating on changing laws—local, state, and national—that affect the poor.

This may come as a shock to some citizens, for it is not a widely publicized fact. The law, explains Mr. Johnson, has been on the side of slum landlords, greedy money lenders, and others who exploit the indigent. So the OEO hopes to push the balance back toward the middle of the scale.

And new legal areas keep cropping up as a result. In New York, for example, a federal judge has held that a student being disciplined by a public school has the right to counsel.

And the government now is supporting suits against itself in the field of welfare. Public aid recipients are gaining new legal rights.

In Philadelphia the occupants of one apartment building scheduled for urban renewal demolition found that there were no plans to replace their old building with low-income housing. So they went to court, had the building declared a historic monument, and continue to live there while urban renewal goes on around them.

Extending legal aid to the poor—both civil and criminal—is a growing field. But many assert it is in keeping with the philosophy of individual rights.

It was Judge Learned Hand who said:

"If we are to keep our democracy, there must be one commandment: Thou shall not ration justice."

[From the Christian Science Monitor, June 14, 1967]

WHY JUDGES GO BACK TO SCHOOL

(By Howard James)

It was in San Francisco that I watched a municipal-court judge try to hold a preliminary hearing in an auto-theft case without a defendant present. The defense attorney had to remind the judge that this was illegal.

Earlier, the same judge had been stumped by a legal question in another preliminary hearing on the same charge involving a different man. The defense attorney contended police engaged in illegal search and seizure, a common argument raised today in the nation's criminal courts. This is a point most judges can rule on quickly.

This man called both the prosecutor and the defense lawyer to the bench for a whispered conference—although a jury was not involved. The three talked for several minutes, rifled through a lawbook, then took their places again.

The judge told both to file written arguments within three weeks. He said he would decide after studying the briefs whether to bind the defendant over to a higher court for trial or let him go.

MANY CHANGES NOTED

In an interview he explained that criminal law has been changing rapidly and it is difficult to keep up.

Further probing disclosed that he was a recent lame-duck appointee of defeated Gov. Edmund G. Brown. This man's experience in court—especially criminal court—was nearly nil. Like a majority of the nation's judges, his background was political—eight years in the California Legislature.

Most court reformers like Glenn R. Winters, executive director of the American Judicature Society, see the need for a better system of selecting judges.

Until this comes about, however, most call for a pragmatic and relatively new answer: reeducation and retraining.

"As recently as 15 years ago the thought of judges' going back to school would have seemed ludicrous to most members of the legal profession," says Prof. Delmar Karlen, director of the Institute of Judicial Administration at New York University.

"Ten years ago the only training available to American judges was on-the-job training. A man was a lawyer one day and a full-fledged judge the next. Everyone seemed content that donning of judicial robes made a man competent to perform all duties of office."

POOR PREPARATION SEEN

Mr. Karlen asserts this is not so, and a tour of the nation's courts clearly confirms it: Most lawyers are poorly prepared to take the bench.

Why?

The reasons are many, and Mr. Karlen touches on several of them.

"We have no career judiciary, as in continental Europe, where a man enters the judiciary at an early age and then, under the supervision of experienced judges, works his way up in the judicial hierarchy from one court to another.

"Under our system, a man becomes a judge at a fairly advanced age—usually in his 50's—and then, without any supervision from senior judges and without any systematic progression from one court to another, assumes full responsibility in a court in which he may have had no previous experience."

"Our system," Mr. Karlen adds, "also lacks the safeguards that exist in England, where the judges are chosen on a non-political basis from a small select group of experienced trial lawyers—the barristers. American judges are not chosen from any such small group; they come from office practice and academic circles [or legislative bodies] as well as from the litigating bar."

Laurance M. Hyde, who gave up a lifetime job on the circuit court bench in St. Louis to become dean of the three-year-old National College of State Trial Judges based in Reno, Nev., recalls his own experience:

"When I went on the bench in 1962 in St. Louis, I went to an experienced judge, and he showed me where to park my car and how to get into the courthouse on Sundays. I had no more orientation than that."

This is his recollection of taking the bench as one of the youngest judges in the United States at the time.

ENTHUSIASM BASED ON EXPERIENCE

Judge Hyde's early experience on the bench helps explain his enthusiasm for programs to educate judges. It also indicates why judges should come from the ranks of the nation's best trial lawyers.

"I was pretty well qualified for civil jury trials," Judge Hyde continues, "because that was my practice as a lawyer." (At the time of his elevation to the bench, he was considered one of the most brilliant young lawyers in the Midwest.) In probate, equity, and appeals, his experience and training as a law student and practicing lawyer were also of value.

"Yet," he points out, "as a judge I was faced with problems of child custody and other family problems—things that are tremendously important to both the individuals and to the community. Wrong decisions can create great problems.

"I had no guidelines given to me and no information on agencies available to help with family problems."

Judge Hyde was next assigned to the juvenile court and had exactly the same problem—although his predecessor did give him a little more background information.

"Then I was assigned to the criminal courts for a year, and handled all kinds of cases, including murder and robbery. My preparation for this was one freshman course at law school and handling a few criminal cases for indigent defendants in my 10 years as a lawyer.

"I had no information on the correctional system or facilities for rehabilitation of these defendants that were appearing before me.

"I brought my own prejudices and theories to court and made judicial decisions without anyone to question them or point my prejudices out to me."

He adds: "Except for those who have been prosecutors, my experience is fairly typical of state trial judges," he adds.

AN EMBARRASSED JUDGE

Contact with courtrooms across the country bears this out.

The transition from lawyer to judge is more difficult than most lawyers realize, judges interviewed disclosed. Sometimes, even the little things can trip a man up.

Judge Hyde recalls the appointment to the bench of a competent, experienced trial lawyer:

"He knew his job well but had paid little attention to courtroom procedure. On his first day, he took the bench and waited for the lawyers—and the lawyers waited for him. Much to his embarrassment, he simply did not know how to get a trial under way."

As the law changes and grows more complex, it is clear that legal education must move out of the days of the family farm and of the horse-drawn plow. Judges are not alone in their need of help. In more than 100 interviews with lawyers across the nation, I was told that lawyers, too, are sadly prepared for court work by the law schools.

"Law schools do not teach you to be a trial lawyer," says Samuel Langerman, a Phoenix, Ariz., attorney and national vice-president of the American Trial Lawyers Association.

COMPLEXITIES IMMENSE

The law has become so complex, he says, that it is impossible for all lawyers to know all areas of the law. Courts across the nation keep changing the rules of law. There is new legislation, and the attitudes of the courts change as society changes.

"Take products liability," says Mr. Langerman. "The whole concept has changed from 'buyer beware' to 'seller, stand behind your product.' This affects the clothing you wear, the airplane you fly in, food, and nearly everything else you come in contact with. How does the older lawyer find out about this? If a New Jersey court hands down a significant decision, how do lawyers in Minnesota and California find out about it?"

Seminars for lawyers and judges are the answer, he said. His organization has conducted more than 41 in the past year.

"The legal profession is undergoing, belatedly, a great increase in self-education."

Perhaps the greatest shortcoming of American judges is that too often they were mediocre or even poor lawyers. Too few of the nation's state trial judges in courts of general jurisdiction may be classed as having been really "successful" in the practice of law.

And the really brilliant lawyers—with a few exceptions—refuse to sit on the minor courts, where, in fact, many judges have had no law-school training, or even a college education. Yet it is in the minor courts that 90 percent of all Americans appear.

"A judge need not be vicious, corrupt, or witless to be a menace in office," says Maurice Rosenberg, professor of law at Columbia University. "Mediocrity can be in the long run as bad a pollutant as venality, for it dampens opposition and is more likely to be tolerated."

MEDIOCRITY CHALLENGED

Others go further and ask why mediocre men are even permitted to become lawyers—a profession that is ranked high by most Americans.

The state bar examinations—the tests that must be passed before a lawyer can hang up his shingle—have also been criticized as relatively easy and hardly evidence that a man is capable of arguing a case in court.

The nation's lawyers and judges are beginning to see the need for education and training beyond law school.

It is not a rapid awakening, to be sure. Thousands of lawyers refuse to attend the seminars and special courses now being held around the United States. Lower-court judges—those who need help the most—often are overlooked. This is especially true for the 10,000 or more nonlawyer judges in the United States, although some states have made inroads in this area as well as in the higher-level state trial courts.

SPEECHES OFTEN CRITICIZED

Most seminars for lawyers or judges (and there are some notable exceptions) are too short to make an impact—three or four days

at most. But for many lawyers, who contend time is money, this is too long to be away from the office. And judges complain that with a backlog of cases they really don't have time either.

At several seminars I attended lawyers and judges complained that speeches are too often shallow. Many of the experts who addressed the seminars spent much of their allotted time bragging about their own brilliance, past victories, and the amount of money they make.

"When is he going to say something?" asked one attorney impatiently at a seminar in Chicago after a nationally known lawyer rambled on for half an hour about his exploits. Several others in the paying audience walked out and didn't return until the speaker had finished.

Even when speakers have something to say, they aren't always listened to. At a traffic-court seminar I attended in New England, many of the "student" judges and lawyers grumbled and in low tones disputed statements by the speakers. Several men around me contended that they weren't going to change their ways simply because the American Bar Association (which was sponsoring the seminar) said they should. Clearly they were not there to learn.

In spite of these and other shortcomings, the very fact that the number of seminars has grown from nearly none 10 years ago to two or three a year in many sections of the country is heartening for those trying to upgrade the system of justice.

Little more than a century ago most lawyers were trained in law offices as clerks or apprentices. While the aspiring lawyer might gain plenty of practical knowledge, he was short on more formal education. This was acceptable in a society where for most citizens an eighth-grade education was considered sufficient.

SCHOOLS SUPPLY ATTORNEYS

Now most attorneys are law-school graduates.

"But law schools are still teaching students where to look for the law instead of how to practice it," says Mr. Langerman. "Fortunately they are trying to remedy this. In addition, our organization [the American Trial Lawyers Association] started a program of student-advocacy programs. Last year we appeared at 11 law schools. This is a meager beginning. This year we will expand and use films showing students how to handle a case from initial interview with a client to the jury verdict."

But this isn't enough, he adds. Practicing lawyers and judges need help through continuing education.

In the past six or seven years steps have been taken in this direction. Reformers standing on the drought-stricken land tend to see this as a cloudburst. Actually it is more like a light, welcome shower that hopefully foreshadows a steady downpour.

HOW TO "SELL" REFORM

Some reformers appear to be using a kind of sales psychology by saying "everybody's doing it." The theory is that if the idea—court reform—is reasonable, if you say it long enough and loud enough, enough people will eventually decide they are out of step with "everybody else" and will make the claim "everybody's doing it" valid.

Seminars for judges started way back in 1947. They were pioneered through the American Bar Association's traffic-court program, headed by James P. Economos. In June, 1947, Mr. Economos put on the first five-day traffic-court school for judges and prosecutors at the New York University Law School.

Since then hundreds have taken part, with the 96th session opening June 12 at Fordham University in New York.

Sessions begin at 9 a.m. and run until 5 p.m., with both classroom lectures and an interchange of ideas included. Jointly sponsored with the Northwestern University Traffic Institute and the host law school, emphasis is on helping the participants better understand the traffic problem and their role in solving it.

In addition to this, more than 200 three-day regional seminars have been held. Twenty-one have been slated for this year from Alaska and Hawaii to Montana, Illinois, Texas, and Florida.

NEW HAMPSHIRE CONFERENCE RECALLED

This reporter visited a three-state conference in Concord, N.H., earlier this spring. Presided over by the chief justices of the supreme courts, it was an eye-opener for some—especially those from cities where traffic fines are used to bolster the local budget rather than promote traffic safety.

Despite the success of this program, thousands of minor-court judges—many of them laymen without legal background—still have not been reached.

And other groups have been slow to follow the lead of Mr. Economos.

It was eight years after the traffic seminars began that Frederick G. Hamley, then Chief Justice of the Supreme Court of the State of Washington, suggested in a speech to the section of judicial administration of the American Bar Association that a seminar for appellate judges would be of value.

Russell D. Niles, dean of the New York University Law School, said that "with some trepidation" he was willing to join in this bold experiment.

CRITICAL REACTIONS OBSERVED

Robert C. Finley, now Chief Justice of the Washington State Supreme Court, who attended the first session in 1956, recalls some of the reactions of judges sitting on the highest state courts.

"There were some strong misgivings and strong criticism of the whole affair," he says. "Justices wanted to know what the whole thing was about.

"Some members of that first group said, 'This is sort of an effort on the part of these law professors to brainwash us, and we're not going to be brainwashed by some big-dome professors from all over the country.'"

Since that first session, the "quizzical, wary attitude toward judicial reeducation has gradually disappeared," he adds. All Washington State Supreme Court judges—except the newest appointee—have attended.

"Our Washington judges are most enthusiastic about the seminar," Judge Finley adds. "We think it has benefited individual members of our court, as well as the Washington Court system as a whole."

Rather than a classroom setting, "everyone sits around one large table and discussion is free and uninhibited," says Professor Karlen, of the Institute of Judicial Administration.

This year 21 justices will attend, including one from Ontario and another from Puerto Rico. The session will be held from July 17 to July 28.

Two seminars for intermediate appellate court judges will also be held this summer. One is scheduled for July 5–13 in New York, and a second will be held in Reno, Nevada, Aug. 14–25.

These sessions are supported by funds from private foundations.

While it was 1956 before the pioneer traffic seminars caught on with appellate judges, it took even longer for state trial judges to get the idea.

Associate Justice Tom C. Clark of the Supreme Court of the United States, who retired this week, is credited with breaking down some of the barriers.

First he helped from the national Conference of State Trial Judges. Then he headed the Joint Committee for the Effective Administration of Justice (made up of 15 professional legal groups). A series of seminars for state trial judges was held beginning in 1961. These were similar to seminars held earlier around the country for federal district judges.

COLLEGE ESTABLISHED

By 1964 the National College of State Trial Judges was established. In 1964 and 1965 two sessions were held at the University of Colorado at Boulder, and were financed—like the earlier seminars—by the W. K. Kellogg Fountain.

One hundred students were accepted each year—new men on the bench. Hundreds were turned down.

In September 1965, with a 10-year grant of $2,390,000 from the Nevada-based Max C. Fleischmann Fountain, the college was moved to the University of Nevada at Reno.

Last summer, two sessions were held—one for 100 judges at Reno; the second at Boulder, for 105 judges. Both were supported by the founding grant from the Kellogg Foundation.

But only 400 of the 3,700 state trial judges—roughly one-tenth—have been through the school.

Two sessions will convene this year, each with 150 judges. The first is scheduled for July 3 to July 28 at the University of Pennsylvania. The second will be held from Aug. 7 to Sept. 1 at Reno.

INTERCHANGE HELD VALUABLE

Dean Hyde points out: "There is no other professional group in the United States that does not hold seminars—that does not become involved in continuing education."

He believes the interchange of ideas between judges from across the nation resulting from seminars is especially valuable.

The primary goal, says Dean Hyde, "is to somehow reach the judge before he takes the bench." Many states have now developed their own seminars for judges, and a few have actually reached the judge before he gets to the bench.

Chicago, long beset with more than its share of political hacks on the bench, now has a regular training program, pioneered by Chief Judge John S. Boyle.

On the Thursday after each November election, new judges go through a five-day indoctrination session. Five days won't turn a lawyer-politician into a judge, but they will help a new man understand his assignment and give him confidence.

Other judges from downstate have voluntarily taken part, but attendance for Cook County judges has been mandatory.

The old system of judges holding semi-social annual conferences has been replaced in Illinois—as well as in a number of other states—with educational seminars.

AT LAST SESSION, 218

Last December, 218 magistrates (the lowest-level judge in the new Illinois circuit-court structure) from across the state discussed the civil procedures, motions, evidence, the handling or traffic cases, criminal procedures, and other basics. The first indoctrination session was held by Judge Boyle in the fall of 1964 when the magistrates attended 10 Monday-night classes two hours in length.

Many states are working hard at upgrading their courts. California municipal judges were holding a weekend session while I toured that state.

June 15–17, minor court judges in the western part of the State of Washington are meeting in Spokane. A second session will be held the last of the month, in Seattle.

Both are being sponsored by the Washington School of Law in cooperation with the University of Washington State Magistrates Association—considered by legal experts to be one of the best associations in the nation.

Again subject matter will be basic; pretrial, trial process, post trial, public image

of judges, canons of judicial ethics, law of evidence, law of property, commercial law, law of torts, current constitutional development in criminal law, and relationships of courts and law-enforcement agencies.

BETTER SELECTION URGED

While the seminars help, they are no substitute for better selection of judges at the outset. A number of men who work in the Cook County criminal courts—prosecutors, defense lawyers, and public defenders—complain that the new judges are assigned there and that many, if not most, are incompetent.

"By the time they understand their job they have some seniority and ask to be transferred," one official complained.

Removing the judiciary from politics is one step that is often recommended, but seldom followed. It is difficult to do this in a political system that believes in rewarding legislators, precinct captains, ward leaders, and those who make sizable financial contributions to the party with judgeships.

As has been pointed out, judges often are simply mediocre lawyers in robes.

LAWYER PROBLEM CITED

The quality of the bench is obviously tied to the quality of the bar. Even well-meaning politicians, determined to appoint or slate only the best possible men, find it difficult to get top lawyers to agree to accept the appointment or run for office.

And already there is a critical shortage of competent trial lawyers.

In the past few years a number of organizations have tried to resolve this dilemma through continuing education. It has been a struggle.

"Lawyers are so impressed with themselves—convinced that they are intellectuals—that some run around with closed minds refusing to learn or even listen," says one of the Midwest's outstanding trial lawyers.

A number of groups are trying to resolve the "lawyer problem."

The American Bar Association was once considered, by many lawyers, to be only a fraternal organization. Now emphasis has been on education and improving the profession and the law, as well.

Local and state bar associations are also changing in character.

The American Trial Lawyers Association—only a dozen years old—is quickly overcoming its rag-tag, second-rate reputation. Those who had opposed it have seen it change and grow. Emphasis is on education of lawyers—initially those who were involved in auto-accident litigation, and in the past year criminal defense lawyers.

CHALLENGE PICKED UP

Its members like to say they represent the "people," for the organization has crusaded to improve auto safety, worked to protect consumer rights, and has been among other things, challenging the drug industry.

Seminars have been held across the nation, with some of the biggest names in the profession lecturing.

Two weeks ago most lawyers found an association seminar in Chicago well worth the time—especially with so many rapid changes in criminal law taking place as the federal Supreme Court and other appellate courts hand down new rulings. About 500 lawyers from a dozen states signed up for the session.

A few schools have been offering educational programs for practicing attorneys for years. The University of Michigan's Advocacy Institute, which helps lawyers polish trial techniques, is 18 years old.

In 1960 the Institute of Continuing Legal Education (ICLE) took that over as the University of Michigan and Wayne State University Law Schools joined hands with the Michigan Bar Association.

The shock waves of interest that followed recent high court rulings in criminal law helped the ICLE go national some 18 months ago.

IN THE BOOK BUSINESS

It has also entered the book business—publishing more than 20 a year on the law. And for four years it has conducted conferences for Michigan trial judges under the sponsorship of the Michigan State Supreme Court.

Now some law-school professors and practicing lawyers are suggesting internships for green law-school graduates. The idea is that backstopping these new lawyers with continuing education programs will greatly improve both the profession and the bench in the next decade.

"More than the teacher, the engineer, or lawyer, the judge acts directly upon property, liberty, even the life of his fellows," says Columbia Professor Rosenberg. "His human frailties are perilously magnified by the nature of his day-to-day work.

"Judicial office today demands the best possible men—not those of merely average ability who were gray and undistinguished as lawyers and who will be just as drab as judges."

Lacking any other solution, education appears to be the answer.

SYLVANIA TRACT OPEN TO PUBLIC

Mr. HART. Mr. President, it is with great pleasure that I ask to have placed in the RECORD the article entitled "Sylvania Tract Open to Public," appearing in the Washington Post on May 26, 1967.

As the story points out, this 18,000-acre tract of lakes and forests in the Upper Peninsula of Michigan has been largely untouched for decades. Since its purchase last fall by the U.S. Forest Service it will be open to the public for the first time.

What the story does not point out is the concerted effort that has gone on for a number of years to bring this about. It would not have been possible without the cooperation of officials of Watersmeet Township, Gogebic County, the U.S. Forest Service, the trustees of the estate, and the chairman of the Senate Appropriations Committee.

The public acquisition of Sylvania, which I sponsored, was a cause of concern to local officials because of the immediate impact it would have on the county tax base. However, they recognized that development for public recreation would minimize the tax loss if it would proceed at a reasonably rapid rate. I shared this belief and, as my Senate colleagues know, have worked to see that initial funds were appropriated in the recently passed appropriation for the U.S. Forest Service.

The opening to the public of the Sylvania tract is something I am sure many Members of Congress will wish to share with their constituents. I recommend this article most highly for the information it provides for all lovers of fishing, hunting, and untouched scenic beauty.

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

SYLVANIA TRACT OPEN TO PUBLIC

What for years was one of the world's great private fishing and hunting clubs opened recently to public fishing. It is the 18,000-acre Sylvania tract, on the upper peninsula of Michigan near the town of Watersmeet not far from the Michigan-Wisconsin line.

Formerly owned by the United States Steel Corp. and maintained as an exclusive club with nearly virgin fishing and hunting, Sylvania was purchased last fall by the United States Forest Service for $5,740,000.

The Sylvania property has been incorporated into Ottawa National Forest, in which the tract lies, and it is now open for public fishing and hunting—for the first time in 66 years.

No camp sites are available this first season of public use of the Sylvania lands, since the Forest Service has not had time to prepare for camping. This season, however, campers can utilize existing sites in Ottawa National Forest which nearly surrounds the old Sylvania property.

The fishing will be in accordance with Michigan's normal angling regulations, although special restrictions will apply for certain lakes. No special fishing licenses other than regular Michigan resident or nonresident licenses are needed for angling within the borders of Sylvania.

Last September Alfred Ames, a Chicago Tribune editorial writer, toured the Sylvania reserve and described it as "a substantial area of the heavily exploited upper peninsula of Michigan existing in the present as a mature forest, untouched for decades by either tree-cutters or resort operators. At this late date Sylvania has wooded shore lines looking as they did when this was still Indian country."

"Nearly everywhere we toured (in Sylvania lands)," said Ames, "was unscarred forest, unpolluted water. We did not see a single beer can. As we touched in succession on Katherine, Clark, Loon, Deer Island, Mountain, Crooked, and Helen lakes we looked out over clear water at unbroken forests."

While Sylvania's lakes offer good fishing now, this could change rapidly under the onslaught of public fishing pressure. Moreover, many of the lakes are not especially fertile, producing fish in limited size and numbers.

For these reasons, many special regulations will be in effect at Sylvania and will be strongly enforced by the Forest Service and Michigan Department of Conservation.

Mark J. Boesch of the Forest Service explained:

"The Sylvania lakes still have a good population of fish; but, because they have no good feeder streams (for spawning, etc.) and few nutrients, heavy fishing pressure could easily change the picture. This calls for intensive fishery management and carefully planned angling regulations."

For this season basic regulations will designate most of the Sylvania lakes, including Clark (the largest) as "Trophy" lakes. In them largemouth and smallmouth bass must be 18 inches, lake trout 30, walleyes 20, and northern pike 30 to qualify as "keepers." Six lakes—Deer Island, Helen, Johnston Springs, Lilu's, Lois, and Mountain will be "fish-for-fun" lakes where everything caught must be released uninjured.

Three lakes—Crooked (Sylvania's second largest), Long, and Big Bateau will have no special regulations. Outboard motors will be permitted only on those three lakes. Cub, Marsh and Katherine lakes will be "research lakes" and closed to fishing until 1970.

Only artificial lures will be permitted on Sylvania lakes.

"Our hope is to manage Sylvania so that we may keep it as much of a near-natural (wilderness) area as possible," said Boesch. "At the same time, people are being encouraged to make good, legitimate use of the area. That is why it was purchased by the Federal Government. The land and water conservation fund provided the money."

Maps of Sylvania with the fishing regulations for the various lakes are being prepared by the Forest Service. Copies may be obtained at no charge by writing Regional Forester, United States Forest Service, 633 W.

Wisconsin av., Milwaukee 53203; or the Forest Supervisor, Ottawa National Forest, Ironwood, Mich. 49938.

STOP, LOOK, REVIEW

Mr. MUNDT. Mr. President, on June 14, 1967, before the National Association of Manufacturers, an excellent address dealing with the development of our water resources was delivered by E. Michael Cassidy, executive vice president of the Mississippi Valley Association.

In his address, Mr. Cassady warned that if we are to preserve sound Federal-State relations in the development of our water resources we should take a long look at what has been done to date.

Mr. Cassady especially pointed out that we should go slow in forming more river basin commissions until such time as we have observed and studied the operations of those now formed, so as to determine whether they are the right vehicle to preserve our sound relations between the State and Federal governments or whether some new procedure should be followed.

Mr. Cassady has set forth excellent advice for Congress and the administration in his remarks. I ask unanimous consent that they be printed in the RECORD.

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

REMARKS OF E. MICHAEL CASSADY, EXECUTIVE VICE PRESIDENT, MISSISSIPPI VALLEY ASSOCIATION, BEFORE THE NATIONAL ASSOCIATION OF MANUFACTURERS, NEW YORK, N.Y., JUNE 14, 1967

This opportunity to participate in a meeting of the National Association of Manufacturers is indeed appreciated. It is also very encouraging to me that you should hold such a meeting because I believe it is imperative that business and industry provide increasing leadership in all phases of the development of this Nation's natural resources.

I am most honored to be sharing this platform with the Executive Director of the water Resources Council, Henry Caulfield, because he has a long record of distinguished service in the field of natural resources development. Too often, I believe, those of us who spend considerable time chopping our way through the ribbons of red tape which envelop our massive Federal establishment tend to hang the tag "Bureaucrat" on every Federal employee in sight and the connotation we place upon this word is not particularly complimentary. I want to say at the outset that I have been, and am, particularly impressed with Mr. Caulfield's ability and dedication to his job. I know from personal experience that he has thrown the clock and the calendar out the window and I doubt the Federal Government could afford to pay him on the basis of an hourly wage with overtime. I would feel far better about the Water Resources Council and the prospect of River Basin Commissions if I could believe that someone of Henry Caulfield's integrity would be in his position 100 years from now.

The Mississippi Valley Association was one of the few organizations in the Country to oppose or to express reservations about the Water Resources Planning Act which created the Water Resources Council and permitted the formation of River Basin Commissions. Another organization in this camp was the National Association of Manufacturers. I have recently reread the testimony of our two Associations before the Congress in 1964, and one basic concern was consistantly evident throughout—the overemphasis on the Federal role. This is still the basic concern of the Mississippi Valley Association, and this is why Mr. Caulfield and I may have differing view on River Basin Commissions. He is most persuasive on this point but I am still concerned because I have watched Federal encroachment on virtually every facet of our lives. I think your own Dan Cannon expressed this same concern very well in his 1964 Cngressional testimony when he pointed out that "Federal control follows Federal money."

I know you are well aware of the Federal water pollution control legislation which Congress passed in 1965. I attended a meeting of industrial and business leaders in the fall of that year and heard a number of valid objections to the legislation and some excellent suggestions which would have permitted industry to play a responsible and realistic role in, if you will, "cleaning up its own house." The only trouble was that this was too little and much too late because the legislation had already been enacted into law.

I believe we need to put the subject at hand in its proper perspective because the Water Resources Planning Act of 1965 created the Water Resources Council and made River Basin Commissions a fact of life. It is too late for theory and we must deal with the situation as it exists today.

The Mississippi Valley Association recognized this at our Annual Meeting last February and appointed a special committee to completely research the subject and develop a statement of policy. This committee has just completed its draft. It is only one paragraph long and I would like to read it to you. It states: "We favor careful observation and detailed study of river basin commissions already created or presently being created to determine whether the fear of Federal domination of such commissions is well founded or if such commissions are truly an effective vehicle to enable the states and the Federal Government to act as equal partners in planning the development of a basin's water resources."

The Committee and the Valley's Association's staff spent many hours with Mr. Caulfield and his staff discussing the various ramifications of the law and the rules and regulations which were subsequently issued. We found items of great concern if not of disagreement. We felt also that a temporary plateau had been reached in the creation of any new River Basin Commissions which would thus afford an opportunity to watch the already created Commissions in action and perhaps to suggest changes in the law if such should prove desirable. As our Committee draft points out, we expect to conduct a "careful observation and detailed study."

When the Mississippi Valley Association opposed the passage of the Water Resources Planning Act, we were opposing not the goals of the bill but the proposed means of accomplishing them. We believe that coordination between Federal and state governments is vital insofar as comprehensive resource planning on a regional basis is concerned and we feel that this same coordination between the various Federal agencies involved is also vital. It should be noted, however, that greater coordination between all agencies was readily apparent and constantly increasing in the years before the Act was proposed. We believed this voluntary coordination should have been encouraged rather than stifled within the rigid confines of this legislation. Our fear was that tampering with the independence of the various Federal agencies would be a forerunner to the birth of a super agency such as the proposed Department of Natural Resources which would in turn lead to a further abrogation of state and local rights and a loss of many of the traditional prerogatives of the Congress. Nothing has yet occurred to allay that fear. On the contrary, we seem closer to it today than we were in 1964.

There are several excellent examples of voluntary cooperation now in existance such as the Southeast River Basins Interagency Commission. This group has a representative of the states serving as its chairman and we have every reason to believe that their work will be just as effective as a Basin Commission and with no fear of Federal domination. The framework for other comparable basin groups already exists and this could provide a suitable alternative to a Federally established Basin Commission. We said this during the Congressional hearings on the legislation and it is still possible.

Assuming you are all reasonably familiar with the manner in which River Basin Commissions are constituted, and in view of the question period to follow, I will avoid a technical discussion and deal with the possibility of Federal domination which is our principal concern.

We feared that the Federal role inherent in the Act would prove to be too succulent a political plum to escape the spoils system of patronage. Mr. Caulfield's appointment to his important position seemed to belie that fear because he is eminently well qualified. The appointments of the Chairmen of the new River Basin Commissions should answer the patronage question but, on the basis of one appointment which comes to mind, I am not at all sure any of us are going to like the answer we get. I think we have very right to expect the President to appoint the best qualified man available as Chairman of a River Basin Commission and not to use this important position as a reward for partisan political activity or as a repository for defeated political candidates.

Recognizing the political truth that those who control the funds inevitably control the program, one cannot help but see some ghosts in the structuring of River Basin Commissions. The Commission Chairman, a Presidential appointee could change with the political winds. State representatives, including the Vice Chairman, who are appointed by the several Governors, could be blown away in these same winds. The only continuity might be provided by the Federal employees controlling the Federal funds. The local voice would be but a breath in this hurricane.

Most of those who oppose change are today automatically damned for a complete lack of vision and are relegated to the Middle Ages. Today's self-styled visionaries are all-knowing and all-seeing and those who read or mention history are accused of living in it. That famous quotation "What is past is prolog" has been twisted to mean whatever appears to be advantageous to the user at the moment. We are constantly being bombarded on every side with that great and unassailable truth that "the end justifies the means." Well I, for one, am not about to buy it.

I suppose I could be accused of being a 1776 Colonial for referring to our Constitution but it seems to me the fathers of our great Country were trying to say, as they created the greatest form of government the world has ever known, that this government was formed to do for the people those things they could not do for themselves—just that and no more.

To me, the phrase "of the people, by the people and for the people" does not automatically mean womb to the tomb care on the part of a Gargantuan government which does all of the thinking and all the doing for the people. Some of the pot-boiling and distilling process of recent years seems to have produced a compound which might be called "if we think its for the people, then the end justifies the means." I do not question the sincerity of those in our Federal establishment who expound this philosophy but I certainly do question the wisdom of the philosophy. It was the people who made this Nation great and the inspiration, foresight, enterprise and impetus went from the people up and not from Washington, D.C. down.

The Honorable Tom Adams, Secretary of

the State of Florida, is one of the Country's outstanding leaders in the field of water resources development. He is also one of the leading figures in state government. We asked Secretary Adams to address himself to the same subject we are discussing today and he appeared on our last Annual Meeting program with Mr. Caulfield. I would like to tell you a little bit of what he said, and I quote—"The choice is still ours . . . . to decide whether we are willing to permit the destruction of the traditional division of authority within our federal system . . . . or whether we will build a new federal relationship . . . . a system in which the national government is a partner . . . . not the master over local affairs.

"Although this involves the entire spectrum of the governmental process, it nevertheless points emphatically to the concept of water resources planning and development . . . . to the concept of determination by those who are responsive to the citizens of our states and Nation . . . . not by those who are insulated and hidden from public opinion and valid public desires.

"Thus, if we expect to retain our role as leaders in water resources development, we *must be ever mindful* of the need to shoulder the responsibilities that are rightfully ours. Indeed, we must join together in an even stronger bond and show our willingness, our desire, and our ability to plan for and develop these resources through collaboration at all levels of government. But let us make certain that we secure collaboration with—not control by—the federal establishment."

Earlier I mentioned the problem of Federal encroachment but I believe we need to remember that encroachment is only a part of the problem. Much of the problem of Federal domination has resulted, not so much from encroachment, but rather from a forfeiture of responsibility by local and state governments who either failed to recognize it or chose to abandon it. This has been true in many fields and it behooves organizations such as ours to see to it, while there is still time, that this does not happen to our water resources. I believe that the business community is the only group left which can provide the necessary leadership and it must do so if we are to avoid total Federal domination in all fields.

I hesitate to use the terms "Black" and "White" but they are necessary to produce the several shades of gray with which we now find ourselves enveloped. River Basin Commissions, in my view, are neither all good nor all bad and not all Federal Bureaucrats wear black hats. Hopefully, we will have an opportunity to see to which basic color the several shades of gray revert before we find ourselves committed to a course from which there is no return. Regretfully, the hour is much later than most of us care to admit.

We have seen many of the Federal government's innocent infant programs grow to become a colossus with which we are now barely able to cope. Too often, this has been the rule rather than the exception and the list grows longer year by year. One cannot help but wonder if there is any end this side of totalitarianism?

Up to this point in our history, the full development and proper use of the Nation's soil and water resources has been an enlightened and non-partisan program which has proved to be the best capital investment our government has ever made. This has been true because this program was the will of the people and was reflected through their elected representatives in the Congress. This development program has never been an easy fight but it has always been a "good" fight.

We believe that the best things our great Country has achieved have come about as a result of the will of the people and we further believe that this will is best expressed by our elected representatives in the Congress and not by the Executive branch. We look with a jaundiced eye at any proposal which would seem to dilute the powers and prerogatives of Congress and place them in the hands of a branch of government far removed from the will of the people. If we always remember that this is a government of the people, and by the people as well as for the people and act accordingly by accepting our responsibilities and fulfilling our obligations as individual citizens, then our Nation, as we know and love it, truly "Shall not perish from the earth."

THE EFFECT OF MERGERS ON CORPORATIONS

Mr. HART. Mr. President, somewhat belatedly, I would like to call my colleagues' attention to a speech on antitrust and mergers which I think will be informative to all. The speaker was Federal Trade Commissioner John R. Reilly. The subject, "Myths and Merger Policy," is one that would have suffered in less capable hands. However, Commissioner Reilly analyzed the effect of mergers on corporations, competition, and consumers in a manner as enjoyable as enlightening.

The speech is worth the few minutes it would take to read it and I do commend it to all Members of Congress.

Mr. President, I ask unanimous consent that the speech referred to be printed in full at this point in the RECORD.

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

MYTHS AND MERGER POLICY

(Remarks of John R. Reilly, Commissioner, Federal Trade Commission, before Antitrust Section, District of Columbia Bar Association, Washington, D.C., February 23, 1967)

I am pleased to be here. I intend to exercise the prerogatives of a speaker today, and I will depart, to some extent, from my assigned topic. This departure is stimulated somewhat by the heavy-handed jabs at the Federal Trade Commission and the Antitrust Division which recently appeared in a leading financial newspaper. The article theorized that "Antitrust is a national disaster" and that "At Justice and the Federal Trade Commission these days the whole purpose of the game is to keep their heads down". The Antitrust Division is considered by the author "brawnier and brainer than the Federal Trade Commission". I'm sure that had the reporter chosen to visit with me prior to writing the article, he would have had to change his conclusions, at least as to brawn.

I am also sure that those of you who saw it noted that there was very little new in the article. Critics of antitrust policy change little—they are still as heavy-footed and their criticisms are as ponderous as ever.

But, since criticism seems to be a popular party game today, as always; I thought that I would use this forum today to put forth a pet theory of mine—that while much of the criticism is based on myth—nevertheless from an examination of the myths, one can discover a few truths—which, if one has anything resembling an open mind, will lead to criticism which may be constructive.

I would like to talk today about some common myths which have grown up concerning merger policy and its relation to broad economic objectives.

Certainly one of the weirdest of the current crop is that, in some unspecified manner, recent court decisions upholding the government's position in key merger cases are inhibiting the growth of the American economy.[1] How this belief has gained currency in the face of recent economic developments, is a triumph of illogic which warrants a look at the record.

There was a period in the post-war years when growth rates in the American economy lagged behind those of other developed countries. This was true in the latter half of the 1950's, but the situation has changed radically since that time. Let me cite some figures from the just issued report of the Council of Economic Advisers. During the years 1955–60, the growth in our Gross National Product, in real terms, amounted to only 2.2 percent. During the first half of the 1960's, however, the growth rate jumped to an average of 4.7 percent.[2] In 1966, the nation registered a resounding advance in real output of 5½ percent.[3]

Now our recent growth rate is nothing short of spectacular when it is realized that we have long enjoyed the highest standard of living of any nation of the world, and that the other so-called developed countries have been making every effort to catch up with us. Even more to the point, think of the enormous resources that are being employed when our country is on the move: the United States accounts for well over half of the real output of all the OECD (Organization for Economic Cooperation and Development) countries combined and our GNP is over six times that of the second largest of these countries.[4]

Now, let's consider the timing of merger decisions in relation to these phenomenal U.S. growth rates. Actually, the earliest merger cases were working their way through the Commission and the courts during the late fifties and we were well into the sixties before the Supreme Court had its first opportunity to discuss the scope and thrust of Celler-Kefauver. For example, *Brown Shoe* was decided on June 25, 1962, and the economy, far from shaken by this and subsequent decisions, was pushing to new heights.

As a matter of fact, last May, when the Supreme Court decided the much criticized Von's case, the economy was straining at the leash. Indeed the preoccupation of national policy was to slow down the economy because, to quote the Counsel of Economic Advisers, "output continued to rise faster than productive capacity"[5] and price stability was therefore threatened.

Obviously, the record cannot support the myth that court interpretations of the merger law, or the enforcement activities of the government have dampened the growth potential of the American economy.

If these critics would think about the growth process they would recognize that it is fundamentally a matter of building new

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[1] For example, M. A. Wright, chairman of Humble Oil & Refining Company and president of the Chamber of Commerce of the U.S., recently charged that antitrust policies threaten America's economic growth and urged businessmen to support a study of present merger policies so that new legislation "to improve the nation's antitrust policy" could be proposed. See *Advertising Age*, Sept. 12, 1966 (Vol. 37, No. 37), p. 1.

According to Mr. Wright, "the Supreme Court has adopted a very narrow interpretation of our antitrust statutes . . . In this way, the purpose of our antitrust legislation is being misdirected with possible detrimental long-run consequences to the nation's economic growth and efficiency." (See "The Trouble With Antitrust," by M. A. Wright, Dun's Review, November 1966, p. 50.)

[2] *Economic Report of the President*, January 1967, p. 171.

[3] *Ibid.*, p. 45.

[4] *Ibid.*, p. 171.

[5] *Ibid.*, p. 45.

plants and the equipment to turn out more goods and services. This is what we refer to as internal growth.

Mergers do not produce growth in the economic sense. The combining of two firms does not in and of itself produce economic growth unless by some process the combination itself gives a spurt to expansive activity in the creation of new goods and services.

Of course, the individual corporation, as a firm, can become bigger through mergers. But even corporate growth, at times when merger activity is most prominent, is generally more a function of internal building than external merging. Certainly, over the long run, this is the case.

So, when we consider growth in its proper perspective, we realize that the merger laws and merger policy influence only one, and a relatively minor, facet of *corporate* growth—one that has only a very negligible influence over growth of the economy at large.

Having said this, it is also important to recall that Congress considered carefully the two sources of corporate growth—the internal method and the external, or merger method—and limited its concern entirely to competitive problems associated with the second. Congress was well aware of the fact that internal growth, since it entails the creation of more productive facilities for the economy, is a competition-creating force in its own right. Mergers, on the other hand, may reduce competition in various ways.

One of the authors of the merger act, Congressman Celler, recently commented on this distinction between the internal and external growth process as follows:

Too few people realize that this utilization of corporate funds [for mergers and acquisitions] frustrates government efforts to stimulate investment activity and economic growth in two ways. First, it diverts corporate resources into mergers instead of the building of new plants and the development of new technical resources. Secondly, through the merger movement, economic concentration and oligopoly are increased, making our economic system less competitive and flexible. Indeed, the more monopoly or quasi-monopoly there is in America the more rigid are prices and the less incentive there is for business to reduce prices to stimulate consumer demand and business activity.[6]

I suppose it is to be expected that most large corporations, if given an option, would prefer to merge rather than build into a new line of business. In the first place, they buy a going concern—management, plant and equipment, know-how and the rest. They don't have to go through the painful process of what the economists refer to as the "Market Test".[7]

Even more important, most large corporations prefer, or even insist on entering the new market in a big way, on a large scale. A moment's reflection reveals that if a large corporation builds into a new line in a big way, it will increase the capacity of the industry. Say it has been weighing the alternatives. Should we buy company X, which enjoys 10 percent of the market, or should we build the equivalent amount of capacity by entering the industry by the internal growth process?

The obvious result of building in such proportions is that the competitive balance of the industry would be upset by creating a 10 percent increase in industry capacity. Such an increase in capacity would create a lot of competition for the firms already in the industry. If the industry were oligopolistically structured, such an intervention from the outside might upset the "tight little island" of "contented competition." This is what the economists refer to as the "percentage effect" created by internal entry.[8]

From the point of view of the public interest which is best preserved by maintaining or stimulating competition, it is clear that internal expansion will usually be a spur to competition, while mergers may well lessen it.

Even in conglomerate mergers competition is deprived of this benefit flowing from the creation of productive facilities.

Consequently, from the point of view of maintaining competition, I think we should take a hard look at any merger involving the take-over of a dominant or leading firm in one industry by a dominant or leading firm in another industry, whether the two industries are functionally related or not. In the long run the best protection for the consumer is to hold the avenues open for potential entrants who by coming into or even threatening to come into the market with new capacity would hold prices near competitive levels and prevent the garnering of undue profits in oligopoly industries.

A second myth that should be dispelled is that the antitrust laws are, in some way, so massive in their power potential that they could halt the merger movement in is tracks. Such a myth is broad enough to shelter both our critics who feel we are doing too much and those who argue that we are doing too little.

Quite obviously, there is something very fundamental at work in the economy feeding the current merger movement which taxes the ability of the antitrust laws to cope with. For those of us who feel that the merger law should hold this movement under a certain amount of constraint, it may be disturbing to watch merger activity soar into higher ground with almost every year that passes. It also may be a cause for concern that the upward thrust in the merger movement occurred just after the passage of the 1950 Celler-Kefauver Amendment, and that merger activity has been on a high plateau for more than a full decade.

Maybe we haven't been doing enough. However, I don't believe the facts I cite, standing alone, are conclusive. On the other hand, as I noted a minute ago, recent experience conclusively demolishes the converse argument—that business has been hamstrung by merger enforcement.

One prominent news magazine, looking at the record, concludes that there has been no "crackdown on business mergers". It goes on to say:

"Federal trustbusters have made headlines with a rash of lawsuits attacking mergers of business firms. Still, the great majority of mergers go through without challenge, as shown by the following figures for the last six years:

	Percent
"Important mergers in U.S.	9,905
Mergers attacked by Government	114
Percentage of mergers attacked	[9] 1.2"

What is the significance of these figures? I suggest that at least three observations may be made. In the first place, the common complaint that merger policy places a barrier to the exit of the closely-held family firm simply cannot hold up. Thousands of mergers involving this type of transfer of ownership are not even investigated in depth, much less challenged, by the antitrust agencies.

Second, the merger path to corporate growth is not closed, when less than 2 percent of the mergers are challenged.

Third, merger enforcement does not materially alter the broad course of the merger movement.

This latter conclusion is reinforced by history. Some of you may remember, or at least have studied, the earlier merger movements in American industry. In the late 1920's, for example, the momentum of merger activity was accelerated and "merger talk" reached tremendous heights.[10] Not many months passed, however, before the whole movement collapsed along with everything else in the 1929 stock market debacle. Certainly public policy had no discernible influence on the course of the merger movement of the 1920's. The loopholes in Section 7 had been discovered and antitrust action against mergers was a virtual nullity.

By similar token, if the current merger movement which has been under way for many years were to collapse tomorrow, we would have to look beyond antitrust for the causes.[11]

Another myth, recently uncorked by a well-known economist in a series of lectures delivered abroad, is that antimerger enforcement is just a "slick charade." This criticism comes from the sophisticates who think that antitrust in general is just concerned with trivia and that we are merely playing games. I need hardly add that such critics have little faith in competition as a self-regulating force

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[6] Hon. Emanuel Celler, "Federal Trade Commission Decision on Procter & Gamble-Clorox Merger Is a Major Breakthrough in the Application of the Celler-Kefauver Act," daily CONGRESSIONAL RECORD, March 23, 1964, p. A1493.

[7] Heflebower points out that:

Expansion by building involves a more clear-cut market test not only of expected private advantage but also of social gain than does expansion by merger. Addition by building, whether to enter a new market or to add a new vertical step (but less clearly to expand in an old market) involves use of liquid assets in an untried operation. Merger means acquiring a going operation (acquisition of failing firms are exempt from Section 7.) Often the increment of expansion by building is small compared with that by merger and each step toward enlarging the size of the corporation, vertically or horizontally, is subject to appraisal before the next is taken. At each step, the firm cases the "percentage effect" of capacity added proportional to the size of the market. (R. B. Heflebower, "Corporate Mergers: Policy and Economic Analysis," Quarterly Journal of Economics, p. 556.

Heflebower is also categorical as to the contrast between merger and internal entry, stating:

Expansion by merger does not, of itself, augment competition. No capacity is added and for that reason, where the move is made into another market, horizontally or vertically, it is not entry and appeal cannot be made to the generally accepted competitive benefits from entry. Only if the firm later adds capacity relative to the size of the market, or if its rivalry were to disturb an ineffectively competitive market—an outcome very difficult to predict—could an entry-like effect be claimed. (*Ibid.*, p. 555.)

[8] Joe S. Bain, *Barriers to New Competition*, Harvard University Press, 1965, p. 55.

[9] *U.S. News and World Report*, July 25, 1966, p. 46.

[10] Willard L. Thorpe, "The Merger Movement," in *The Structure of Industry*, Monograph No. 27, Temporary National Economic Committee, 76th Cong., 2d Sess., p. 233.

[11] It is beyond the scope of this paper to discuss the underlying causes for the merger movement. However, most scholars seem to feel that general business activity, and stock market activity as a proxy thereof, is the basic causal factor. See Ralph L. Nelson, *Merger Movements in American Industry*, 1895–1965 (Princeton U. Press, 1959) pp. 106–126; testimony of Dr. Willard F. Mueller, in Economic Concentration: Part 2, Mergers and Other Factors Affecting Industry Concentration, Hearings before Antitrust and Monopoly Subcommittee, U.S. Senate, 88th Cong., 2d Sess., pp. 501–537.

in our economy, or if they do, they take a complacent view toward questions of concentration of economic power.

It seems to me that such comments reveal a detachment from what has been going on in the real world of antitrust, particularly in recent years. Most commentators are agreed on the point that not only a substantial number of significant merger cases has been brought and carried through the courts, but that the application of the new merger law has been quite well delineated by the key court decisions. Certainly, the legal guidelines are much more fully developed in respect to the Celler-Kefauver Act than was the case with the Sherman Act in a comparable period of time after its enactment. The charge of dealing in "trivial" mergers simply does not stand up.

Let me briefly describe [12] the way the staff of the Commission approaches its merger enforcement responsibilities. In the first place, it maintains close surveillance over the merger movement as a whole and in particular industries. For example, in figures recently released by the Commission it was noted that total merger activity for the year as a whole was off slightly from the previous peak. Large mergers, however, rose to a new high in 1966, despite a slide-off in activity during the last half of the year. I also understand that an unusual number of large mergers was pending at the end of the year.

In addition to watching general trends in merger activity, the staff takes a close look at particular mergers and how they affect the structure of various industries and markets. Special scrutiny is given trends that might suggest developing industry-wide waves of mergers. The staff attempts to assess the effect of the merger movement in broad terms on industrial concentration, but particularly studies the probable effects of the so-called large mergers, that is, those involving manufacturing and mining companies with assets of, say, over $10 million. Mergers of this magnitude are scrutinized carefully not because we are interested in size as such, but because size is inevitably a general yardstick of economic impact.

We are always mindful, of course, of the fact that for a given merger to be challenged, it must be demonstrated that the merger may substantially lessen competition or tend toward monopoly within a particular market context. If the question of market effects cannot be resolved, the legislative test of effect on competition is not met.

Just to check out our recent merger enforcement activity, I have reviewed the acquisitions challenged by the Commission and the Antitrust Division during the past two years. It came as no surprise to find that the blue ribbon corporations listed among Fortune's top 500 were well represented. In 1965 and 1966, the Federal Trade Commission issued some 23 merger complaints. Approximately two-thirds of these cases challenged acquisitions made by firms ranking among Fortune's 500 largest industrials or its 50 largest merchandising companies. The average size of acquiring companies challenged amounted to about one-half billion dollars in annual sales. Acquisitions challenged involved the sales of the acquired companies ranging in the aggregate anywhere from $4 million up to $800 million.

I am sure that this audience of antitrust practitioners does not believe that merger enforcement is a charade or that it involves mere trivia, and I imagine that each of you would recommend that your clients take very seriously the question of whether a contemplated merger might run afoul of the antitrust laws. Thus, the truth of the matter is that we in the antitrust agencies take our responsibilities very seriously indeed. We are engaged in a sincere effort to shape public policy in this area with a view to preserving the competitive economy. We are advocates of competition. We deplore regulation and hope to avoid the necessity of permitting the economy to become so distorted structurally that some sort of direct government intervention becomes inevitable.[13]

Another widespread myth is that the merger laws are so uncertain that business cannot plan with any degree of certainty. The plea for "certainty" is as old as the antitrust laws and has been applied with equal vigor at one time or another to every act and every section of the various statutes.

I am sure this audience is too sophisticated to believe that absolute certainty in antitrust is either possible or desirable. The broad constitutional characteristics [14] of these laws are their great virtue, in fact. Their basic flexibility permits them to adapt to the changing character of our economy and enables those having enforcement responsibilities to fulfill their primary function of protecting the public interest.

The price of absolute certainty in the antitrust laws would be a rigid codification of the rules, and this, in my view, would lead to outright regulation. This is not to say that the agencies should not and do not take affirmative steps to bring clarity to the laws. They do. The Commission does in a number of ways.

We endeavor to assist business in prescreening questionable mergers through our advisory opinions. Also, we have recently set forth, in three industries, guidelines for merger enforcement in order that the Commission's broad policy objectives might be better understood.

We have approached this development of guidelines for merger enforcement in somewhat various ways, each tailored to best fit the problem at hand. The first method involves the case-by-case approach, culminating in a key Commission opinion which sets forth guidelines. This was done in the Commission's *Beatrice Foods* decision. [15] *Beatrice* was the last of a series of merger actions taken by the Commission in the dairy industry [16] and hence provided the opportunity to set forth for the dairy industry the guidelines for future enforcement. The Commission explained: "Thousands of mergers have taken place in the dairy industry in the last 50 years. In an industry so prone to extensive merger activity, the need to develop standards which will be clearly understood by the industry, and which will prevent unlawful mergers without deterring lawful ones, is especially urgent." [17] The purpose of Commission enforcement policy in this area has not been to prevent all mergers, nor has this been its effect. The Commission recognized that various economic and technological factors made inevitable a certain amount of merger activity. It concluded, however, that "Congressional policy as expressed in Section 7 will be best served in this [dairy] industry if merger activity is channeled toward smaller firms." [18]

In the retail grocery field, on the other hand, the Commission used a different approach in formulating its enforcement guidelines. Over the past several years it has issued a series of five complaints challenging the mergers of leading grocery store chains, as well as several staff studies of food retailing. In view of this background, and "the probability that market forces will continue to create an environment conducive to mergers in the industry" the Commission felt that it should "spell out as clearly as possible those mergers which the Commission's experience and knowledge suggest are most likely to have anticompetitive consequences." [19]

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[12] A more complete discussion is contained in "Conglomerate Mergers—An Argument for Action," John R. Reilly, *Northwestern University Law Review*, Vol. 61, No. 4, pp. 522–537.

[13] Compare the charge, unfounded in my view, by the chairman of Tatham-Laird & Kudner, Chicago, that "men like Donald Turner, U.S. antitrust chief, are so willing to overturn the whole concept of our free competitive economy as to approve publicly the proposal in Great Britain that detergent manufacturers be forced to cut back their promotional expenditures by 40%." *Advertising Age, op. cit.*, p. 1. In contrast, see statement of Chairman Paul Rand Dixon, "Antitrust for Export?" delivered before the Los Angeles World Affairs Council on September 13, 1966, where he states:

> The American theory has been that we should challenge not only those mergers which create positions of monopoly or dominance, but also those that are incipiently monopolistic. Our policy rests on the twofold presumption, well supported by the facts of industrial experience, that (1) mergers of market leaders usually do not result in social efficiencies, and (2) competition is a regulating force to be preserved in its own right.
>
> In Europe, in contrast, antitrust policy is one of passive acquiescence in merger, the theory being that once a firm reaches a dominant position in the market it may then be subject to regulation. In other words, they generally do not interfere with structural changes tending toward monopoly, preferring instead to regulate performance once monopoly power is achieved. Some European antitrust officials take the position that mergers are imperative in order to achieve increased efficiencies, and that competition may well be sacrificed on the altar of such alleged gains in efficiency. But then they may take a harsh view of dominant firms."
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Chairman Dixon then discussed the recent actions of the British Monopolies Commission in regard to Kodak's dominant position in color film in the British market and the dominance of Procter & Gamble and Unilever in the soap and detergent market. Referring to the British Monopolies Commission's recommendation that the latter companies reduce their marketing expenses by 40 percent and their wholesale prices by 20 percent, Chairman Dixon commented:

> "I think these examples bring into sharp focus our differences in approach. We challenge abuse of market power and act to prevent the undue accumulation of market power through merger. The British—and I think this is generally true of most European antitrust groups—in the last analysis probably would regulate the activities of dominant firms."

[14] See Reilly, *op cit.*, p. 524, *et. seq.*

[15] *In the Matter of Beatrice Foods*, Docket No. 6653, Opinion of the Commission, April 26, 1965. This decision is currently on appeal before the U.S. Court of Appeals for the 9th Circuit.

[16] In 1956 the Commission issued complaints against the country's four largest dairies, charging that certain mergers had violated Section 7 of the Clayton Act, as amended: *Foremost Dairies*, Docket No. 6495; *National Dairy Products*, Docket No. 6651; *Borden Co.*, Docket No. 6652; and *Beatrice Foods*, Docket No. 6653. The Commission rendered its decision in *Foremost* April 3, 1962. March 5, 1965, the Commission issued a Modified Order in this matter. The *Borden* and *National Dairy* complaints were settled by consent orders issued April 15, 1964, and January 30, 1963, respectively.

[17] *Id.*, 43.

[18] *Id.*, 46.

[19] Federal Trade Commission, "Enforcement Policy with Respect to Mergers in the Food Distribution Industries," January 3, 1967, p. 4. The Commission added: "This is not to imply that the Commission has sufficient knowledge or foresight to draw with precision the legal boundaries around every

In the cement industry the Commission used still another approach. Over a period of about five years a vertical merger movement swept across the cement industry as cement companies acquired 40 ready-mix concrete companies. In spite of initiating a series of complaints, the merger movement continued. Because the case-by-case approach necessarily is a time consuming one, the Commission decided to consider "the problem on an industry-wide basis to determine whether its current approach to vertical mergers in these industries was correct and effective . . ." [20] It therefore directed the Commission's economic staff to investigate this matter and report its views. The staff report was made public,[21] and the Commission announced a public hearing at which members of the industry and others were invited to comment. Based on this public record the Commission set forth the criteria which it would use in its future enforcement policy in this area. It emphasized, however, that "the issues in any proceeding instituted by the Commission will be decided on the merits of that case."[22]

In short, the Commission has taken a pragmatic approach to the question of reducing business uncertainty. It has established merger enforcement guidelines for particular industries only after having gained sufficient knowledge to do so.

However, while the Commission has done much to provide guidance concerning the application of Section 7, it, concededly, can and should do more. I have particularly in mind the problem of conglomerate mergers.

Recently I had cause to state that "to continue to emphasize action against horizontal mergers would be like mounting a vast hunting expedition for stalking the dinosaur." [23] In the six-year period, 1960–65, large horizontal mergers declined not only proportionately, but also in absolute number. However, during the same interval, conglomerate mergers increased from 17 percent to 71 percent of the total of all large mergers.

Accordingly, the Commission is devoting considerable attention to conglomerate mergers. In respect to the product-extension form of conglomerate, it has challenged acquisitions by some of the country's largest corporations. The Procter & Gamble/Clorox matter, possibly the most important of the conglomerate mergers considered to date, was argued before the Supreme Court last week.

However, this week the Commission chose not to litigate an important product-extension merger. By a three/two vote, it approved a consent settlement that permits Procter & Gamble to retain its acquired control of a significant company in the coffee industry.

In my opinion, the settlement drives home the point that guidelines indicating what mergers will be challenged are of minimal value if remedial action is unexplained or weak.

The Section 7 consent order, perhaps more than any other form of litigative settlement, is studied by nonparties and used as a guide to future action. Time after time, I have sat at meetings, read briefs or heard appeals in which respondent's counsel have contended that the Commission required such and such a remedy in a particular consent matter and, therefore, should require the same remedy in the matter under review.

Is the recent Procter & Gamble settlement meant to serve as a guide? Does the Commission now advocate a "one-large-bite-at-the-apple" approach concerning product extension conglomerates? I hope not. Perhaps, in view of today's merger movement and the recognition by the responsible agencies of their obligation to reduce the uncertainty of the application of Section 7, we should reconsider the urgings of a number of scholars and make known the "whys" and "wherefores" of settlement actions.[24]

At this stage of the conglomerate merger movement, cases should be litigated. The Commission's views should be derived from comprehensive trial records and then evaluated by the courts. In accepting consent settlements, the Commission, at this point in time, decrees remedy *ad hoc* on bases which are vague, obscure and idiosyncratic.

In conclusion, it is time that we concerned with antitrust face up to realities. Myths, in the abstract, are acceptable. Some have charm. Most have romance and all have entertainment value. But the fact is they do spring from the darker recesses of the mind and they hardly represent man's intellect at its best. They are a product of fear of the unknown, and while the antitrust laws get pretty abstruse at times, I would not expect the more knowledgeable practitioners to substitute myth for hard study and thought.

prospective merger in food retailing. Conditions inevitably change with time and circumstances. On the other hand, businessmen contemplating mergers have a right to know whether particular mergers are likely to be challenged by the Commission and, perhaps, be forcibly undone after years of expensive litigation. This is not to say that what is set forth below in any way respresents prejudgment by the Commission concerning the way in which it will rule in particular litigated cases. On the contrary, the following expressions of the Commission's characterization of particular organizational developments in the industry, and their probable competitive consequences, represent the Commission's current knowledge of these matters as revealed by its own experience in various litigated cases, information received from a recent survey of leading food distributors, and on authoritative studies of others, particularly those of the National Commission on Food Marketing."

[20] Federal Trade Commission, "Commission Enforcement Policy with Respect to Mergers in the Cement Industry," January 3, 1967, p. 2.

[21] Federal Trade Commission, Staff Economic Report on "Mergers and Vertical Integration in the Cement Industry," April 26, 1966.

[22] *Id.*, p. 9.

[23] Reilly, *op. cit.*

[24] See, e.g., Phillips, *The Consent Decree in Antitrust Enforcement*, 18 Wash. and Lee L. Rev. 39, 54 (1961); Goldberg, *The Consent Decree: Its Formulation and Use*, 70 (Mich. State University Press 1962).

THE HERBERT HOOVER BOYS CLUB OF ST. LOUIS—DEDICATORY ADDRESS BY HON. JAMES A. FARLEY

Mr. SYMINGTON. Mr. President, in St. Louis yesterday it was my privilege to attend the dedication of the Herbert Hoover Boys Club, named in honor of the 31st President of the United States, that able and patriotic humanitarian, Herbert Hoover.

In addition to his high office of President, Mr. Hoover was chairman of the Boys Club of America from 1936 to 1964.

The Herbert Hoover Boys Club of St. Louis was conceived and carried out by its president, Richard H. Amberg, publisher of the St. Louis Globe-Democrat, and was also made possible through the civic understanding and support of Col. August A. Busch, Jr., former owner of the baseball stadium on which the boys club is being built.

The dedication service, attended by both of President Hoover's sons and their wives, Mr. and Mrs. Herbert Hoover, Jr., and Mr. and Mrs. Allan Hoover, was honored by a message from the President of the United States, the Honorable Lyndon B. Johnson; and also from a former President, the Honorable Harry S. Truman, to Mr. Amberg.

The dedication address was made by one of the leading citizens of the United States, former Postmaster General James A. Farley, who for many years worked with Mr. Hoover as a member of the Hoover Commission.

I ask unanimous consent that the messages from President Johnson and former President Truman, along with the superb address by General Farley, be printed in the RECORD.

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

JUNE 18, 1967.

Mr. RICHARD H. AMBERG,
President, Herbert Hoover Boys Club, St. Louis, Mo.:

Herbert Hoover's service to his country spanned nearly half a century. His memory and example continue to inspire living generations.

Although he was the 31st President of the United States, he belongs not merely to us, but to all mankind. He was known as the great humanitarian. His concern for the well being of millions of human beings around the world knew neither partisanship nor nationality.

He was a wise, gentle, and tolerant man whose faith in the ultimate perfectibility of man never wavered, and who struggled all his life for the cause of peace and justice.

It is my hope and belief that the Herbert Hoover Boys Club will encourage thousands of young men of future generations to follow his footsteps.

Sincerely,

LYNDON B. JOHNSON.

Mr. RICHARD H. AMBERG,
President, Herbert Hoover Boys Club, St. Louis, Mo.:

Thank you for informing me the Herbert Hoover Boys Club in St. Louis will be formally dedicated on June 18th.

I know of nothing that could have brought deeper satisfaction to my good and respected friend Herbert Hoover than to have this project come into being in his name.

President Hoover's devotion and interest to the causes of boyhood is historic as was his humanitarian concern about the plight of the hungry and suffering of all nations.

Sincerely yours,

HARRY S. TRUMAN.

DEDICATORY ADDRESS BY HON. JAMES A. FARLEY, HERBERT HOOVER BOYS CLUB OF ST. LOUIS, JUNE 18, 1967

It was extremely kind of you to invite me here today. There is no citizen in our broad land who would not be honored by an invitation from its most distinguished citizens.

But, in a larger sense, I regard your invitation as a summons, a summons to be of possible assistance in a cause which no man of conscience can ignore.

I know you will agree with me when I say that the youth of our country is more important than we are; and, by the same token, I cannot refrain from extending my warm congratulations and my heartfelt thanks—as an American citizen—for what you are doing for them.

I find it particularly fitting that this gathering is in honor of the late President Herbert Hoover, who gave so much of himself to this cause. And I particularly welcome this day because it gives me an opportunity to say something I have wished to say for a long time.

President Herbert Hoover and I belonged to two different political parties. President

Hoover and I, I believe, subscribed to two different approaches to the theory of government. The political scientists have bestowed much effort in recording and analyzing these differences. But they have, it seems to me, overlooked the most important factor, and that is the things which they have in common.

I hate to disturb the learned fraternity but I do hope that it will be mentioned if only as a footnote that President Hoover and I were fellow Americans, very good friends and regarded any differences between us as insignificant as measured against our common heritage as Americans.

The late Chief Justice Vinson declared that Americans might well have many loyalties, but the single, supreme loyalty, above all others, must be to these United States of America. I subscribe to this. I believe this single, supreme loyalty to be the best of Americanism. If this be the test, President Herbert Hoover was one of the greatest Americans in our history, for no man loved his country more and no man made greater effort to serve it.

It was my very great privilege to serve with him on the historic Committee to reorganize the Government—by appointment of President Eisenhower. His magnificent mind was its guiding light. His prodigious effort was its example, but it was his noble heart which was its inspiration. I was most gratified that you asked me here today because I wanted to pay tribute to the great qualities of this great man. But, again, in a larger sense, mere words can only note them; it is you people, and particularly Mr. August Busch, who have done so much to make it possible and Mr. Richard Amberg who conceived and energized this great living tribute.

President Hoover and I became warm friends. I am confident that nothing would have pleased him more than the naming of this St. Louis Boys' Club in his honor. For so dedicating it, I thank you deeply as an American and as his friend.

There are two axioms which make a great impression on me. One is that a cynic is a man who knows the price of everything and the value of nothing. The other is by Goethe, the German poet, who said, "Pray tell me of your convictions for I have doubts enough of my own". So, If I may, I should like to tell you of one of my fundamental convictions. This is not easy for there are those who mock both sentiment and feeling. I take that risk to tell you what this Herbert Hoover Boys' Club means to me. Soaring over this great city is a vast and beautiful arch of St. Louis, Gateway to the West. You, Mr. Busch, Mr. Amberg and your associates have built a great spiritual arch which might well be called the Gateway to the Heart.

It cannot fail for it is well said that what comes from the heart goes to the heart. Thousands of little boys, for generations to come, will enjoy these magnificent facilities. That will be very good for their bodies. But what is far more important is that they will know that you people loved them enough to make this possible and that is indispensable to the soul. I know you will not think I demean this magnificent building when I say that in a time of great cynicism the most hard-headed, successful and effective men of a great city stand up in unison and declare that you have no more important business than a little boy. Sir Winston Churchill, certainly a conservative, declared, "I can conceive of no better instrument for a nation than to put a bottle of milk in a baby". I think the Busch-Amberg formula is superior. That is, to put the same love in a little boy's heart.

I am just old-fashioned enough to believe that our Gross National Product means nothing if it is at the cost of the Gross National Neglect of our children.

It is only two short years ago that the idea for the establishment of the Herbert Hoover Boys' Club was conceived by our friend Dick Amberg, and a few of his close associates.

It all came about because of their great concern for the thousands of youngsters who live in this area of your city. These youngsters literally had little or nothing to do in their spare time and no place to go where they could find wholesome recreation and stimulation.

Knowing of the great contribution Boys' Clubs have made and are making today in many communities across this land and in developing the skills, attitudes and aptitudes of thousands of youngsters so they grow up into productive citizens, it was natural that this group of outstanding citizens should think in terms of starting a Boys' Club like this that historically has concerned itself with meeting the needs of less privileged boys.

It was less than a year ago, too, that your and my good friend, August Busch, conceived the idea of establishing the Boys' Club on the grounds of Sportsman's Park. What finer place could there be to locate this Boys' Club, here, where youngsters for years to come will be associating themselves with the fine characteristics and ability of former Cardinals as they play ball or take part in other activities on the field used for years by so many of your baseball immortals.

There is no doubt that this great Boy's Club will be one of the outstanding Clubs in the country as it joins the national family of some 725 such Boys' Clubs that are members of the Boys' Clubs of America, from coast to coast, all of them providing wholesome and stimulating activity to over 800,000 boys.

It is most appropriate that the Club should be named the Herbert Hoover Boys' Club as Mr. Hoover, Chairman of the Board of Boys' Clubs of America for some 29 years guided the national organization to a position of prominence and usefulness throughout the country. All of us who worked with him were inspired by his leadership. The many things he did for Boys' Clubs will ever remain in the annals of Boys' Clubs' history.

Mr. Hoover had a great belief in Boys' Clubs, which is well illustrated by his favorite saying that "outside the church, the school and the family Boys' Clubs are the greatest character building organizations in our country today".

Many times he said that the Boys' Clubs build "juvenile decency". In the many communities where there are Boys' Clubs there is ample proof to bear this out. Wherever a Boys' Club is established juvenile delinquency drops markedly.

As you look around today, you see not only a fine, beautiful building but one which has been well planned for economical operation. It will provide the working tools your staff will need to help these youngsters to a better life.

I congratulate you, all of you, who have taken part in making this building possible. I congratulate your President and the Board of Directors on the vision they have had in planning this building so that it will serve so many boys in this part of St. Louis.

And, I congratulate you, too, on the fine staff of men who are already preparing to give of themselves to these youngsters as soon as your doors are open. With all of these tools to work with I am sure they will be in a position to help these boys to the fullest.

A great deal of the future success of this Boys' Club here will continue to depend on you as volunteers, as it will also on the generous support your United Fund is already planning to give it as one of its member agencies to the total spectrum of the social welfare picture of your great city.

This building we are dedicating today will shortly be completed and will be in full operation. This, in fact, is just the beginning of an exciting adventure which you are launching into, to help several generations of young Americans grow into loyal, dependable citizens who, while at the Boys' Club, will have learned to believe in some of our old-fashioned virtues of hard work, fair play and respect for the rights of others. They will learn about our heritage and develop a loyalty to the institutions that have made this country great.

I have been reminded that boys will undoubtedly be inspired by the fact that great ball players trod this field. Just think of the boys who will be playing here on the same field as Dizzy and Paul Dean, Jim Bottomley, Frankie Frisch, Joe Medwick, Pepper Martin, Stan Musial, Joe Garigiola, Lou Brock, Curt Flood, Mike Shannon and Orlando Cepeda, their present Manager, Schoendienst, and many others too numerous to mention. Think of how much inspiration and encouragement this will give them.

I also know it isn't necessary to remind this gathering that Yogi Berra is a product of St. Louis baseball lots. During his many years as a member of the Yankee teams he made a great contribution to the success of that organization during its greatest years. He broke many records and was one of the greatest catchers and competitors baseball has ever known. Like Babe Ruth, who has passed on, and your own Stan Musial, Yogi Berra is a legendary figure in his own time—which comes to few men in America in any field of effort. There has never been a more popular player in baseball—with the fans and with the sports writers than Yogi Berra—and he has earned it because of his playing and the manner in which he conducted himself on and off the field.

The stories about baseball have never ended and never will while there are men of heart, like Mr. Busch and Mr. Amberg and their associates.

You have seen fit to honor President Herbert Hoover today. But you also honor another man who said suffer little children to come unto me.

You will or have caused a magnificent building to be erected but far more important and as an American citizen—on behalf of my country—I wish to thank you for casting—out of the kindness of your hearts—bread upon the waters—for generations to come; and may God in His Infinite Wisdom and Goodness of His Heart return it to you, to yours and our country—a thousandfold.

Your challenge is great and I predict that soon you will be reaching out in other areas of St. Louis to extend your services to many more needy boys.

As you move forward, I wish you godspeed and good luck in your endeavors.

ASU, COLLEGE WORLD CHAMPIONS

Mr. FANNIN. Mr. President, I want to take this opportunity to offer my congratulations to the Arizona State University baseball team, which last night won its second NCAA baseball crown in 3 years. The Sun Devils, who represented the Western Athletic Conference—WAC—in the world series in Omaha, defeated Houston 11 to 2 in the final game.

The victory was an outstanding achievement for a gifted, highly successful coach, Bobby Winkles, who repeatedly brought his team back from the verge of defeat during the regular season. But as Coach Winkles would be the first to acknowledge, the championship is less important as a personal accomplishment than as a team effort—a tribute to a group of young men who literally refused to accept defeat. And they deserved to win. Twice during the series they defeated Stanford, the Nation's top-rated

college baseball team going into the tournament.

Of late, it has become fashionable in some sport circles to bemoan the downfall of minor league baseball and to predict an equally dismal future for the major leagues, which, the argument goes, will have nowhere to turn for talented players: The Ruths, the Fellers, the Deans, the Robinsons, and the Mays who have made baseball America's No. 1 spectator sport. I personally reject this argument. If it is true that the minor league system is less vibrant now than it once was, and the Phoenix, Ariz., Giants do not support that conclusion, it is likewise true that collegiate baseball is far better than ever before, and will produce many if not most of the future all-stars.

We live in an age when most athletes, like most other high school graduates, go on to college before beginning their chosen career. And while it obviously will not cancel the need for a good minor league system, college baseball can be counted on to make an increasingly greater contribution, quantitatively and qualitatively, to the professional ranks.

The young men who represented Arizona State University at Omaha, in fact, all the young men who took part in the 21st College World Series, are the stars of tomorrow. And because they are, the future of major league baseball remains bright.

I congratulate them.

VIETNAM—ULTIMATE SOLUTION

Mr. SYMINGTON. Mr. President, there is no secret about the fact some of us are becoming increasingly interested in the purposes, progress, and possible ultimate solution incident to the war in Vietnam.

In this connection, I ask unanimous consent that excerpts from a thought-provoking article entitled "Letter from South Vietnam," written by Robert Shaplen, and published in the New Yorker magazine of June 17 be printed in the RECORD.

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

The war here is now in its most crucial stage since the spring and summer of 1965, when an American counter-offensive averted military disaster and, very probably, a quick Communist takeover.

* * * * *

While there are Americans who believe that we cannot give up the fight and that we still have a good chance of winning it, others, including some who have been here the longest, feel that even as we get more tied up in large-scale fighting, in shoring up the country economically, and in the intricacies of administering the pacification—or, as it is now known, Revolutionary Development—program in the countryside, our chances of permanently redressing the situation are declining.

Many of these same Americans, whose identification with Vietnam has been a passionate one and who have on many previous occasions advocated a more thorough and thoughtful involvement on our part, are now beginning to think it is too late, that too many earlier political opportunities have been irrevocably lost, and that the whole effort has become too big, too preponderantly military, and too costly.

* * * * *

What is undeniably taking place under the massive impact of the American military and economic effort is a kind of denationalization process. A number of my oldest Vietnamese friends have repeatedly mentioned this to me in worried tones, and have lamented the fact that the "real nationalist"—those who have been neither pro-Communist nor pro-government—are being steadily demoralized, and that increasing numbers of them are cynically involving themselves in corruption, withdrawing into private spheres, or, more seriously, are wittingly or unwittingly coming under Vietcong influence.

Behind this predominantly negative mood is the realization that the war, which has now cost eleven thousand American lives, is far from being won militarily—if it ever can be—while the rate of progress in Revolutionary Development is still much too slow.

* * * * *

Under (Ambassador) Bunker's reorganization, the functions of O.C.O. will be taken over by a new division of Civil Operations and Revolutionary Development Support. In each corps area, there will soon be a brigadier general who will be specifically responsible for pacification, and the former O.C.O. people will report through him to Deputy Ambassador Robert Komer, who is assigned to Westmoreland's headquarters. Undoubtedly, from a managerial standpoint, this setup will make things simpler, but the new system, its critics maintain, seems equally likely to make Revolutionary Development more mechanistic—another sign of the enveloping bigness of a war in which the individual villager, the man everyone presumably wants to help, is increasingly lost in the shuffle.

It seems hard to believe that after so many years and so many experiments in this vital field of reform, from the old strategic-hamlet program of the Ngo Dinh Diem regime to the present scheme, the problem of simultaneously providing the villagers with economic help and proper protection, as well as that elusive factor, revolutionary motivation—should still be so far from solved. The nub of the Revolutionary Development program, and its greatest weakness so far, has been security, and a big reason for turning the program over to the Army was the hope that this aspect might be improved.

Primarily, security means furnishing protection for the fifty-nine-man Revolutionary Development teams and for the people of the hamlets in which the teams are working. Until now, the force responsible for providing security has been the regular Vietnamese Army (ARVN—Army of the Republic of Vietnam), sixty of whose battalions, or about half its total strength of three hundred and thirty thousand, are specifically assigned to this task. Actually, many of the six hundred R. D. teams now out working in the countryside are down to forty members or less because of the failure of the Vietnamese troops to protect them satisfactorily. In addition to team members who have been killed or kidnapped by the Vietcong, there have been many who have deserted.

The Revolutionary Development teams, while they still lack experienced cadremen and what one expert calls "intellectual guidance," have been far ahead of ARVN in point of training and esprit de corps, but though the members of the teams are all armed—thirty-six of the fifty-nine men are specifically assigned to paramilitary duties—there are obviously not enough to defend the hamlets and at the same time develop them socially and economically.

Many observers doubt that ARVN can ever perform the security job satisfactorily, partly because it doesn't really want to, considering it a demeaning and secondary function, and partly because the villagers have little faith in the good will of the troops, with their record of frequent misbehavior, including mistreatment of women and stealing.

At present, some seventy mobile teams of Americans and Vietnamese are giving the ARVN battalions assigned to the task of R. D. protection a two-week training course, designed to each them the rudiments of their responsibilities. It seems unlikely, though, that in a contest against a ruthless and subtle enemy who has devoted years to agitation and propaganda two weeks will be sufficient to indoctrinate troops to provide care and protection for people who are strangers to them anyway; ARVN troops usually serve in areas far from their own homes, and though, if they are married, their families travel with them, they are naturally, more interested in feeding and protecting their own wives and children than others. The Americans have not, over the thirteen-year period since the French withdrawal in 1954, been able to remold ARVN into an efficient fighting force with a proper attitude toward what is generically called civic action, so there is no reason to suppose that the job can be accomplished now. Furthermore, the calibre of American advisers, which was excellent in 1962, is not as good today, chiefly because our primary function now is to fight, not advise—though General Westmoreland and his new deputy, General Creighton Abrams, a former Vice Chief of Staff of the Army, intend to strengthen the advisory echelon and perhaps bring back some of the best of the 1962 group, if they can be reassigned.

AMERICAN CITIZENS FAVOR RATIFICATION OF U.N. HUMAN RIGHTS CONVENTION—XCI

Mr. PROXMIRE. Mr. President, polls have shown that nearly six out of 10 Americans think that the United Nations has averted a third world war. In one recent opinion sampling 82 percent said that the U.N. effectively promotes peace; and 93 percent favored continuing U.S. support of the world organization.

Community observances of the United Nations 20th anniversary in 1965 were supported by the proclamations of 48 Governors and 1,800 mayors. The same year more than 90 national voluntary organizations sponsored United Nations Day observances and educational programs about the United Nations. More than 900,000 Americans visit the United Nations headquarters each year.

From these few statistics, it seems obvious that the American people are concerned about the U.S. involvement in the United Nations. There is strong reason to assume that the American people are vitally concerned about this body's failure to ratify the human rights conventions. For peace, in the last analysis, is most assuredly a matter of human rights.

The general public and such interested groups as the 51 distinguished national organizations which comprise the Ad Hoc Committee on the Human Rights and Genocide Treaties, have let themselves be heard. I myself have received literally scores of letters from concerned Americans in over 30 States, affirming the writers' support for my efforts to win Senate ratification of the human rights conventions.

I reaffirm that message today. The time is right, and the citizens of the United States have made known their concern. We should ratify the Conventions on Slavery, Forced Labor, Political Rights of Women, Freedom of Association, and Genocide now.

BUNDESBANK GOVERNOR HOPES FOR MONETARY REFORM PRINCIPLES IN SEPTEMBER

Mr. HARTKE. Mr. President, Otmar Emminger is governor of Germany's Bundesbank, the equivalent of our Federal Reserve. He is also chairman of the so-called Group of Ten, the world body actively working with the problem of international monetary reform.

In September at Rio de Janeiro there will be held a meeting of the IMF governors to explore these problems further. In a recent interview with the economist and columnist, Eliot Janeway, Mr. Emminger set forth reasons for hope that "the principles for a new international reserve system can be submitted" at this meeting.

I ask unanimous consent that this interview, containing the opinions of this eminent German leader in international monetary consultations may appear in the CONGRESSIONAL RECORD.

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

(By Eliot Janeway)

NEW YORK, May 24.—The workability of international monetary arrangements is second only to Viet Nam on the list of priorities challenging the responsibilities of world statesmen. And the more Viet Nam costs America, and the greater the resultant strain on the dollar [which the world is still counting on to do double duty not only as America's currency, but as its principal means of settlement for international transactions], the more urgent the question of monetary modernization is bound to become.

Of all eminent students of the subject, none commands more respectful attention at the level of decision-making than Germany's bundesbank [federal reserve] governor, Otmar Emminger, chairman of the "Group of Ten" now actively working on the problem. An interview with him follows:

"JANEWAY. What is the current state of the German economy?

"EMMINGER. The German economy has been in a recession since the autumn of 1966—a recession which, in absolute terms, is really quite mild. It is the first post-war recession, however, in which expansion has actually come to a stand-still. Although the statistical time lag makes evaluation difficult, it is my opinion that we probably passed through the trough in April. So far, at any rate, the unemployment peak, seasonally adjusted, has been only 1.9 per cent.

"Recently some people, including trade union spokesmen, criticized the bundesbank for doing too little to deal with the situation. But the bundesbank does not believe that the situation warrants the alarm that was expressed in some quarters.

"JANEWAY. What has been the major consideration in the formulation of German monetary policy over the last six months?

"EMMINGER. The monetary policy of the bundesbank has been geared to the domestic economic situation—the recession—but was helpful also to the outside world, especially to the United Kingdom. Since December, 1966, we have moved to make money easier every few weeks, lowering the discount rate four times to its present level of 3 per cent and increasing the liquidity base of the economy.

"JANEWAY. What is your view of Germany's economic prospects?

"EMMINGER. The downturn should not continue much further; but I don't look for a very vigorous upturn in the immediate future. First, as a result of the long investment boom, we have overcapacity in a number of industries. Second, in some key sectors—notably coal and steel—there are structural difficulties which have existed for some years and cannot be expected to vanish overnight.

"Third, we have reached a temporary saturation point in some areas of construction, especially residential housing; the German population is now stagnant.

"Fourth, Germany no longer has a net inflow of labor. At most, therefore, the real rate of growth of the German economy will be 3½ to 4¼ per cent.

"JANEWAY. What is the role of the French in the current discussions on monetary reform?

"EMMINGER. It is in all countries' interest to keep the French involved. This is, of course, of special importance for the other member countries of the Common Market. And, while some commentators have speculated that the Germans went over to the French side during the recent Munich meeting of finance ministers of the Six, we have yielded only on the form of a future new reserve instrument while the French have made important concessions; these give us hope that the principles for a new international reserve system can be submitted to the September meeting of the IMF governors.

"JANEWAY. What do you think of recent statements by two leading American banks on United States gold policy?

"EMMINGER. I consider the idea that the United States should stop selling gold to be harmful to the international monetary system and hence also to themselves. These statements have caused some astonishment in Europe. We are confident, however, that neither the federal reserve nor the treasury would go along with them."

ADDRESS BY HON. HAROLD E. STASSEN TO UNITED NATIONS ASSOCIATION

Mr. COOPER. Mr. President, on Friday, May 26, the Honorable Harold E. Stassen spoke in Washington to the United Nations Association of the United States of America.

In his notable speech, he called attention to the many problems which affects our country. One of the most interesting and timely was his comment on the divided countries of the world and their influence against the establishment of peace. He speaks of the strengthening of the U.N. decisions to quiet down the areas which threaten war, and the priority of humanitarian actions.

It is a very stimulating and inspiring speech, and I know that the Members of the Congress and the people of our country will read it with great interest.

I ask unanimous consent that it be inserted in the CONGRESSIONAL RECORD.

I also ask for inclusion of an article which appeared in the Christian Science Monitor on Thursday, June 1, entitled "Stassen Proposes U.N. Pathway to Peace in Vietnam."

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

ADDRESS OF HAROLD E. STASSEN TO THE UNITED NATIONS ASSOCIATION OF THE UNITED STATES OF AMERICA AT THE WORLD HEALTH ORGANIZATION HEADQUARTERS, WASHINGTON, D.C., MAY 26, 1967

In responding to your invitation to speak to you today, may I begin with a word of appreciation and commendation for the constructive and persistent work which you and your associates in other cities have performed in supporting the United Nations. Your organized volunteer efforts have been of significant service to the cause of peace. Your devotion and contribution have been in the best tradition of a free citizenry engaged in vital issues.

But let me turn to speaking forthrightly of my deepest concerns at this hour.

There is an urgent need to modernize and strengthen the United Nations, if it is to serve its prime objective "to save succeeding generations from the scourge of war".

And there is an urgent need to end the Vietnam War in an honorable and just manner.

I am convinced that these two urgent needs can be met together through an intelligent and desirable course of action. Furthermore, these two urgent needs cannot be fulfilled separately. They are intertwined.

We must together break out of the stubborn deep ruts of current thinking and lift to a new clear analysis of the path of peace in Vietnam and in the world.

This is not an easy process. As an example, for many years our country was in the dark groove of isolationism. Lifting out of isolationism and establishing the beginning of the United Nations and the opening of expanding worldwide trade was a difficult move. But almost everyone can now see how essential was this change.

Now we are caught in a notion of world segregationism, world segregationism toward the divided countries of North Vietnam, Mainland China, East Germany, and North Korea. We are harboring the costly illusion that American military might should maintain this unsound world segregationism. As a consequence, we are engaged in a bitter bloody unending War in Vietnam. As a consequence, we see the beginning of neo-Fascism in Germany. As a consequence, we delay and handicap the evolution of these peoples toward their own freedom. As a consequence, we continually intensify the danger of a future world war of indescribable horror for ourselves and for all humanity.

We must think anew of the world as it is in this modern space-nuclear age. We must recognize that this is verily one world with one humanity. We must realize that if the United Nations is to have a real chance to build for peace it must become truly worldwide, with eligibility for all peoples, whatsoever may be their contemporary form of government, so long as the governments take the obligations of a revised and strengthened Charter. This means specifically that two Vietnams, two Chinas, two Germanys, and two Koreas would be eligible for membership in the United Nations. This means the differences of systems and governments would be moved to competition and controversy within the United Nations for the current period of history, rather than to war.

There is neither historic nor logical bar to such a step. Even as there are currently two Irelands; three Scandinavian countries named Sweden, Denmark and Norway; two North American former British colonies, Canada and the United States; and numerous separate African states which were former colonies; so there are now in fact and can continue to be formally, for the contemporary period, two Vietnams, two Chinas, two Germanys and two Koreas.

A United States initiative, open, creative and sustained, toward such a truly worldwide United Nations is one of the crucial elements for peace in Vietnam. The method of fulfillment will be through a convention to rewrite the United Nations Charter, but the beneficial effects can be immediate upon taking the initiative.

Each passing month will make it more and more evident that the American War drive in Vietnam will not lead to a solution. Such escalation of war will only add to the tragedy and sharpen the peril.

May I make it clear that I do not speak as a dove or as a hawk. In fact, I believe we

need less of doves and less of hawks and more of peacebuilders and more of peacemakers!

I do not speak in a partisan sense. I am well aware that there are very divergent views within both of our political parties.

I speak with respect for those with different views and with recognition of their sincerity.

But I do speak earnestly and emphatically. I do speak out of extensive experience and long and continuing study.

I am confident that I know the path of peace in Vietnam.

It is not the road on which our country is now travelling and has travelled in the past 27 months in Vietnam.

It is not the way of withdrawal or of weakness or of surrender or of appeasement.

The path of peace in Vietnam will be made up of four essential inseparable parallel courses of action.

1. An open major United States initiative to modernize and strengthen the United Nations through rewriting the Charter so that all peoples are eligible for membership whose governments will take the obligations of the New Charter, and thus including two Vietnams, two Chinas, two Germanys, and two Koreas within the United Nations, and also to improve the United Nations in a comprehensive manner as the peacebuilder and peacemaker.

2. Deescalate and quiet down the Vietnam War; end the hunter-killer drives through the jungles; stop the bombing except in defense against attack; deliberately aim at the minimum of casualties for ourselves and for the Vietnamese; maintain a powerful military presence in Vietnam; and do each of these through unconditional decisions of the United States.

3. Give top priority to an extensive program in the educational, economic, and social fields for the future wellbeing of the Vietnamese people, and especially of the youth and the children of Vietnam, using the major resources which will be saved through quieting down the War.

4. Keep the United States very powerful and very alert, ready for any threat of War, and hold that military strength under firm moral restraint.

It may be constructive to try to place very short labels on each of the four. I would suggest:

1. A call for a truly worldwide United Nations.

2. A decision to unconditionally quiet down the War.

3. A priority for humanitarian action.

4. A maintenance of a very powerful alert United States of America acting with moral restraint.

It is my view that these four really involve the direct extension of the policies of restraint with strength for peace followed by both President Kennedy and President Eisenhower.

It seems quite clear that in the initial decision by President Johnson in February 1965 to begin American bombing throughout Vietnam, and to order the American ground combat in extensive hunter-killer drives through the jungles and over the mountains, the justification was that this process would bring about negotiations with the North Vietnamese for the ending of the Vietnamese problem.

Now that it has become very clear that this course of action was mistaken; that this Americanizing of the Vietnamese struggle and this escalation of the War brought a response of escalation and did not bring about negotiations; the Administration has advanced a new explanation for their failure to obtain the results which they had predicted.

The new claim now is that the dissent in the United States has been misinterpreted by the Government at Hanoi and has caused them to hold back from negotiations which otherwise they might have been brought about to conduct.

This again is an erroneous analysis of the situation. It is my view, based on long experience and thorough study, that *there are three basic reasons why the North Vietnamese Government has not engaged in negotiations with the Johnson Administration.*

First and foremost is the fact that they know that no country, not even the United States, can conquer and hold the vast dense jungles of Vietnam, and these jungles are their home and their haven.

Second, the Government at Hanoi has never been made a proposal which could be acceptable to them, since they have never been made a proposal which would include within it the recognition of their own sovereign entity with full rights for participation within the United Nations.

Third, no proposal has ever been made which takes realistic and intelligent account of the position of the Communist Government of Mainland China.

Thus, I reemphasize the key approach that the United Nations must be modernized and strengthened so that it becomes truly worldwide in universal eligibility for representation of all peoples, whatsoever may be their current form of government. This is one of the four indispensable elements of the path of peace.

I am engaged in an extensive endeavor to move the President and his Administration in this direction; to also move my political party toward these policies; to focus the interreligious and interfaith leadership upon these measures; and to convince and mobilize public opinion.

I am encouraged that we are beginning to make progress.

I invite your assistance, individually and as an organization, in setting our nation on this path of peace in Vietnam and in the world.

I am hopeful that we can make a significant contribution to peace with justice in the years ahead for all humanity on this earth under God!

[From the Christian Science Monitor, June 1, 1967]

STASSEN PROPOSES U.N. PATHWAY TO PEACE

(By Godfrey Sperling, Jr.)

WASHINGTON.—A former presidential candidate and close associate of President Eisenhower, Harold E. Stassen, says he is convinced that if Mr. Eisenhower were president today "the country would not be involved in the war in Vietnam."

Mr. Stassen says that "from working closely with Eisenhower" he is certain the former President possessed a rare decision-making quality particularly evident in making foreign policy.

"Historians are already upgrading Eisenhower," said Mr. Stassen, "in light of the great problems in foreign policy that have come up since he was President."

"There was a tendency to depreciate those eight years of the Eisenhower presidency," the former three-time Governor of Minnesota said in an interview here. "But now this attitude is changing."

"John Foster Dulles also looks better all the time," he continued. "But I feel that historians will see that this was Eisenhower's policy—not Dulles's. The crucial decisions were made by Eisenhower, usually after an important discussion with the Security Council.

"As I was able to observe it his judgment factor was awfully good."

U.N. STRESSED

Mr. Stassen helped lay the groundwork for the nuclear-test-ban treaty; (he was President Eisenhower's disarmament adviser and negotiator from 1955–58). Earlier, he had played a role in setting up the United Nations (he is the last living member of the seven-member group that signed the original UN Charter for the United States).

He had this to say about the Vietnam conflict:

The only way to "reverse the tragic course" is to use the UN as a means of bringing Hanoi to the conference table.

"The path to peace in Vietnam, as I see it," he said, "lies in four essential, inseparable, parallel courses of action.

"First, there should be an open, major United States initiative to modernize and strengthen the United Nations through rewriting the Charter so that all peoples are eligible for membership whose governments will take the obligations of the new charter, and thus including two Vietnams, two Chinas, two Germanys, and two Koreas within the United Nations, and also to improve the UN in a comprehensive manner as the peacebuilder and peacemaker."

INIATIATIVE URGED

Here Mr. Stassen added that he didn't anticipate acceptance of this proposal from the nations involved. "Not at first," he said. "But you have to work on these things. Remember Trieste. And there are lots of other examples. But there must be a beginning, and the United States would gain a diplomatic initiative by making this proposal."

Continuing:

"Second, deescalate and quiet down the Vietnam war; end the hunter-killer drives through the jungles; stop the bombing except in defense against attack; deliberately aim at the minimum of casualties for ourselves and for the Vietnamese; maintain a powerful military presence in Vietnam; and do each of these through unconditional decisions of the United States.

"Third," he said, "give top priority to an extensive program in the educational, economic, and social fields for the future wellbeing of the Vietnamese people, and especially of the youth and the children of Vietnam, using the major resources which will be saved through quieting down the war.

"And finally," he said, "keep the United States very powerful and very alert, ready for any threat of war, and hold that military strength under firm moral restraint."

STRATEGY CRITICIZED

"It is my view," he said, "that these four proposals really involved the direct extension of the policies of restraint with strength for peace followed by both President Kennedy and President Eisenhower."

Mr. Stassen said, "it seems quite clear" that in the initial decision by President Johnson in February, 1965, to begin American bombing throughout Vietnam and to order the American ground combat in extensive hunter-killer drives throught the jungles and over the mountains, "the justification was that this process would bring about negotiations with the North Vietnamese for the ending of the Vietnamese problem.

"Now," said Mr. Stassen, "that it has become very clear that this course of action was mistaken—that this Americanizing of the Vietnamese struggle and this escalation of the war brought a response of escalation and did not bring about negotiations—the administration has advanced a new explanation for their failure to obtain the results which they had predicted.

"The new claim now is that the dissent in the United States has been misinterpreted by the government at Hanoi and has caused them to hold back from negotiations which otherwise they might have been brought to conduct. This again is an erroneous analysis of the situation."

HANOI STAND PROBED

Mr. Stassen said he thinks there are three basic reasons the North Vietnamese have not engaged in negotiations:

"First and foremost is the fact that they know that no country, not even the United

States, can conquer and hold the vast dense jungles of Vietnam, and these jungles are their home and their haven.

"Second, the government at Hanoi has never been made a proposal which could be acceptable to them, since they have never been made a proposal which would include within it the recognition of their own sovereign entity with full rights for participation within the United Nations.

"Third, no proposal has ever been made which takes realistic and intelligent account of this situation.

A BILL TO SETTLE THE CLAIMS OF ALASKA NATIVES

Mr. GRUENING. Mr. President, last Friday I introduced in the CONGRESSIONAL RECORD a bill entitled "To settle the land claims of Alaska natives, and for other purposes," and made some comments on the bill which has been submitted by the Department of the Interior. I ask unanimous consent that the text of the bill (S. 1964) be printed at this point of my remarks.

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

S. 1964

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of May 25, 1926 (44 Stat. 629; 48 U.S.C. 355(c)), is amended to read as follows:

"SEC. 3. (a) The Secretary of the Interior is authorized to grant in trust, subject to valid existing rights, to each tribe, band, clan, village, community, or group of natives in Alaska, hereinafter referred to as a group of natives, upon his own initiative and without application, title to the village site or sites now occupied by such group of natives if not otherwise patented and if not withdrawn for purposes unrelated to native use or the administration of native affairs. The Secretary is further authorized, subject to valid existing rights, to grant title to such additional lands within the environs of such site or sites as would contribute significantly, in the judgment of the Secretary, to the livelihood of the community, taking into account such factors as population, economic resources of the group, traditional way of life, and the nature and value of the land proposed to be granted. Such grant may include a grant of title, subject to valid existing rights, to noncontiguous lands being used and occupied by such natives for burial grounds, airfields, water supply, hunting and fishing camps, and dock or boat-launching sites that are not withdrawn for other purposes: *Provided,* That the provisions of this sentence and the provisions of subsection (b) of this section shall not apply to groups of natives who are beneficiaries of the judgment recovered by the Tlinglit and Haida Indians in Court of Claims docket numbered 47,900. The Secretary is authorized to make any grant subject to easements for public use or benefit. In no case may the grants of land to a single grantee under this section exceed fifty thousand acres.

"(b) In the case of native villages within whose environs there are not sufficient additional lands in Federal ownership to permit the Secretary to make the grant of additional lands contemplated by subsection (a), the Secretary may convey other lands in lieu thereof but subject to the same conditions and limitations that apply to conveyances of land within the environs of a village.

"(c) For the purposes of this Act the term 'native' means an Alaskan Indian, Eskimo, or Aleut of at least one-fourth degree Indian, Eskimo, or Aleut blood.

"(d) Beneficiaries of the grants made pursuant to subsection (a) shall be the natives who comprised the members of the grantee upon the date of the grant, as determined by the Secretary of the Interior, together with any descendants of such members of one-fourth degree of native blood. The interest of a beneficiary shall not be transferable in any manner, either during his lifetime or upon his death. Whenever a distribution of capital or income of the trust is made to the beneficiaries, the finding of the Secretary as to the qualified recipients shall be final and conclusive.

"(e) Title to land granted pursuant to subsection (a) may be held by the United States in trust, acting through the Secretary of the Interior as trustee, or it may be conveyed by the Secretary of the Interior to a trustee selected by a group of natives by a majority vote of the members nineteen years of age and older who reside in or near the village. Any trustee selected by the natives shall be subject to approval by the Secretary. In the event a group of natives does not select a trustee approved by the Secretary within one year from the date the Secretary notifies said group of his readiness to convey title, the Secretary may convey title to the State of Alaska, with its consent, as trustee, or to any other trustee selected by the Secretary. The term of a trust established pursuant to this section shall not exceed twenty-five years, and when the trust expires it shall be liquidated in accordance with the terms of the trust instrument, or as prescribed by the Secretary of the Interior if there is no trust instrument. Prior to conveyance of a site to a trustee the Secretary shall have its exterior boundaries surveyed. This requirement for survey shall be satisfied without continuous marking of the line, but by establishment of monuments along all the boundaries, except meander courses, by electronic measurement or other means, at intervals of not more than six thousand feet, or by extension of the rectangular system of surveys over the areas claimed. Claims or selections of surveyed lands shall be in accordance with the plats of survey and those for unsurveyed lands shall, following survey, be so conformed. Land granted pursuant to subsection (a) shall be subject to the applicable laws of the State of Alaska, except that during the period of the trusteeship such land shall not be subject to State or local taxes upon real estate.

"(f) A trustee who receives a conveyance under this section shall be subject to the laws of the State of Alaska governing the execution of trusts, and shall have the powers and duties set forth in the deed of trust, including without limitation subdivision, management, and disposal of the lands, investment and reinvestment of the proceeds, and distribution of income or capital of the trust to the members of the beneficiary. In the disposal of any tract of land the trustee shall give a right of first refusal to the occupant thereof. The title to land conveyed by a trustee to a native shall be subject to the provisions of section 1 of of this Act with respect to lands conveyed to Indians or Eskimos in townsites established under section 11 of the Act of March 3, 1891 (26 Stat. 1099; 48 U.S.C. 355), as supplemented by the Act of February 26, 1948 (62 Stat. 35; 48 U.S.C. 355(e)).

"(g) So long as the lands are held by the United States in trust, the Secretary of the Interior shall have all the powers to administer the trust which he could confer upon another trustee, but he shall not be subject to the laws of Alaska governing the execution of trusts.

"(h) The Secretary of the Interior or a trustee who receives a conveyance under this section may convey without compensation to private religious, charitable, or educational institutions or organizations the land occupied by buildings or facilities owned by them on the date the trust is established, where such buildings or facilities are situated within the boundaries of the land to be granted pursuant to subsection (a).

"(i) In order to assist him in the administration of this section, the Secretary of the Interior may appoint a commission of not to exceed five members, one of whom shall be appointed from nominations submitted by the Governor of Alaska, and one of whom shall be appointed from nominations submitted by Alaska natives in accordance with procedures prescribed by the Secretary. The Secretary shall prescribe the duties and powers of the commission, the compensation to be paid to its members, provide for payment of commission expenses, including employment of necessary personnel, and provide such other assistance, within existing authorizations, as he deems desirable. The commission's duties may include the preparation of a roster of groups of natives eligible to receive grants under section 1(a) hereof, rolls of natives eligible to receive distributions of trust property under section 1(d) hereof, rolls of natives eligible to be granted a townsite lot under section 1(f) hereof, and rolls of natives eligible to vote in any election held pursuant to this Act. Before any such roster or roll is finally approved by the Secretary, it shall be published in such manner as he shall find to be practicable and effective, and opportunity shall be given to lodge protests thereto.

"(j) There are authorized to be appropriated not more than $12,000,000, to be available until expended, to defray costs of the planning, subdivision, survey, management, and disposal of lands under the provisions of this section, either directly by the Secretary of the Interior or through contract with the appropriate trustee, and to pay the expenses of the commission established under subsection (i).

"(k) At the beginning of each session of Congress the Secretary of the Interior shall report to the chairmen of the House and Senate Committees on Interior and Insular Affairs the grants made under this section and an estimate of the time needed to complete the grants. The reports may be discontinued when the grants are substantially completed."

INTERIM ADMINISTRATION UNDER PUBLIC LAND LAWS

SEC. 2. (a) The Secretary of the Interior may, subject to valid existing rights, withdraw from all forms of appropriation under any of the public land laws, including without limitation selection by the State of Alaska under the Statehood Act of July 7, 1958 (72 Stat. 339), any lands that are subject to conveyance to a group of natives pursuant to section 3 of the Act of May 25, 1926 (44 Stat. 629; 48 U.S.C. 355(c)), as amended by section 1 of this Act. A State selection of lands that are withdrawn shall not be approved, regardless of whether the selection was initiated before or after the withdrawal.

(b) A native claim based on use and occupancy of unwithdrawn land shall not be the basis for the rejection of State selections or other applications or claims under the public land laws.

(c) Either before withdrawing lands under this section or before granting a patent pursuant to section 3 of the Act of May 25, 1926 (44 Stat. 629; 48 U.S.C. 355(c)), as amended by section 1 of this Act, the Secretary of the Interior shall consult the Secretary of Defense with respect to the effect of the withdrawal or grant on the security of the United States.

RESERVATIONS AND RESERVES

SEC. 3. (a) The areas of lands and waters heretofore reserved and set aside for the use of the native inhabitants of Akutan, Diomede, Karluk, Unalakleet, Venetie, and Wales

shall be held in trust by the United States for the benefit of the native inhabitants thereof for twenty-five years after the date of this Act, at which time the trust shall be liquidated in the manner provided for the liquidation of trusts under section 3 of the Act of May 25, 1926 (44 Stat. 629; 48 U.S.C. 355(c)), as amended by section 1 of this Act. During the term of the trust the Secretary of the Interior shall have all of the powers granted to a trustee under section 3 of said 1926 Act, as amended. To the extent such areas are smaller than the areas that could be conveyed to them under the terms of section 3 of said 1926 Act, as amended, and lands in that immediate vicinity are available for grants under such Act, additional lands may be granted by the Secretary of the Interior under that section, but only if warranted by the economic needs of the native inhabitants. Criteria applicable to these situations shall be developed by the commission authorized by section 3(i) of said 1926 Act, as amended, and shall be made available to the Secretary as advisory recommendations.

(b) Lands held in trust pursuant to this section shall be subject to the applicable laws of the State of Alaska, except that during the period of trusteeship such land shall not be subject to State or local taxes on real estate.

(c) The various reserves set aside by Executive order or Secretarial order for native use or for administration of native affairs, including those created under authority of the Act of May 31, 1938 (52 Stat. 593), shall be revoked pro tanto by the grant of title pursuant to section 3 of the Act of May 25, 1926 (44 Stat. 629; 48 U.S.C. 355(c)), as amended by section 1 of this Act.

(d) The trusts created by this section shall be subject to the right of the Secretary of the Interior to issue and enforce such regulations as he deems desirable for the protection of migratory birds that are protected by treaty to which the United States is a party.

(e) The Secretary of the Interior may, with the concurrence of the agency administering the land, issue to natives exclusive or nonexclusive permits, for twenty-five years or less, to use for hunting, fishing, and trapping purposes any lands in Alaska that are owned by the United States without thereby acquiring any privilege other than those stated in the permits. Such permits may contain conditions deemed desirable by the Secretary, and shall be subject to applicable State game and fish laws. Any patents or leases hereafter issued in such areas pursuant to the Alaska Statehood Act, or the public land, mining, and mineral leasing laws, may contain a reservation to the United States of the right to issue such permits and to renew them for an additional term of not to exceed twenty-five years in the discretion of the Secretary.

JURISDICTION OF THE UNITED STATES COURT OF CLAIMS

SEC. 4 (a) The United States Court of Claims shall have jurisdiction to hear and adjudicate a single claim filed within six years from the date of this Act by the Attorney General of the State of Alaska on behalf of all natives of Alaska based on the taking by the United States of any lands to which any group of such natives claims aboriginal title by reason of use or occupancy, other than lands subject to grant under section 3 of the Act of May 25, 1926 (44 Stat. 629; 48 U.S.C. 335 (c)), as amended by section 1 of this Act. If the court determines that as of March 30, 1867, any group of natives had aboriginal title through use or occupancy of any such lands, the aboriginal title shall be regarded as taken as of that date, and the court shall enter judgment for a sum equal to the market value of such lands upon that date without interest, and less offsets, counterclaims and demands that would be allowable under section 2 of the Indian Claims Commission Act of August 13, 1946 (60 Stat. 1050; 25 U.S.C. 70(a)). The judgment shall be in favor of the natives of Alaska without regard to group affiliations. A claim of aboriginal title to a particular area shall not be defeated because the land may have been occupied or used by more than one identifiable group of natives of Alaska, but the claimants must show that there were living upon the date of this Act natives of Alaska who are descendants of the identifiable group through whom aboriginal title to any area is sought to be established. The provisions of this section shall not apply to any lands in southeastern Alaska for which a money judgment has been or may hereafter be awarded by the Court of Claims in the case of The Tlingit and Haida Indians against The United States, numbered 47,900; or to any lands that are set aside and administered for the benefit of natives; or to any lands that are subject to an aboriginal title claim adjudicated by the Indian Claims Commission, or pending before the Indian Claims Commission six months after the date of this Act. Prior to the expiration of such six months the plaintiffs may cause their claim to be dismissed by the Indian Claims Commission and the lands involved may then be included in the claim filed pursuant to this section.

(b) As used in this section, the term "natives of Alaska" means all Alaskan Indians, Eskimos, or Aleuts of at least one-fourth degree Indian, Eskimo, or Aleut blood living upon the date of this Act but the distribution of any judgment or award under this section shall be limited to natives of Alaska living upon the date the Congress appropriates funds to pay any judgment that may be entered against the United States. It shall not include natives who have shared or will share in any award in the Tlingit claim or other claims adjudicated by the Indian Claims Commission, or the Metlakahtla Indians of the Annette Island Reservation.

(c) The court shall award to the State of Alaska the reasonable costs and expenses, including counsel fees, incurred in the preparation of claims authorized to be filed by this section.

SEC. 5. Nothing in this Act shall affect the right of natives as citizens to acquire public lands of the United States under the Native Allotment Act of May 17, 1906 (34 Stat. 197), as amended (48 U.S.C. 357), or the provisions of other applicable statutes.

SEC. 6. The enactment of this legislation shall be in full and complete satisfaction of all claims of tribes, bands, clans, villages, communities, and groups of natives against the United States based upon alleged aboriginal right, title, use, or occupancy, excepting only claims now pending in the Indian Claims Commission or the Court of Claims by previous authorization of the Congress.

SEC. 7. Lands granted pursuant to section 3 of the Act of May 25, 1926 (44 Stat. 629; 48 U.S.C. 355(c)), as amended by section 1 of this Act, shall, so long as they remain not subject to State or local taxes on real estate, continue to be regarded as public lands for the purpose of computing the Federal share of any highway project pursuant to title 23 of the United States Code, as amended and supplemented.

CRITICISM OF THE ARCHITECT OF THE CAPITOL

Mr. LAUSCHE. Mr. President, patiently I have watched the management of the Architect's Office of the United States by Mr. J. George Stewart through the 11 years that I have been in the Senate. Others have spoken about what seems to be unbroken process of stumbling, fumbling, and extravagance with taxpayers' money in the management of the Architect's Office.

The multitude of inexplainable and indefensible unjustified spending of tax money in the building of the Rayburn Building in itself should have brought about the dismissal of Mr. Stewart as the Architect of the United States. However, he goes on blundering and fumbling. It seems that his only concern is to vie with former architects of the United States in the development of a reputation as a Capitol Architect regardless of what fiscal extractions he might make on the broken back of the taxpayer.

Everywhere I look I can see perpetrated by this U.S. Architect actions that are not in accord with good architectural work but, moreover, in complete defiance with the needs for economy of the taxpayers of the United States.

I am not given to statements of the following character but I feel obliged to make it.

Mr. J. George Stewart, the Capitol Architect, should resign and if he does not resign he ought to be fired.

Mr. President, I ask unanimous consent that an editorial carried in the Sunday, June 4, issue of the Cleveland Plain Dealer be printed in the RECORD verbatim.

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

CAPITOL ARCHITECT ERRS AGAIN

J. George Stewart rides again.

The bumbling non-architect, who holds the rich architectural heritage of Washington, D.C., in his unskilled hands, has sponsored preliminary designs for a new $75 million Library of Congress building—and has been criticized sharply by an advisory committee of the American Institute of Architects.

"Functionally inadequate."

"Inhuman and overpowering."

"Visually unsatisfying."

Those were the comments of the committee which also noted that the Stewart-favored designers of the James Madison Memorial Library, a branch of the Library of Congress, clearly disregarded congressional instructions.

Stewart's merry men did not place the building in a park-like setting nor did they include interior courtyards.

In other words, once more Stewart has told Congress to mind its own business. He, not they, will decide what's done with the public's money in Washington.

This is a slur which Congress cannot afford to ignore.

Already Stewart has been severely criticized by the public and by architects for the mammoth, ugly Rayburn Building. As Architect of the Capitol, Stewart rammed through this monstrosity which cost far more than desired. His handpicked architects then remodeled the Capitol's East Front in a way that irritated many people and now their contract for shoring up the West Front of the building has been held up because of Stewart's arbitrary design that would—in the opinion of many qualified architects—ruin the symmetry of the famous structure.

It is incredible that an elderly engineer such as Stewart, appointed by President Eisenhower 13 years ago, should remain almost unchallenged in a position which requires both a knowledge of the science of architecture as well as an appreciation for the traditional role of the nation's capitol as a structural model.

It is incredible that a man such as Stewart

flagrantly can disregard the orders, not just the wishes, of Congress.

After the Rayburn Building debacle and the furor over the proposed remodeling of the Capitol's West Front, Congress directed Stewart to "consult with" a committee of the American Institute of Architects over all phases of the Madison Memorial Library.

"Consultation" to Stewart, apparently means showning the architects' committee, along with various congressional groups, sketches and models already completed. Apparently there were no preliminary discussions, or else the committee's advice simply went unheeded.

This whole mess constitutes a national outrage.

Stewart missed with the Rayburn Building and the West Front of the Capitol. The Madison Library is a third swing and miss.

Three strikes are out in any league.

How many is Stewart going to get?

TAX-EXEMPT MUNICIPAL BOND FINANCING

Mr. NELSON. Mr. President, since last week when I spoke on the dangers of the increasing use of tax-free municipal bonds to finance private businesses, an investment counselor in New York has spoken out supporting my position.

He indicates that the continual large addition of municipal bonds to the already-deluged market will only work to the eventual disruption of the entire bond market. Only so much money is available to absorb the bond issues for sale. What happens then is obvious to all of us.

I suggest that my colleagues would be interested in reading the letter and news release regarding it from John F. Thompson to the Municipal Forum of New York City, and I ask unanimous consent that they be printed in the RECORD.

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

SCUDDER, STEVENS & CLARK,
New York, N.Y., June 6, 1967.

Mr. L. E. CROWLEY,
President,
Municipal Forum of New York,
New York, N.Y.

DEAR GENE: I am returning the ballot on the Proposed Resolution marked disapprove, and my disapproval is so strong that I would be remiss if I failed to elaborate the reasons for it. The resolution follows a pattern of reflex response to the Treasury proposal which might have been appropriate a few years ago but which has been thoroughly outdated by recent developments in our market. In my opinion if we persist in this approach, we will find ourselves sitting by wringing our hands while the tax-exempt proceeds to its own self destruction.

The basic problem of industrial revenue financing has completely changed in the past two years. As long as industrial revenue bond issuance was largely confined to small issues for small or modest sized companies in States with economic resources well below average, it could be tolerated in our market because the volume was inconsequential in relation to total tax-exempt issues. With extension of its use to the financing of manufacturing plants for strong companies like Armco Steel in the strongest States like Ohio, the total volume has jumped sharply from $200 million in 1965 to an estimated $1 billion in 1967. Projecting this rate of increase, the total could reach several billion in two or three years. In view of steps in this direction currently being taken in such States as Pennsylvania, New York, Massachusetts, Oregon, Iowa and Kansas, such a projection is not out of reason.

In weighing the impact of this on our market, it should be related more to the net increase in total tax-exempts outstanding, which has been running around $6.5 billion annually, than of the total gross new issues. Thus we can be faced very shortly with an increase of one-third or one-half in the net amount to be absorbed.

The flow of investment funds available to absorb additional tax-exempt financing is far from unlimited. It does not include the major institutionalized flows of savings funds, namely, life insurance companies, pension funds, savings & loans and savings banks. In some years commercial banks have added $5 billion to their portfolios and last year the figure was only $1.8 billion. Fire and casualty insurance companies may add $1 billion in good years, for several years the figure has been nearer $.5 billion. Individuals including trust funds may generally add $1 to $1.5 billion; last year with yields at a historic high they added more than $3 billion. There can be some growth in these sources, probably enough to absorb the growth in state and local financing for generally accepted public purposes. But a sudden large addition as is threatening in the industrial revenue field (and is potential in the area of arbitrage) can only be absorbed if there is a relative drop in tax-exempt prices to a level making them attractive to the major life companies with tax brackets around one-third of the 48% corporate rate. This can mean a 15% loss in market value of long tax-exempts, assuming no market change in the other departments of the bond market. Herein lies the real threat to our market, and in turn to the independent ability of states and localities to do their own financing.

When rates moved sharply higher in a disorderly market, the Federal government would no doubt feel impelled to assist state and local financing programs. This assistance could take the form of a subsidy interest payment to those issuers who sold taxable securities or, more likely, a direct loan program at nominal interest rates that could be financed with other sales of "participations in government assets." In either case the private market involvement with state and local financing would be seriously curtailed, as would the independence of that financing from federal control.

It would of course be more desirable to end industrial revenue financing by denying tax deductibility to the lease rental. (Unfortunately there is no similar workable approach to cover the pressing problem of arbitrage.) This would avoid risking litigation which may well threaten the continued image of tax-exemption as "constitutional reciprocal immunity." This image is desirable but not vital. Most of us have known since the salary cases twenty-five years ago that the Congress is the real bulwark we have to depend upon for continuation of tax-exemption.

At this point I submit it is much better to risk the image than to risk the relative value position of the tax-exempt market. I believe this states the choice in more realistic terms than does your letter. There is a real threat to the tax-exempt market, but its source is prospective massive industrial revenue and arbitrage financing, not the Treasury. If the Treasury really wanted to conspire to eliminate tax-exemption they would let these abuses continue until the market value of tax-exemption deteriorated. Then the rest would be easy as there would be little for anyone to defend.

In all fairness I think the membership of the Forum should receive the case against the Resolution and if you wish to use the text of this letter for that purpose, you have my permission.

Very truly yours,

JOHN F. THOMPSON.

[News release of the Investment Bankers Association of America]

PROMINENT INVESTMENT COUNSELOR RAPS MUNICIPAL FORUM OF NEW YORK RESOLUTION ON FEDERAL TAXATION OF LOCAL GOVERNMENT OBLIGATIONS

A prominent investment counselor today termed a resolution of the Municipal Forum of New York concerning Federal taxation of interest income on municipal bonds "outdated." The resolution which was submitted to Municipal Forum of New York members for approval or disapproval opposes *any* incursion on the immunity from Federal taxation of State and local obligations. The Treasury Department has recently announced that it plans to submit a bill that would deny tax-exemption on the interest derived from the so-called municipal industrial revenue bonds.

In a sharply worded letter to the President of Municipal Forum of New York, John F. Thompson of Scudder, Stevens and Clark (New York), said that the resolution "follows a pattern of reflex response to the Treasury proposal which might have been appropriate a few years ago which has been thoroughly outdated by recent developments in our market."

He said that the threatened large addition of municipal industrial revenue bonds could make it impossible for investors to absorb the growth in State and local financing even for generally accepted public purposes. If this happens, according to Thompson, the value of the tax-exempt market could be seriously impaired.

Thompson was in effect supporting the position taken recently by the Board of Governors of the Investment Bankers Association of America. The IBA Governors passed a resolution at their Spring Meeting in White Sulphur Springs in support of the Treasury bill.

Thompson discounted the Constitutional question saying that the "Constitutional reciprocal immunity" image is desirable but not vital. "At this point" he said, "it is much better to risk the image than to risk the relative value position of the tax-exempt market."

He concluded that the real threat to the tax-exempt market is "massive industrial revenue and arbitrage financing and not the Treasury Department."

CIVILIZE OUR STRIKE PROCEDURES

Mr. SMATHERS. Mr. President, for several years I have been actively urging the adoption of legislation which would deal effectively with the problem of paralyzing national strikes, yet would preserve the rights of labor and management to the fullest degree. To that end, I have introduced S. 176, a bill to create a U.S. Court of Labor-Management Relations.

The current impasse over legislation on the railroad strike is but another illustration of trying to use stop-gap techniques, with the result that we bounce from crisis to crisis without any real plan.

Under our system, we use the courts to resolve all sorts of disputes which cannot otherwise be concluded. And it is my firm belief that the civilizing hand of court review is the best means of providing for equitable solution of labor-management disputes.

The Washington Sunday Star, in its lead editorial of June 18, 1967, has some excellent thoughts on the problem and I commend its philosophy to my colleagues.

Mr. President, I ask unanimous con-

sent that the editorial from the Sunday Star, "Why Not Civilize Our Strike Procedures?" be inserted in the body of the CONGRESSIONAL RECORD:

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

WHY NOT CIVILIZE OUR STRIKE PROCEDURES?

If the disgraceful performance in the House on Thursday did nothing else, it provided a powerful argument for permanent legislation which, when collective bargaining has broken down, would require some form of compulsory arbitration of major industrial disputes.

Senator Morse described the House retreat on the railroad strike bill as a "legislative mockery," which indeed it was. But the fault does not lie entirely with the House Members.

In his state of the union message in January, 1966, President Johnson said: "And I also intend to ask 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." That was a year and a half ago. But nothing has come of it. The promise was not even repeated in the January, 1967, message.

What this means is that the President has defaulted on his obligation to take a strong lead in providing the public with continuing legal protection against crippling strikes. He has preferred instead to pass the buck to Congress on an emergency basis, and the Members resent it. Furthermore, and the Congressmen know it, there is almost no chance of getting effective legislation through unless the President gets behind a meaningful bill and really pushes it.

There was some indication last week that the administration has decided to take a harder line against recalcitrant union leaders. Dismayed by the prospect of a nationwide rail strike, Alan S. Boyd, Secretary of Transportation, denounced Roy Siemiller, president of the International Association of Machinists, the source from which the strike threat comes. Boyd said that Siemiller typifies "a group of individuals extremely small in number, who apparently have no concern for the public welfare, but only for their own selfish interests."

This was quite a switch for an administration whose timid spokesmen hertofore have insisted on describing compulsory arbitration of the railroad dispute as "mediation to finality."

Resentment in the House over the President's tactics surfaced on several occasions, notably in remarks by Representative Anderson, an Illinois Republican.

While applauding the Boyd remarks as a welcome though belated show of courage on the part of the administration, Anderson went on to say: "I am tired of hearing about a 'crisis' every year in this chamber and that I've got to pass this bill this afternoon in precisely this form without amendments because the administration has said this is the only way the job can be done. Why has not the presidential task force reported to the nation and to the Congress on emergency strike legislation? Because a consensus cannot be reached. Somebody's feelings may be hurt. Somebody's toes might have to be stepped on."

It was not resentment alone, of course, which led the House to kill the compulsory arbitration, or mediation to finality, section of the administration's railroad bill. A more potent factor undoubtedly was the pressure applied by the union lobbyists and the fear of political reprisal against members voting contrary to their demands. But the element of resentment was there, and if the administration continues to dodge the basic issue—effective permanent legislation—it is going to discover one of these days that the House will refuse to go along with any kind of last-minute improvisation to deal with a particular strike threat.

As matters stand there will be no railroad strike after tonight's deadline. The House and Senate versions of the bill, both of which bar a strike for 90 days, presumably will be sent to conference this week. And the union leaders have said there will be no strike while the conferees are considering the measures.

In the best of circumstances, however, one central fact remains: The nation's lawmakers in the House, whose primary obligation should be to their constituents, have proved themselves unequal to the task of meeting their responsibility to protect the public interest. And if a strike should come, those members who voted to cut the heart out of the bill should be held strictly to account by the voters.

There is only one valid basis for opposing this bill. In and of itself, the measure is eminently fair to both the railroads and the six shop unions involved in the dispute.

These six unions represent 137,000 railroad workers—journeymen mechanics, their helpers, apprentices, powerhouse employees and railway shop laborers. The remaining 750,000 railroad employees, 72 percent of the total, successfully negotiated new contracts. There have been two recommendations for settlement. One, by an emergency board appointed under the Railway Labor Act, was accepted in its entirety by the carriers and rejected down the line by the unions. Then a second board, headed by Judge Fahy, who retired recently from the U.S. Court of Appeals here, was set up. It returned recommendations somewhat more favorable to the unions. The carriers agreed to some proposals and rejected others. The unions rejected all of them. And there the matter stands. For while the House action leaves in the bill machinery for a third recommended settlement, it knocks out the essential provision which would have compelled both parties to accept it.

What then, is the valid basis for opposing this bill? In our opinion, simply this: It is an ad hoc measure—a bill which even in the form in which it passed the Senate would deal effectively with this case only. It would have no bearing whatever on other ominous strike threats looming on the horizon. It would leave Congress, which is woefully unequipped for the task, in the business of having to devise some patchwork settlement on a case by case basis for each new strike threat as it arises. To sum it up, it is a bill which would not adequately protect the public interest—and any legislation which would provide less simply will not do.

In no other area of our society are the parties to a dispute left to fight it out between themselves, and most certainly not if the consequences of their private fight would cut across the public interest. We have courts of law for the settlement of these controversies. We should have labor courts, or whatever one may choose to call them, in which labor-management disputes, other means failing, would have to be settled.

Ours is a complex industrial society, not a jungle in which the party with the biggest club wins. And this is especially true when it is the public, not the parties, which really gets clubbed on the head.

There are those who say that compulsory arbitration won't work in a free society. We think it will work—if the law is carefully drawn to provide fair procedures, if the judges are impartial, if the penalties for a refusal to comply are severe enough and if the will to impose them exists. If anything is clear, it is that the United States of the twentieth century will have to move in this direction.

KODIAK'S RISE AND SUCCESS

Mr. GRUENING. Mr. President, progress—beneficial progress, which spells an improvement in the community's economy and also a wise use of its natural resources—is always gratifying and worth hailing.

Pertinent to this salute is an article from a recent issue of the "Kodiak Mirror"—which revealed another aspect of that community's progress by its transformation from a weekly into a daily—headed "Kodiak Jumps to Third Most Important Fishery Port in United States."

Behind this story are some multiple and praiseworthy achievements. They are:

First. The completely transformed and improved conservation practices in the management of Alaska's fisheries which have taken place since Alaskan statehood. Tragic and unchecked depletion of Alaska's fishery resources under the Federal agency which had been in charge of them for the two decades prior to statehood—namely, the Fish and Wildlife Service of the Department of the Interior—ceased when a far more knowledgeable State agency, the Alaska Department of Fish and Game, took its place. As a result Alaska's sorely depleted fisheries—depleted in the case of salmon almost to the vanishing point—are gradually being restored, with resulting economic benefits to Alaska's numerous coastal communities dependent on the fisheries for their livelihood.

Second. The great advances that have been made in developing a long unknown resource—the Alaska king crab. That mammoth crustacean which rivals Maine lobster as a delicacy was virtually unheard of 15 years ago. In large degree its recognition, wide distribution and acceptance are due to the pioneering, both in vision and in action, of an Alaskan named Lowell Wakefield, who has developed this product to the extent that it has become known and appreciated throughout the Nation, and beyond, and has successfully been marketed.

Third. The active support of the Small Business Administration in processing disaster loans to mitigate the tragic effects of the disaster which struck Kodiak and other Alaskan communities on March 27, 1964, and has enabled these stricken areas to go far in recovery.

Fourth. The militant guidance and activity of the mayor of Kodiak, Peter Deveau, whose unceasing course of conduct has demonstrated one of the basic truths of our time—namely, that the democratic process to be successful requires leadership. Pete Deveau has furnished it to an extraordinary degree, as the progress of his city in the slightly over 3 years since the earthquake demonstrates.

It is extremely satisfying to be able to report such an outstanding example of community progress in which individual leadership on the municipal level, knowhow and policy on the State level, and Federal cooperation have combined to bring about so gratifying a result. The community itself deserves a large share of credit.

This success should and will be further enhanced by the local newspaper, which now becomes Alaska's seventh member of the press to appear daily, joining Ketchikan, Sitka, Juneau, the two papers in Anchorage, and one in Fairbanks in

serving news and comment to its readers every 24 hours. As a former newspaperman I cheer this event. A good newspaper goes to make a good town.

I ask unanimous consent that the article from the Kodiak Mirror showing Kodiak's rise be printed at this point in my remarks.

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

KODIAK JUMPS TO THIRD MOST IMPORTANT FISHERY PORT IN UNITED STATES

Would you believe Kodiak is now the number one fishing port of the entire nation?—No?—Well, would you believe Kodiak is the third most important in the Nation?—It is!

According to statistics released by the federal Bureau of Commercial Fisheries this week, Kodiak ranks as the nation's third most important fishery port with landings worth $13 million dollars to the fisherman in 1966—$3 million more than Boston, Mass.

Alaska remains the number one fishery state with landings valued at $74 million and the products worth about $200 million—some 25 percent greater than for California, the number two state in fisheries, says, BCF's Jim Branson and C. E. Nickerson. Branson is stationed in Kodiak and is high seas surveillance and enforcement agent for the bureau. Nickerson is loan agent stationed in Juneau.

They point out that San Pedro, Calif., remains the nation's number one port in landings with Biloxi, Miss., by Kodiak in number three spot and Boston, Mass., in number four spot.

One new Alaska product barely several years old productionwise—fish eggs—in 1966 jumped to a wholesale value worth approximately $4 million—about 25 percent of the value of the total U.S. halibut landings in the Pacific!

Salmon roe was produced to the tune of three million dollars worth in Alaska in 1966.

Herring roe's value was $350,000 with an additional $600,000 worth of cured kelp with eggs produced—twice the value of the hake fishery of Oregon!

Kodiak's importance as one of the major fishery ports of the United States is again reflected by the figures of the BCF's loan case summary, which shows that out of $2,733,553 total value of loans approved in Alaska, Kodiak fishermen received $1,161,487. The fact that the loans were in larger amounts for larger type vessels than elsewhere is indicated by the fact that of the 243 loans approved in Alaska, only 45 of them were from Kodiak and represent the $1,161,487.

Nickerson pointed out that these figures do not include loans for several large vessels now under construction for Kodiak fishermen. He also points out that the figures do not include loans for village fishermen around the island. For instance, seven applications were received from Old Harbor, six of which were approved for a total of $15,100. Two applications were received from Ouzinkie and approved for a total of $6,100.

Twenty-six of the loans approved for Kodiak were Disaster Loans with a total of $594,306.

Although the catch of king crab during the current season has dropped in the Kodiak area and the area salmon predictions are not encouraging for this season, there is reason to believe that Kodiak will rack up another record year by Dec. 31, because of the greatly increased interest in the other fishery products available in area waters, particularly shrimp.

Overshadowed in past years by the king crab fishery, little notice had been given to the local shrimp processing industry despite the fact that the three plants in shrimp operations here already made Kodiak the number one shrimp port of the entire Pacific Coast. Now other plants are entering the shrimp fishery here and a sizeable increase in the catch is anticipated. Some observers believe Kodiak will become the major shrimp port of the nation within a very short time.

Area fishermen and processors have also begun exploratory and experimental operations into other fishery products available in Kodiak area waters. Though they are still in the experimental and exploratory stages, it is considered very possible and probable that the Tanner crab ("Snow" crab), Dungeness crab, razor clam, scallop, and bottomfish will each develop into substantial fisheries.

SPENCER TRACY

Mr. KENNEDY of New York. Mr. President, when Spencer Tracy died last week, millions of Americans felt a keen sense of loss. For Spencer Tracy was a part of our households, a part of our growing up, a part of our lives. His roles were as disparate as the many faces of America—yet in all of them, and in his private life as well, he conveyed qualities of individuality and self-reliance with which we all identified. He was a product of Hollywood's golden years, and at the same time he was a man apart, a star who always managed to remain independent of the system which employed his talents.

Bosley Crowther of the New York Times put it very well the other day.

They aren't writing many stories these days about Mr. Tracy's kind of man—

He wrote—

And even if they were, there aren't many actors who could play them.

Spencer Tracy was highly regarded by millions—by moviegoers and colleagues alike. I considered him a friend, and was one of those who greatly admired him. He brought pleasure—humor and excitement and adventure—to Americans of all ages. The sympathy of all of us goes now to all of those who were close to him.

Mr. President, I ask unanimous consent that Mr. Crowther's article be placed 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:

A CAPTAIN COURAGEOUS

(By Bosley Crowther)

It is natural for a long-time moviegoer to wax sentimental and sad over the death of a favorite actor whose intense and distinguished career has paralleled one's own growing older and provided many memorable joys. We all tend to weave into the fabric of our own experiences the self-identifications and emotional associations we have inevitably made with the actors and actresses whose characterizations we have especially enjoyed, so that their simultations of experience become, in a way, a part of ours.

This is a simple phenomenon that regularly occurs as a consequence of exposure to the device of theater, and it needs no further exploration or extenuation here. We have our personal attachments to our favorite stars, and we feel a deep sense of general sadness and personal loss when they die.

But the death of Spencer Tracy, whose passing a week ago came as no surprise to those aware of the pathetic erosion of his health, is sadly significant of something more than the departure of a personal favorite. It breaks one more strong and vibrant cable in the slowly crumbling bridge between motion pictures of this generation and the great ones of the past.

ROBUST AND POPULAR

Mr. Tracy was of that order of robust and popular male stars brought into prominence and distinction in the first decade of talking films. They included Clark Gable, Gary Cooper, Humphrey Bogart, Wallace Beery and Erroll Flynn, who have all been gathered to their maker, and James Cagney, Edward G. Robinson and Fredric March, who are fortunately still with us, but not as active as they used to be. Mr. Tracy was one of those stalwart actors who were nurtured and spiraled to the top in the old star system the major studios promoted when they needed full ranks of contract players to perform and adorn their many films.

Whatever the faults of that system—and there were many, including the fact that contract players were often forced to do pictures for which they had no qualifications or taste—it did provide plenty of work for actors and give them plenty of chance to develop their skills and project the personalities they possessed.

PILLAR OF STRENGTH

How well we remember Mr. Tracy's surprising emergence in the role of the tough-quarter priest in "San Francisco" after a succession of unimpressive roles as gangsters and various other low-lifes, and his simultaneous appearance as the innocent man who was arrested as a kidnaping suspect in "Fury" and was almost lynched by an agitated mob. He was forceful, honest and impressive in these two dissimilar roles, and proved beyond any question that he was an actor to watch. But, of course, it was his brilliant performance as the Gloucester Portuguese fisherman in the film of Rudyard Kipling's "Captains Courageous" that won for him the renown (and his first Oscar) that he so ably shouldered in a great variety of roles through 30 years.

I would guess that these years of application and devotion to a job that he was able to do by virtue of the system and his own intense desire—21 of those years were spent as a contract player with Metro-Goldwyn-Mayer—provided him with the continuity, security and associates that brought forth the fundamental and consistent image that Mr. Tracy presented to the world.

It was that of a strong, self-reliant, insistently just and moral man whose basic sense of rectitude towards others was matched by his sense of humor towards himself. Whether his role was the title character in "Edison the Man" or the rugged Father Flanagan in "Boy's Town" or Clarence Darrow in "Inherit the Wind" or the crippled war veteran in "Bad Day at Black Rock" or the American jurist in "Judgment at Nuremberg," Mr. Tracy was forever the image of that architectural pride, a pillar of strength.

AFTERNOON PERIOD

Even in the several delightful comedy roles he played in what might be gracefully described as his afternoon period—such films as "Woman of the Year," "State of the Union," "Pat and Mike" and "Adam's Rib" with his favorite partner, Katharine Hepburn, or the indelible "Father of the Bride" with Elizabeth Taylor—he was invariably the sort of American guy you could depend on to help pull a woman or a picture out of a jam.

They aren't writing many stories these days about Mr. Tracy's kind of man. And even if they were, there aren't many actors who could play them. The training and maturity required to project the subdued, commanding image are not being accumulated to any degree. Actors are too busy being producers and figuring out ways to keep their income taxes down.

I am glad that Mr. Tracy's last picture, which he completed a week or so before he died—a serio-comedy called "Guess Who's Coming to Dinner"—has Miss Hepburn and Sidney Poitier as co-stars and is about an

upper-middle-class couple whose daughter becomes engaged to a Negro. Produced and directed by Stanley Kramer, who has made Mr. Tracy's last three films, it should be bold and honest, modern yet reflective of the past.

PRESIDENT PROCLAIMS NATIONAL COAL WEEK

Mr. BYRD of West Virginia. Mr. President, this week of June 18 through June 24 has been designated as National Coal Week by Presidential proclamation.

Acting in recognition of congressional passage of Concurrent Resolution 20, the President on June 15 signed the proclamation, and in doing so, he directed the attention of the Nation to the vital place which coal has occupied and continues to occupy in our national economy.

I am proud to have served as the sponsor in the Senate of the concurrent resolution laying the foundation for the declaration of this week as National Coal Week, honoring the coal industry and the National Coal Association for its enlightened leadership.

I wish to take the opportunity to bring this proclamation to the attention of the Senate so that note may be taken of the many challenges which lie ahead for coal as a major element in our Nation's fuel industry. Research on coal today holds promise of providing a commercially successful process for conversion of coal to gasoline; it is exploring the potentials for development of an industry for coal gassification with gas to be shipped through existing pipelines to industrial centers; and it is opening exciting possibilities with regard to additional usage by electric utilities.

Coal has a wide horizon—a horizon open to new usages and new opportunities to serve the citizens of our Nation.

I ask unanimous consent that a copy of the President's Proclamation of National Coal Week be printed in the RECORD.

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

NATIONAL COAL WEEK—A PROCLAMATION BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

Nearly a thousand years ago, Indians in what is now Arizona began to mine coal as a fuel for baking pottery. From that remote beginning grew a great industry that contributed mightily to our development as a Nation.

Coal fed the steam engines that conquered our rivers and pushed our frontiers westward. It smelted the iron that built cities and railroads and automobiles. It warmed our homes and provided the current to light them.

It fired—and is still firing—the furnaces of freedom.

Today, our expanding technology imposes new demands on the coal industry to assure its future service as a source of energy, and as a continued source of livelihood for thousands of our citizens.

All Americans look to the leaders of this great industry—management and labor alike—to continue their efforts toward further technological advancement. It is essential to our national well-being that this great natural resource, which has meant much to our history, continue to play a significant role in the development of America's tomorrow.

The Congress, by Senate Concurrent Resolution 20, has asked me to direct attention to this abundant resource. It is my pleasure to do so.

Now, therefore, I, Lyndon B. Johnson, President of the United States of America, do hereby designate the week of June 18–24, 1967, as National Coal Week. I call upon citizens throughout the Nation to participate in observance of that week, in honor of the National Coal Association.

I invite the Governors of the various States to issue proclamations for this purpose. I encourage the various agencies and departments to join in suitable observances of National Coal Week, including public meetings, exhibits, and news-media features.

In witness whereof, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

Done at the City of Washington this fifteenth day of June in the year of our Lord nineteen hundred and sixty-seven, and of the Independence of the United States of America the one hundred and nintey-first.

LYNDON B. JOHNSON.

By the President:

DEAN RUSK,
Secretary of State.

RECESS UNTIL TOMORROW AT 10 O'CLOCK A.M.

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, I move, pursuant to the order previously entered, that the Senate stand in recess until 10 o'clock tomorrow.

The motion was agreed to; and (at 5 o'clock and 27 minutes p.m.) the Senate took a recess until tomorrow, June 20, 1967, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate June 19 (legislative day of June 12), 1967:

UNITED NATIONS

The following-named persons to be Representatives of the United States of America to the fifth emergency special session of the General Assembly of the United Nations:

Arthur J. Goldberg, of Illinois.
Joseph John Sisco, of Maryland.
William B. Buffum, of Maryland.
Richard F. Pedersen, of California.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 19 (legislative day of June 12), 1967:

UNITED NATIONS

The following-named persons to be Representatives of the United States of America to the fifth emergency special session of the General Assembly of the United Nations:

Arthur J. Goldberg, of Illinois.
Joseph John Sisco, of Maryland.
William B. Buffum, of Maryland.
Richard F. Pedersen, of California.

WITHDRAWAL

Executive nomination withdrawn from the Senate June 19 (legislative day of June 12), 1967:

POSTMASTER

The nomination sent to the Senate on February 21, 1967, of Donald H. Langley to be postmaster at South Easton, in the State of Massachusetts.

EXTENSIONS OF REMARKS

Reactor Grade Extruded Zircaloy Tubing

EXTENSION OF REMARKS
OF
HON. CRAIG HOSMER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 19, 1967

Mr. HOSMER. Mr. Speaker, I am making these remarks because I know that various United States and foreign interests in the nuclear reactor field usually monitor what is said in Congress.

A new method to manufacture zircaloy tubing by the extrusion process has been developed by one of my constituents. He claims the tubing produced by this process has a crystalline structure reorientatation which results in a slower corrosive and deterioration rate; also that the process produces a thinner wall tube. The former quality would permit longer life reactor fuel elements and the latter quality would work toward neutron economy. Both qualities would tend to improve reactor economics.

The difficulty with the process is that a large investment is required for suitable extrusion machinery. I am told that, although test reports by the Du Pont Co. under contract with the AEC in part support the above claimed advantages, the patent holder has been unable to interest tubing manufacturers because of these costs.

Perhaps some company who scans these pages might be looking for just such a process. If so it may contact Vernon R. Powell, 35 59th Place, Long Beach, Calif. 90803. Frankly, this is about the only way I can think of to help him with his problem.

Clifton, N.J., Celebrates 50th Anniversary

EXTENSION OF REMARKS
OF
HON. CHARLES S. JOELSON
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, June 19, 1967

Mr. JOELSON. Mr. Speaker, the city of Clifton, N.J., is celebrating this year the 50th anniversary of its chartering.

Clifton was incorporated as a city on April 26, 1917, although it had existed as part of the township of Acquackanonk since 1693. The area in northern New Jersey had been settled by the Dutch in 1684. The Clifton section of Acquackanonk Township was concerned primarily with farming and saw and grist milling in its early days. The