front of that ceaseless combat which engages our loyalties; the battle to end man's inhumanity to man. He is the vigorous enemy of discrimination, deprivation and degradation wherever they appear. It is one thing to have a heart to which these scourges are abhorrent. It is another thing to have the perception which uncovers these evils, the stamina to battle their malice, and the faculties of intellect and imagination which are competent to devise the strategy for national and global victory over them. Senator Edward M. Kennedy has this total endowment of heart, will and mind and a total personal commitment to Justice as well. For to him the Constitutional mandate "to establish Justice" means to take practical measures in a massive effort, public and private, to eliminate the enforced ignorance, deprivation and segregation which perpetuate social and economic injustice. We single out this particular aspect of his many accomplishments in public life as we award him tonight this Citation from the Massachusetts Committee Catholics, Protestants and Jews.

Dated at Boston, Massachusetts this eighteenth day of May, 1967.

The Massachusetts Committee of Catholics, Protestants and Jews, at its Thirtieth Annual Dinner, presents this citation and testimonial to Sandy Koufax, world-famous athlete who is acclaimed by the followers of our national sport as baseball's greatest pitcher: an American whose character has earned the respect of his fellow men of every race and creed; and since December 1966 a national broadcaster on the television network of N.B.C., facing a new and challenging career that presages increased usefulness in the broad field of public service in the years to come. Today Sandy Koufax, by virtue of his conduct on and off the baseball field, is a national hero who has won the esteem and affection of good citizens throughout our land.

In recognition of his exemplary sportsmanship throughout his ten years as a baseball star and of his never-failing, enlightened and intelligent civic sense, the Massachusetts Committee of Catholics, Protestants and Jews presents to him this citation and award.

Dated at Boston, Massachusetts this eighteenth day of May, 1967.

SENATE

WEDNESDAY, JUNE 28, 1967

The Senate met at 10 o'clock a.m., and was called to order by the Acting President pro tempore (Mr. METCALF).

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

Eternal God, Father of all men, Thou hast taught us that in quietness and in confidence shall be our strength. In the midst of these feverish days we pray that Thou wilt breathe through the heat of our desire Thy coolness and Thy balm.

Take from our souls the strain and stress and let our ordered lives confess the beauty of Thy peace.

Strengthen us with Thy might that the anxious pressures of these days may not break our spirits and that no denials of human freedom now loose in the world may intimidate our souls.

As citizens of a world that carries on its sagging shoulders problems of human relationships and burdens of suffering greater than humanity has ever borne, make us inwardly adequate to be Thy ministers of reconciliation.

Give us a part in bringing in a redeemed world delivered from ruthless aggression which threatens the human gains of a thousand years.

We ask it in the name of that One who is the truth and the way. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, June 27, 1967, was dispensed with.

LIMITATION OF STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

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

THE SECURITY COUNCIL AND VIETNAM

Mr. MANSFIELD. Mr. President, the most urgent item of business in the world today is to bring about peace in Vietnam. But there will be no peace without negotiations, and there will be no negotiations unless fresh efforts are made to improve communication and dispel misunderstandings.

All of the efforts which the President of the United States has made to bring about the needed negotiations have been refused and we cannot be certain why. Perhaps there is a misunderstanding of U.S. purpose on the part of the North Vietnamese. Perhaps the North Vietnamese have a concept of an honorable peace which we do not understand. Perhaps they simply are not interested in peace, however inconceivable this may seem when it is the people of Vietnam, north and south alike, who are suffering the most. Whatever the case, every possible source of communication links must be exhausted.

The most obvious source, the United Nations, has scarcely been tapped. The brief discussion of Vietnam by the Security Council at the beginning of 1966 is an insignificant fraction of the amount of effort which could and should be made by the international organization established to maintain peace.

The Security Council is particularly suitable for inaugurating a fresh effort to bring peace in Vietnam because it was designed to act quickly in time of crisis. It is organized to function continuously, and it is limited to 15 members—originally 11—so that it can debate questions fully and efficiently. The five major powers were given permanent seats and a veto on substantive questions so that the decisions of the Council would have behind them the power necessary to carry them out. While the veto could prevent the Council from some actions, it could not prevent a discussion or an invitation to South Vietnam, North Vietnam, Communist China, and the National Liberation Front to participate in the debate.

The 10 nonpermanent members of the Security Council at the present time are Argentina and Brazil from Latin America; Mali, Nigeria, and Ethiopia from Africa; Bulgaria from Eastern Europe, and Denmark from Western Europe; Canada from North America; and India and Japan from Asia. Moreover, the Council presents an unusually competent group for a discussion of Vietnam. It includes the Cochairmen of the Geneva Conference: the United Kingdom and the Soviet Union. It includes two members of the International Control Commission, India, who is the Chairman, and Canada. It includes the United States, a major participant, and it includes France, whose experience and understanding of the Vietnam situation are well known. The other nations involved in Vietnam could be invited to participate in the debate.

The Security Council can no longer avoid assuming its responsibility in helping to promote peace in Vietnam. It must act soon if it is to replace a chain of events which may lead to disaster with a chain of events which will lead to peace.

Mr. President, I repeat: The most urgent item of business in the world today is to bring about peace in Vietnam.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 5799. An act to amend the District of Columbia Uniform Gifts to Minors Act to provide that gifts to minors made under such act may be deposited in savings and loan associations and related institutions, and for other purposes;

H.R. 8582. An act to amend chapter 7 of title 11 of the District of Columbia Code to increase the number of associate judges on the District of Columbia court of appeals from two to five, and for other purposes; and

H.R. 10943. An act to amend and extend title V of the Higher Education Act of 1965.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 4241) to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments, and it was signed by the President pro tempore.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred to the Committee on the District of Columbia:

H.R. 5799. An act to amend the District of Columbia Uniform Gifts to Minors Act to provide that gifts to minors made under such

act may be deposited in savings and loan associations and related institutions, and for other purposes; and

H.R. 8582. An act to amend chapter 7 of title 11 of the District of Columbia Code to increase the number of associate judges on the District of Columbia court of appeals from two to five, and for other purposes.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Is there any further morning business?

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

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

The legislative clerk proceeded to call the roll.

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

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

APPROPRIATIONS AUTHORIZATION FOR THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, after consulting with the distinguished minority leader, the chairman and the ranking minority member of the Committee on Aeronautical and Space Sciences, the distinguished senior Senator from Wisconsin [Mr. PROXMIRE], and the distinguished junior Senator from Illinois [Mr. PERCY], it is with their approval that I make the following unanimous-consent request.

Mr. President, I ask unanimous consent that, at the conclusion of the transaction of routine morning business, after the unfinished business is laid before the Senate, and following a quorum call, there be a time limitation of 40 minutes on each amendment, the time to be equally divided between the proposer of the amendment and the manager of the bill, the chairman of the committee, the senior Senator from New Mexico [Mr. ANDERSON], that 2 hours of debate be allowed on the bill, and that the usual regulations apply.

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

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

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

The legislative clerk proceeded to call the roll.

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

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

GLASGOW AIR FORCE BASE

Mr. MANSFIELD. Mr. President, I only wish I could comply with the request of my distinguished colleague and bring up the Glasgow Air Force matter at the present time, but I am afraid we would be subject to a little criticism.

The ACTING PRESIDENT pro tempore. The Chair would be receptive to a request from the floor.

Mr. MANSFIELD. That is a good suggestion.

CONTINUING APPROPRIATIONS, 1968

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 353, House Joint Resolution 652.

The ACTING PRESIDENT pro tempore. The joint resolution will be stated by title.

The LEGISLATIVE CLERK. A joint resolution (H.J. Res. 652) making continuing appropriations for the fiscal year 1968, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 366), explaining the purposes of the bill.

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

This joint resolution provides for appropriations for the continuation of those programs and activities of the Federal Government for which appropriations for the fiscal year ending June 30, 1968, have not been enacted. In this respect, the resolution is identical to previous resolutions for this purpose. All authority granted in this resolution terminates on August 31, 1967.

In those instances where the applicable 1968 appropriation bill has passed both Houses of Congress, but the amount or authority therein differs, the pertinent project or actively continues under the lesser of the two amounts and under the more restrictive authority.

In those instances where a bill has passed only one House of the Congress, or where an appropriation for a project or activity is included in only one version of a bill as passed by both Houses, the pertinent project or activity continues under the appropriation, fund, or authority granted by the one House, but at a rate for operations not exceeding the current rate or the rate permitted by the one House, whichever is the lower.

In those instances where neither House has passed the applicable appropriation bill for the fiscal year 1968, appropriations are provided for the continuing projects or activities conducted during fiscal year 1967 at the current rate or the rate provided for in the budget estimate for fiscal year 1968, whichever is lower, and under the more restrictive authority.

Any obligations and expenditures incurred pursuant to the authority granted in this resolution will be charged against the applicable appropriation. Section 103 of the resolution provides—

* * * and expenditures therefrom shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which applicable appropriation, fund, or authorization is contained is enacted into law.

As in previous continuing resolutions, authority is granted for the continuation of certain programs for which required legislative authorization has not been enacted. Examples of these programs are: Programs and activities of the Atomic Energy Commission; programs and activities of the Office of Economic Opportunity; programs and activities of the National Aeronautics and Space Administration and activities under the Food Stamp Act.

With regard to the continuation of the programs of the National Teachers Corps, the committee recommends concurrence in the following provision in the resolution as it passed the House of Representatives—

"*Provided*, That after June 30, 1967, and prior to the enactment of legislation extending the authorization for the National Teachers Corps beyond June 30, 1967, no new members shall be enrolled and no new contractual arrangements shall be entered into, other than those providing for the summer training of present National Teachers Corps members."

In recommending concurrence in this provision, it is the intent of the committee that this program is to be continued at a level no greater than the level of training for June of calendar year 1967.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations on the Executive Calendar.

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

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

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. ERVIN, from the Committee on the Judiciary:

Woodrow W. Jones, of North Carolina, to be U.S. district judge for the western district of North Carolina.

By Mr. EASTLAND, from the Committee on the Judiciary:

John C. Begovich, of California, to be U.S. marshal for the eastern district of California.

By Mr. LONG of Missouri, from the Committee on the Judiciary:

Veryl L. Riddle, of Missouri, to be U.S. attorney for the eastern district of Missouri.

By Mr. BYRD of Virginia, from the Committee on Armed Services:

Charles F. Baird, of Maryland, to be Under Secretary of the Navy.

By Mr. JACKSON, from the Committee on Armed Services:

Paul H. Nitze, of Maryland, to be the Deputy Secretary of Defense.

By Mr. BREWSTER, from the Committee on Armed Services:

John T. McNaughton, of Illinois, to be the Secretary of the Navy.

By Mr. MILLER, from the Committee on Armed Services:

Paul C. Warnke, of the District of Columbia, to be an Assistant Secretary of Defense.

Mr. MILLER. Mr. President, from the Committee on Armed Services I report favorably the nominations of 46 flag officers in the Navy and one general officer in the Army. I ask that these names be placed on the Executive Calendar.

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

The nominations, ordered to be placed on the Executive Calendar, are as follows:

Maj. Gen. Robert A. Breitweiser, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President, in the grade of lieutenant general while so serving;

Maurice H. Rindskopf, and sundry other officers, for temporary promotion in the Navy; and

Felix P. Ballenger, and sundry other officers, for temporary promotion in the Navy.

Mr. MILLER. Mr. President, in addition, I report also 553 appointments in the Air Force in the grade of major and below and 560 promotions in the Regular Army in the grade of first lieutenant. Since these names have already appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

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

The nominations, ordered to lie on the desk, are as follows:

Gene P. Abel, and sundry other officers, for promotion in the Regular Army of the United States;

Marcos E. Kinevan, for appointment as permanent professor, U.S. Air Force Academy; and

Richie S. Dryden, and sundry other persons, for appointment in the Regular Air Force.

The ACTING PRESIDENT pro tempore. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

DISTRICT OF COLUMBIA COURT OF APPEALS

The legislative clerk read the nomination of Catherine B. Kelly, of the District of Columbia, to be an associate judge of the District of Columbia court of appeals for the term of 10 years.

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

JUVENILE COURT OF THE DISTRICT OF COLUMBIA

The legislative clerk read the nomination of John D. Fauntleroy, of the District of Columbia, to be associate judge of the juvenile court of the District of Columbia for the term of 10 years.

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

DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS

The legislative clerk read the nomination of Alfred Burka, of Maryland, to be associate judge of the District of Columbia court of general sessions for the term of 10 years.

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

NOMINATIONS PLACED ON THE SECRETARY'S DESK—IN THE PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read nominations in the Public Health Service beginning with Victor E. Archer, to be medical director, and ending with John B. Wiggins, Jr., to be senior assistant health services officer.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

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

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

LEGISLATIVE SESSION

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

PETITION

The ACTING PRESIDENT pro tempore laid before the Senate a concurrent resolution of the Legislature of the State of Texas, which was referred to the Committee on the Judiciary, as follows:

SENATE CONCURRENT RESOLUTION 12

Whereas, The relationship that exists between the Federal Government and the government of the states is a matter of vital concern; and

Whereas, The states play an indispensable role in our Federal system of government; and

Whereas, Unless the trend toward restrictive categoric federal grants is reversed, these grants will so entwine themselves that a state's freedom of movement will be significantly inhibited; and

Whereas, There is a need and a justification for broader unfettered grants that will give states and localities more freedom of choice, more opportunity to express their own initiative which reflects their particular needs and preferences, all within the overall direction of national purposes; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that this Legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following Article as an amendment to the Constitution of the United States:

"ARTICLE —

"Beginning with the first full fiscal year after ratification of this amendment by the requisite number of states, there shall be remitted to all of the states of these United States, an amount determined by the Secretary of the Treasury to be equal to not less than 5% of the aggregate total of individual and corporate income taxes paid to the United States during the preceding calendar year.

"Such funds shall be remitted to the States without restriction and this remission of funds shall be in addition to any other federal grant programs which may be enacted by the Congress.

"Each state shall share in such remission in proportion as the population of such state bears to the total population of all of the states, according to the last preceding Federal Census"; and, be it further

Resolved, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this Resolution prior to July 1, 1969, this application for a convention shall no longer be of any force or effect; and, be it further

Resolved, That a duly attested copy of this Resolution be immediately transmitted to the Secretary of the Senate of the United States and the Clerk of the House of Representatives of the United States and to each member of Congress from this state.

JOINT RESOLUTIONS OF THE GENERAL ASSEMBLY OF ILLINOIS

Mr. DIRKSEN. Mr. President, I present, for appropriate reference, two joint resolutions adopted by the General Assembly of the State of Illinois, and I ask unanimous consent that they be printed in the RECORD.

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

The joint resolutions were received and referred, as follows:

To the Committee on Finance:

"SENATE JOINT RESOLUTION 63

"Whereas, To provide the kinds of services the people need and the financial and technical assistance the State and local governments need, the States must be made into a viable force for constructive change and progress; and

"Whereas, Rapidly increasing costs of health, education and welfare programs, coupled with dynamic expansion of population have placed financial burdens upon the State and local governments beyond the capacity of their traditional tax resources to bear; and

"Whereas, The Federal government dilutes potential sources of State revenue by extracting billions of dollars from the several States through the process of imposing burdensome and inhibiting Federal taxes upon the individual taxpayer; and

"Whereas, the individual States, which are directly responsive to the people, are in a more effective position to provide solutions for their own particular problems if the Federal government were to share these tax resources with the States; and

"Whereas, The Federal grant-in-aid system has not alleviated the tenuous financial condition of the States, but rather it has developed into an unfortunate program of confusion, duplication and overlap. The resultant impenetrable administrative entanglement has in many cases caused the administrative costs to absorb more than half of the available funds; and

"Whereas, The Federal government is too far removed from the individual problems of the States to manage state programs efficiently; and

"Whereas, The severe financial condition of the States could be rectified by implementing a system of partnership, whereby the Federal government would share its revenue resources by returning to the States each year a portion of the Federal income taxes collected therein with a simultaneous phasing out of restricted Federal grants; therefore, be it

"Resolved, By the Senate of the Seventy-fifth General Assembly of the State of Illinois, the House of Representatives concurring herein, That we respectfully petition the Congress of the United States to provide,

without restrictions, a system for the sharing of Federal income taxes with the several States out of funds provided both by cutbacks and elimination of existing and projected expansions of Federal grant-in-aid programs, and from the increased revenue provided by our burgeoning national economy, so as to facilitate the capacity of our State and local governments to provide a more meaningful response to the needs of the people; and, be it further

"Resolved, That a copy of this Resolution be forwarded by the Secretary of State to every member of the Congress of the United States from the State of Illinois, and the Governor and the presiding officers of the Legislatures of each of the other forty-nine states."

To the Committee on Foreign Relations:

"SENATE JOINT RESOLUTION 56

"Whereas, Our nation is involved in a struggle for human freedom against the forces of communism in Viet Nam; and

"Whereas, Thousands of our service men have already paid the supreme sacrifice and thousands more risk their lives daily; and

"Whereas, Some within our country find pleasure in lawless demonstrations, draft card burnings and other forms of opposition to the cause for which so many have given their lives; and

"Whereas, Some nations with which we trade continue to supply our enemy with goods, thus supporting the forces of communist aggression; therefore, be it

"Resolved, By the Senate of the Seventy-fifth General Assembly of the State of Illinois, the House of Representatives concurring herein, that for the reasons mentioned in the preamble, we declare our support for our fighting men in Viet Nam, and strongly urge the President and the Congress to stop all trade with countries supplying goods to the enemy and refrain from establishing any new trade 'bridges' with the Soviet Union and satellite nations; and be it further

"Resolved, that a copy of this resolution be forwarded by the Secretary of State to the President of the United States, and each Congressman from Illinois."

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. TYDINGS, from the Committee on the Judiciary, without amendment:

S. 388. A bill to authorize the Attorney General to transfer an inmate of the District of Columbia jail to any other institution under the control and supervision of the Director of the District of Columbia Department of Corrections notwithstanding the pendency of a petition for a writ of habeas corpus with respect to such inmate, and for other purposes (Rept. No. 370).

By Mr. TYDINGS, from the Committee on the Judiciary, with amendments:

S. 945. A bill to abolish the office of U.S. commissioner, to establish in place thereof within the judicial branch of the Government the office of U.S. magistrate, and for other purposes (Rept. No. 371); and

S. 1540. A bill to amend chapter 235 of title 18, United States Code, to provide for the appellate review of sentences imposed in criminal cases arising in the district courts of the United States (Rept. No. 372).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 440. A bill for the relief of Dr. Julio Alejandro Solano (Rept. No. 381);

S. 1257. A bill for the relief of Kuo-Hua Yang (Rept. No. 382);

S. 1398. A bill for the relief of Irma Stefani Ruiz-Montalvo (Rept. No. 383);

H.R. 1516. An act for the relief of Giuseppe Tocco (Rept. No. 385);

H.R. 1703. An act for the relief of Angiolina Condello (Rept. No. 386);

H.R. 1763. An act for the relief of Dr. Raul E. Bertran (Rept. No. 387);

H.R. 1764. An act for the relief of Dr. Ernesto M. Campello (Rept. No. 388);

H.R. 1765. An act for the relief of Dr. Ubaldo Gregorio Catasus-Rodriguez (Rept. No. 389); and

H.R. 3523. An act for the relief of Chang-You Wu, M.D. (Rept. No. 390).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 43. A bill for the relief of Mi Soon Oh (Rept. No. 391); and

S. 1106. A bill for the relief of Dr. David Castaneda (Rept. No. 384).

By Mr. SMATHERS, from the Committee on the Judiciary, without amendment:

S. 117. A bill for the relief of Martha Blankenship (Rept. No. 375);

S. 171. A bill for the relief of Timothy Joseph Shea and Elsie Annet Shea (Rept. No. 376);

S. 910. A bill for the relief of the estate of Patrick E. Eagan (Rept. No. 377);

S. 1580. A bill for the relief of John W. Rogers (Rept. No. 378);

H.R. 2762. An act for the relief of CWO Bernhard Vollmer, U.S. Navy (retired) (Rept. No. 379); and

H.R. 4930. An act for the relief of Mr. Robert A. Owen (Rept. No. 380).

By Mr. HART, from the Committee on the Judiciary, without amendment:

S. 1648. A bill to extend the authority for exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States (Rept. No. 374).

By Mr. BURDICK, from the Committee on the Judiciary, without amendment:

S. 475. A bill to provide an additional place for holding court in the district of North Dakota (Rept. No. 373).

REPORT ENTITLED "INVESTIGATION INTO FHA MULTIPLE DWELLING PROJECTS"—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 369)

Mr. McCLELLAN. Mr. President, on behalf of the Senate Committee on Government Operations, I submit a report of its Permanent Subcommittee on Investigations entitled "Investigation Into FHA Multiple Dwelling Projects."

This report covers hearings conducted by the subcommittee relating to a number of aspects of the Federal Housing Administration's program for insuring mortgages on multiple dwelling projects. The subcommittee inquired particularly into that portion of the FHA program known as "section 220," under which FHA is authorized to insure mortgages for building or reconstruction proposals, generally designated as "urban renewal" projects, which are designed to eliminate slums and blighted areas.

Testimony in our hearings disclosed that the principal project under study, a luxury apartment complex in suburban Los Angeles known as Barrington Plaza, was administered and permitted to operate under conditions which led to wildcat financing, mismanagement, and outright dishonesty and corruption.

The hearings clearly demonstrated also that the issuance of mortgage insurance by FHA to the sponsors of the project, and the subsequent pyramiding of that insurance and its unpaid interest to a total of several million dollars above the market value of the project, was not only the result of poor judgment by officials of FHA's national office, but also showed their obvious disregard of advice from their field personnel. Further there can be no doubt that officials of the agency failed to use economic soundness as a criterion for approval of mortgage insurance on the project. They also failed to exercise diligence in examining, auditing, and investigating the ownership and management of the project by the original and subsequent mortgagors. The agency did not carry out administrative and supervisory procedures that would have discovered and eliminated fraud and mismanagement in Barrington Plaza and would have protected the interests of the Government.

The report, in summarizing extensive testimony about this project, shows clearly that the original approval for mortgage insurance of $12½ million for Barrington Plaza was granted by the Washington office of FHA over the strong objections made by officials of the FHA's insuring office in Los Angeles, who declared that the project proposal was economically unsound even if it was financed at $12 million.

Subsequently, the Washington office of the FHA increased the mortgage insurance total to $18½ million. Once again the Los Angeles office objected to the increase in the total of mortgage insurance and to the deferment of payments of principal and interest.

By April 15, 1965, the indebtedness to the Federal Government had increased to more than $21 million on this property. At that time, the Washington office of the FHA approved the sale of the property to a group of speculators, again acting against the advice and the protest of the local officials in Los Angeles. The total obligation upon the purchasers was more than $21 million. Approval for the sale was given in spite of available information which indicated that the purchasers lacked financial responsibility and realty experience.

The poor judgment and irresponsibility of the agency's officials, combined with the financial overload which gave the project's owners a burden too heavy for them to carry, ultimately produced the inevitable result. The mortgagee foreclosed on the mortgage and then conveyed title to the project to the Federal Housing Administration. At that point, Mr. President, the FHA made a settlement with the mortgagee for $20,758,413, and was left with the title to a property that the subcommittee believes will ultimately produce a heavy loss to the Government.

The subcommittee's inquiry into the affairs of Barrington Plaza disclosed not only the failures and mistakes of FHA officials and the financial instability of the various owners and sponsors, but showed clearly a large number of instances of fraud, deceit, diversion of funds, filing of falsified data, and other highly questionable activities by the ownership and management of the project. Testimony indicated that the dishonest practices could have been discovered earlier by the Federal Housing Administration and the losses could have

been minimized if the agency's auditing procedures had been adequate and effective.

Mr. President, this report of the subcommittee is not restricted to a single multiple dwelling project. It covers the section 220 program for "urban renewal" in particular and also examines certain conditions that have developed in the six principal multifamily housing programs administered by the Federal Housing Administration. The deficit positions of all of these programs totaled more than $91 million at the end of 1965. At that time, the section 220 program alone had a deficit of more than $14 million. On June 30, 1965, the deficiencies in the reserve requirements for the program amounted to $334.7 million, with $58.7 million charged to the section 220 program. The finding of the subcommittee in this vital area is that the deficit positions of the several programs, which lead inevitably to increases in deficiencies in reserve requirements, have grown progressively worse each year. A full examination and evaluation of the entire multifamily housing programs should be undertaken by FHA.

The subcommittee has indicated the need for assuring prompt and adequate accountability for projects in the section 220 program which are in financial difficulty, and the report calls for legislative action to protect the Government from the consequences of abuses and improprieties such as those discovered in the subcommittee's investigation.

The recommended measure, S. 1249, which I introduced, would strengthen the National Housing Act by providing protection for the income of projects which are financially troubled, by requiring contractors and subcontractors to execute binding agreements to certify their costs for services and materials, and by prohibiting the issuance of insurance unless FHA and the General Accounting Office are permitted, under binding agreements, to have full access to all books and records of the project.

Another important recommendation of the subcommittee calls for the establishment of a policy of economic soundness as one of the primary standards in determining the worthiness of high-rise luxury urban renewal projects before granting mortgage insurance. Further, the report recommends that adequate attention be given to economic feasibility in approving projects for low-cost housing, and that approval be refused for those with no reasonable prospect of meeting their obligations.

Mr. President, the FHA sold Barrington Plaza late last month for $21.2 millon to Tragniew, Inc., a Los Angeles realty corporation. The sale price represents the total FHA investment in the property.

Barrington Plaza was sold subject to a 40-year mortgage of $21.2 million at 5½ percent interest. As consideration for the sale, the purchaser put up $600,000 in escrow. The escrow money will pay for: First, outstanding claims against the property for furniture, fixtures, and equipment, not to exceed $250,000; second, approximately $250,000 will be applied to prepayment of certain interest obligations; and third, the remaining $100,000 will be used for property improvements.

In December of 1966, the Property Disposition Section of the FHA made the following determination:

> Effective November 1, 1966, a realignment of the rental structure was placed into effect. Based on the revised rental schedule, at 93% occupancy, the gross income of $1,909,412 less operating expenses, reserve for replacements and taxes totaling $810,596 leaves a net income of $1,098,816. Capitalization of this net income would suggest an offering price of $13,735,000.

In spite of this determination, FHA entered into a transaction 6 months later in which the agency accepted a note of $21.2 million for the project.

It is obvious, Mr. President, that the FHA is refusing to face its responsibility. The agency sold the project at a price so high that the buyer cannot possibly meet his obligation from property income. The transaction cannot meet any test of sound business practice.

The terms of the sale are extremely interesting and very revealing. The FHA has provided, under the conditions of the contract, that when the net income of the property is not sufficient to meet the debt burden the purchaser cannot be compelled to make the principal payments for the first 12 years and these payments may be deferred. Similarly, the payments on the interest during the first 2 years shall not be required. Another condition permits the buyer to pay only $400,000 in annual interest for 10 years, instead of about $1.16 million annually, figured at 5½ percent, which would normally be due and payable. The difference between interest actually to be paid and that which would be due normally, totalling $9.99 million over 10 years, will be paid in one final "balloon" payment at the end of the 40-year mortgage.

The FHA is simply attempting to defer acceptance of the fact that losses will ultimately be incurred by this project. The hearings showed that the building, if fully rented, could not be operationally sound at a sale price beyond $15 million.

There must be reasons for this economic folly. We have indications of some of them.

The first, of course, is that FHA is unwilling to face the facts and accept its loss.

The second has been volunteered by the FHA official who handled the transaction. He said that the buyer believes that inflation will allow him to increase the rents.

The third reason also was disclosed by the same FHA official. He stated that an important factor to the buyer was the tax shelter offered by the project. Mr. President, what is a tax shelter?

It is well known that corporate or individual taxpayers with high tax assessments frequently invest in corporations or projects which already have, or will have, high losses. Our tax laws permit a corporation with high profits to acquire another corporation which is losing money, and allows the profit-making firm to offset its high earnings against losses of the acquired firm and thus drastically reduces its tax liability.

I am greatly disturbed, Mr. President, by the absurdity of the manner in which the Federal Housing Administration has administered this project. Should a financial agency of the United States Government actively assist an individual in acquiring a huge Federal investment as a tax shelter? I consider it preposterous that the FHA should aid a real estate operator in utilizing $21 million in Government capital to avoid paying taxes. The obvious result of this transaction will be that he will use the losses which actually are suffered by the Government to reduce the taxes due from his other corporations. The Government loses both ways—on the property itself, and on the taxes it should be able to collect from the new owner. I wish to point out that FHA officials were well aware of the testimony in our hearings on Barrington Plaza relating to disclosures that one of the primary reasons the previous speculators had acquired the project was for the purpose of using it as a tax shelter.

Mr. President, I wish to emphasize that this report was signed and agreed to by all nine members of the Permanent Subcommittee on Investigations. Senators MUSKIE and JAVITS are filing individual views. The report represents unanimous agreement that legislation to protect the interests of the Government is needed in the mortgage insurance field and that remedies must be found for the unsatisfactory conditions disclosed by our investigations and analyzed in this report.

The PRESIDING OFFICER. The report will be received and printed, as requested by the Senator from Arkansas.

Mr. MUNDT. Mr. President, as the ranking Republican member of the Permanent Subcommittee on Investigations of the Committee on Government Operations, I wish to associate myself with the remarks just made by our distinguished chairman, the Senator from Arkansas [Mr. MCCLELLAN], in the course of his submitting the report of our subcommittee concerning our inquiry into FHA multiple dwelling projects.

I. FHA-ADMINISTERED MULTIFAMILY HOUSING PROGRAMS

While we confined our hearings, for the most part, to the section 220 or "urban renewal-slum clearance" program, I was also interested in the generalized testimony of Mr. Frank H. Weitzel, Assistant Comptroller of the United States, when he told our subcommittee on August 28, 1966, of the magnitude of the FHA-administered multifamily housing programs.

Mr. Weitzel told us there are 19 such multifamily housing programs. Seven of the programs are inactive in that the laws under which they were conducted have expired although the mortgages insured by FHA under them are still in force. Actually, as of December 31, 1965, FHA had insured mortgages in the total amount of $5.8 billion for the active programs and about $6.1 billion for those that are inactive.

The largest active programs, all of them as of December 31, 1965, are the following:

Section	Types of program	Number of projects	Amount FHA-insured
207	Basic multifamily housing	1,834	$2,700,000,000
213	Cooperative housing	520	927,500,000
220	Urban renewal	226	832,900,000
221	Low and moderate income housing	398	621,900,000
231	Housing program for the elderly	259	470,700,000
232	Nursing home program	364	213,400,000
Total (6)		3,601	5,766,400,000

The number of projects in some form of financial difficulty; that is, where the FHA has acquired or has been assigned the mortgages, where the projects were operating under modification agreements, or where the project mortgages were in default—for the same six largest active programs, again as of December 31, 1965, was as follows:

Program	Total projects	Projects in difficulty		Amount FHA-insured	Amount of financial difficulty	
		Number	Percent		Amount	Percent
Sec. 207	1,834	308	17	$2,700,000,000	$584,400,000	22
Sec. 213 (a) [1]	380	11	3	610,300,000	15,500,000	3
Sec. 213 (b) [2]	140	61	44	317,200,000	136,900,000	43
Sec. 220	226	62	27	832,900,000	336,900,000	40
Sec. 221 (a) [3]	283	19	7	480,300,000	38,000,000	8
Sec. 221 (b) [4]	115	37	32	141,700,000	48,400,000	34
Sec. 231	259	57	22	470,700,000	134,400,000	29
Sec. 232	364	36	10	213,400,000	27,700,000	13
Total (6)	3,601	591	16	5,766,500,000	1,322,200,000	23

[1] Sec. 213(a) indicates management-type cooperative housing projects where the multifamily structures are owned by a nonprofit cooperative corporation, with each member having the right to occupy a unit and to have an equal voice in the operation of the project.

[2] Sec. 213(b) indicates an investor-sponsored cooperative project developed by a profit corporation which certifies it intends to sell same to an acceptable management-type cooperative within 2 years after construction and completion.

[3] Sec. 221(a) indicates projects with the mortgage interest below-market interest rate, limited by FHA regulations to families of low or moderate income that meet certain FHA-prescribed income limitations.

[4] Sec. 221(b) indicates projects with the mortgage interest at the market interest rate. Family income limitations are not applicable here.

Thus, it can be seen that 591 out of the total of 3,601 projects, or 16 percent were in financial difficulty as of December 31, 1965. More importantly, this amounted to $1.32 billion of the entire $5.76 billion program, or 23 percent of same. And, although the General Accounting Office found that the FHA's information as to the relationship between a completed project and an incomplete one—in conjunction with modification agreements and the making of mortgage amortization payments—was scarce and thus made it difficult for the GAO to make a refined presentation of the data, the GAO found some indications that the total number of projects that were in some form of financial difficulty, as of December 31, 1965, could well have run as high as 1,657 with mortgages amounting to about $1.9 billion.

Also, Mr. Weitzel told us that the FHA's own financial reports showed that when all income attributable to each program, from its inception through December 31, 1965—which included mortgage insurance premiums, fees, and so forth—was credited to it and then compared with the same program's expenses—such as salaries, interest, losses, and an allowance for future losses—each of the aforementioned major active programs found itself in a deficit position. This varied by the program, as follows:

Program:	*Deficit in millions*
Sec. 207	$29.2
Sec. 213	1.1
Sec. 220	14.3
Sec. 221	16.9
Sec. 231	23.5
Sec. 232	6.3

Mr. Weitzel continued on in his testimony by comparing the total reserve requirements which FHA has estimated for its insurance funds with the actual insurance reserves. These reserve requirements are based upon actuarial studies and underwriting risks which are predominantly economic in nature; that is, they are based upon the future contingent needs as to what may happen to our economy while the insurance reserves themselves, which have been available to cover losses and administrative expenses, are based upon what has happened to date.

We were informed that the FHA considers the insurance fund "in balance" when its insurance reserves are equal to, or are greater than, the estimated reserve requirements. However, we also learned from Weitzel that, as of June 30, 1961, the insurance reserves were $982 million for all of the multifamily housing programs while the insurance reserve requirements were $1.03 billion, indicating a reserve "gap" or deficiency of about $47.1 million. But, by June 30, 1965—only 4 years later—the insurance reserves were $1.1 billion while the insurance reserve requirements were about $1.5 billion. Thus, the reserve "gap" had grown to an actual amount of $417 million, or almost 10 times the earlier amount, in this brief period of time.

The General Accounting Office was able to analyze five of the six largest active multifamily housing programs concerning their reserve deficiencies, as of June 30, 1965, as follows:

[In millions of dollars]

Program	Reserve requirement	Insurance reserves	Reserve deficiency
Sec. 207	130.2	−20.5	150.7
Sec. 213	41.0	1.4	39.6
Sec. 220	47.3	−11.4	58.7
Sec. 221	31.7	−13.5	45.2
Sec. 231	25.0	−15.5	40.5
Total	275.2	−59.5	334.7

While I understand that near-record amounts of mortgage insurance were written during this latter period, and that this was done as to higher risk mortgages—that is, on a higher ratio of loan to the total property value—at the same time Mr. Weitzel testified that the losses had increased significantly. Mr. Weitzel agreed with me when he testified that—

> With this widening gap and the increasing experience of losses, this situation does bear very close scrutiny.

And FHA Commissioner Philip N. Brownstein, who testified on the same day, after some discussion on the subject agreed that some of these FHA housing programs which are aimed at social objectives are indeed "high risk" in nature and that, quoting Commissioner Brownstein:

> All of us ought to recognize that then it may be that they are going to have to have some support outside the reserves.

This, then, is what was shown as the financial picture for multifamily housing programs under the administration of the Federal Housing Administration.

II. SECTION 220 URBAN RENEWAL HOUSING

BACKGROUND

In looking at the relatively brief legislative history behind the Housing Act of 1954, which amended the earlier National Housing Act of 1934 and, amongst other things, created the urban renewal program through the enactment of section 220 thereto, I noted that the main theme running throughout the Presidential message and uncontested floor debates in both Houses of Congress was for the FHA to insure private credit to rehabilitate and to construct new homes in declining neighborhoods and blighted and slum areas in the various communities throughout our Nation.

In fact, one of our former colleagues, Senator Homer C. Capehart, succinctly stated this when he said the following on the Senate floor on June 3, 1954:

> Its purpose is to assist in rehabilitation of existing dwellings and construction of new dwellings in urban renewal areas.

Continuing, Senator Capehart said:

> The purpose is to clear up the older sections of the cities and to prevent them from becoming slums. The Federal Government, in cooperation with cities and states, will be enabled to devise plans for the rehabilitation of the older areas . . . (this) affords an opportunity to rehabilitate present slum areas and to prevent slums from developing in the future.

I believe the intent of Congress was expressed clearly enough in the enactment of section 220, which authorized

the FHA Commissioner to insure mortgages on property designed for the elimination of slums and blighted areas of our cities, 12 United States Code 1715 K(a–g). And while I believe that the intent and purpose of this legislation is most commendable, on the other hand I question whether the program was efficiently administered and whether the congressional intent was carried out when the FHA approved of the mortgage insurance for the "multiple high-rise, Olympic-type swimming pool, underground garage, doorman, luxury-type" project, with equivalent luxurious rental prices, known as the Barrington Plaza in West Los Angeles, Calif.

III. BARRINGTON PLAZA

This project was selected from a number examined by the subcommittee staff to establish a complete case history which, at the same time, illustrates a composite of the problems encountered in the section 220 urban renewal program.

A. MORTGAGE INSURANCE INCREASES

Mr. Dominic Ruggiero, General Accounting Office Supervisory Auditor assigned to our staff, testified as to this high-rise apartment project consisting of one 27-story structure, two 17-story structures, and one two-story commercial structure, all within a 5-acre plot in a blighted two-story walkup sector of West Los Angeles, Calif., known as the Sawtelle area.

The B. C. Deane Co., a responsible builder, had acquired most of this land on a nonassisted basis and then applied for mortgage insurance in the amount of $12.5 million in May of 1958. The Los Angeles-FHA office carefully analyzed this application and project plan and in the fall of 1958 recommended against it because of the competition, questionable future occupancy, and inappropriate location when considering the neighborhood. However, on November 7, 1958, the Washington-FHA national office overruled the Los Angeles-FHA local office by recommending acceptance for processing under section 220, which was done.

This pattern of the Washington-FHA overruling the Los Angeles-FHA on this project continued as the FHA-approved mortgage insurance went up, intermittently, to $14.5 million, $15.2 million, $16.7 million, and, finally to $18.6 million, from March of 1959 through January of 1963.

Mr. Ruggiero also testified that the Los Angeles-FHA, while remaining constantly opposed to the foregoing operations, did feel that, as long as it was going ahead anyway, the very maximum commitment that should be made was $17.4 million. However, Mr. C. Franklin Daniels, then Assistant FHA Commissioner for Multifamily Housing, Washington, D.C., instructed Los Angeles-FHA to process the application "for the highest possible commitment." At the same time, Daniels had an appraiser sent to Los Angeles from the San Francisco-FHA regional office—although Los Angeles had its own appraisers—and, much to Los Angeles-FHA's surprise, the mortgage insurance in the amount of $18.6 million was granted. Daniels told our subcommittee that this was normal procedure and that the Los Angeles appraisers had the reputation of being "very conservative" in their estimates.

B. DEFERMENT OF MORTGAGE PAYMENTS

The same pattern was followed as to the deferment of mortgage payments. Another group called the Lesser Development Corp., had replaced the Deane Co., by June of 1961. By the terms of the mortgage with the John Hancock Insurance Co., LDC was to pay $16,195 in principal and $81,323 in interest monthly. However, on July 1, 1962, this mortgage first went into default. Upon request of the Lesser group, and over the continued objection of the Los Angeles-FHA office, Washington-FHA made its first approval of the deferral of amortization and deposits to the replacement reserve fund until May 1, 1963. Needless to say, this extension was repeated, again until April 1, 1964, and until April 1, 1965, when the Lesser group sold the project on April 15, 1965—under terms which I think will prove interesting—to an organization called Barrington Plaza Enterprises, also known as the Ohio group.

The Ohio group, in turn, subsequently, defaulted on their payments and on June 2, 1966, the John Hancock Co. conveyed the property to the FHA per the terms of the mortgage. Interestingly enough, staff witnesses indicated that the Lesser group made one payment on principal in the amount of $16,195 and payments on interest totaling $134,073.87. The Ohio group made no payments on principal and the FHA indicated that the total interest payments by the mortgagors on interest amounted to $330,578, although there was a more favorable adjustment made by John Hancock after the hearings. However, the total payments on principal by the mortgagors remained at $16,195.

Significantly, the gist of the objections to these extensions by the Los Angeles-FHA office were, as follows: First, violation of FHA controls by both mortgagors; second, very few payments made by the mortgagors and very little information available to FHA from the mortgagors; third, Lesser group unsuccessful in three other local FHA projects, two of the projects ending up in the hands of the U.S. attorney re: foreclosure proceedings; fourth, in April of 1964, the mortgage was approximately $1.2 million delinquent, the monthly expenditure requirements were $211,000 as compared with a monthly income of $157,000, or, in other words, a monthly deficit of $54,000; fifth, continuous lack of good management, with particular reference to the Lesser group.

As to this latter point, it is interesting to note that FHA Assistant Commissioner Daniels had turned down the Los Angeles-FHA's request to require Lesser to hire a first-class management firm, out of their own funds, stating:

> This would probably be too severe a requirement for Mr. Lesser to be able to comply with financially.

When the Los Angeles-FHA office persisted in this request, Daniels wrote them on April 29, 1964, saying:

> If in your opinion there has been any *gross mismanagement* or any dishonesty in the operations of the project, then please let us have your further advice.

At this point, Mr. Raymond Lewis, who headed up the projects' operations section of the Los Angeles-FHA office, and who had been cognizant of all of the earlier communications, "threw up his hands," testifying that "gross mismanagement" meant to them, "more than mismanagement," and so nothing was said by Los Angeles-FHA by way of reply.

C. LESSER GROUP

The "Lesser Group" was composed of Mr. Louis Lesser, a Los Angeles realty promoter, and his brother-in-law, William Malat. While they utilized several corporate names, the Lesser Development Corp.—which was associated with the Barrington Plaza—was incorporated in Nevada with the aforementioned individuals as the principal participants.

Mr. Ben C. Deane, previously mentioned, told our subcommittee staff that as the building developer of the Barrington Plaza, his company was very much in need of an investment developer. Deane thought that Henry Crown, Chicago industrialist, would provide the necessary equity capital but Crown backed out. Beane's private study had indicated that a sponsor's investment of $2.6 million would be necessary to provide for adequate fixtures, carpeting, and other improvements. It was represented to Deane that Lesser could provide this capital, particularly when Lesser's financial statements were reviewed. Thereafter, Lesser and Deane joined as project cosponsors in late 1959.

However, soon after they started doing business Lesser failed to perform, financially. In fact, at one point only $15,000 was needed for the project but Lesser could not finance it. Result: Deane had to cosign a note with Lesser in order to borrow this amount from a bank.

The situation deteriorated so much that one or the other had to be bought out from the venture. Deane said that Lesser had agreed to quit but later refused to when he, Lesser, anticipated the FHA would increase the mortgage insurance commitment—which the FHA did—so as to make additional bank-furnished money available for the project. Commissioner Daniels thereafter agreed that one of the parties should leave the project. Therefore, in a meeting in Daniel's Washington office in July of 1961, Deane agreed to give up his interest. Reportedly, he received from $85,000 to $100,000 from Lesser and Malat for it.

D. CASH DEPOSITS

On June 29, 1960, the Deane-Lesser combine acceded to the FHA's request to establish and maintain a cash deposit in the amount of $250,000 as a "debt service requirement." Ruggiero said that the FHA manual defines this as a contingent fund to meet insufficient "principal, interest and mortgage premiums."

However, on June 28, 1961, William Malat wrote the FHA asking to waive this cash deposit requirement, calling it one of the considerations agreed to with Assistant Commissioner Daniels in purchasing the Deane interests. FHA agreed, contingent upon Lesser and Malat executing a personal indemnity agreement or letter of intent which would give "the FHA substantially the same protection as the cash deposit."

On April 30, 1963—10 days before the final closing—Los Angeles-FHA Director James Berry accepted the letter of intent, executed by William Malat as executive vice president, that the Louis Lesser Enterprises, Inc., would "advance up to $250,000 to the Barrington Plaza Corp., as may be required to meet contingencies or obligations for which project income is insufficient."

Mr. Daniels' written explanation of this to Director Berry, dated February 25, 1965, was that Lesser had agreed to buy out Deane and that a payment of $182,641.70 on October 1, 1963, should be considered as a partial discharge of the Louis Lesser Enterprises, Inc.'s obligations as shown in the letter of intent. The record of the hearings shows, however, that this payment consisted of $37,585 for mortgage insurance premiums and $145,056.70 for delinquent hazard insurance and property taxes, neither of the latter two having been considered by the FHA as debt service requirements. In fact, the total of $182,641.70 actually was paid after the project went into default on May 1, 1963, and as an FHA requirement to be met before one of the several modification agreements—this one from May 1, 1963, to April 1, 1964—could be approved.

It is interesting to me that, whether or not the relinquishment of the $250,000 cash deposit amounted to an inducement to buy out Deane, it appears that Lesser and Malat, through the vehicle of their Louis Lesser Enterprises corporation, managed to substitute a contingent obligation for the actual return of a $250,000 cash deposit. And, watching the modus operandi of these two individuals, it is hard for me to see how the FHA still had "substantially the same protection as a cash deposit."

Mr. Daniels' explanation is also somewhat confusing. Early in the proceedings—in fact on June 26, 1959—Los Angeles-FHA wrote FHA-Washington to the effect that this same $250,000 was "quite low in that the first income analysis which indicates a net return of $466,000 is approximately $500,000 short of the debt service requirements." This situation never did improve; in fact, the deficiencies had increased to $880,000 by March of 1963. Certainly this should have put the FHA on notice. Additionally, if the FHA had retained this as a cash deposit, the Federal Government would have had the benefit of the $250,000—less, perhaps the $37,585 that had been paid for mortgage insurance premiums—in the event of a foreclosure, which, of course, happened.

In fact, the hearings and the report indicate that the Los Angeles-FHA office told our GAO representatives that, as of the time of our hearings, they had not attempted to collect on this letter of intent because they considered it unenforceable. If this is the case, what was the use of entering into such a substitutional agreement in the first place?

E. SALE TO THE OHIO GROUP

Negotiations started in early 1965 by the "Lesser Group" with a combine known as the "Ohio Group." This group was composed of Mr. Jack Gordon, Cleveland, Ohio, an experienced realtor and longtime acquaintance of Louis Lesser's, and two young insurance salesmen, Hugh W. Crouse II and Donovan D. Karnes, both of Mansfield, Ohio, all three as general partners. Each was to have a 12½-percent interest in the venture. Two limited partners rounded out the picture. They were: Mr. William B. Hoyer, of Columbus, Ohio, general agent of the John Hancock Co.—12½ percent—and Attorney John P. Coyne, of Cleveland, Ohio, as trustee representing 11 individuals and one corporation—50 percent. Gordon died in September of 1965.

Under the terms of the sales agreement, dated April 15, 1965, this group—actually known as Barrington Plaza Enterprises—agreed to take title to the Barrington Plaza, subject to the unpaid principal of $18,588,306 together with accrued interest in the amount of $1,755,266.84.

It is interesting to note that a few months later the Los Angeles FHA appraised the project and established its market value in July 1965 as between $15 and $17 million.

The terms of the sale were: First, $10,000 in cash as escrow for closing costs; second, 80 shares of stock in a 2800 Corp., Ohio, valued also at $10,000; third, a parcel of business property owned by Gordon in lieu of $90,000 in cash which BPE was also supposed to put in escrow; fourth, six parcels of Ohio land, belonging to the BPE limited partners, with an alleged value of $1,237,550; fifth, promissory note from the Ohio group to the Lesser interests in the amount of $300,000, together with a collateral agreement giving Lesser the right to cancel the promissory note in return for an undivided 25-percent interest in the Barrington Plaza.

Lesser told John Hancock that he had not retained any interest in the property. This also was not revealed to the FHA. And Gordon also stated the seller had retained no interests in a letter dated February 19, 1965.

Thus, although the Ohio group was ostensibly paying a considerable amount for whatever equity Lesser and Malat had in the Barrington Plaza, it is significant to note that they did not put up hardly any "hard cash" for it. When the project was finally foreclosed on June 2, 1966, the amount of principal due was still $18,588,305 while the accrued interest had grown to the unbelievable amount of $3,678,404. However, some posthearings adjustments by the John Hancock Co. brought the total cash and debenture figure down to $20,758,413.68.

Again, FHA-Washington approved of this transfer sale against the expressed recommendations of disapproval by FHA-Los Angeles.

The rumors that the Barrington Plaza was purchased by the Ohio group to be used as a tax shelter were well founded, because Mr. Ruggiero examined the Barrington Plaza 1965 partnership income tax return and summarized the amounts of capital investments, withdrawals, and tax losses, in the following manner:

	Gordon (12½ percent)	Crouse (12½ percent)	Karnes (12½ percent)	Hoyer (12½ percent)	Coyne, trustee (50 percent)
Capital	[1] $90,000.00				[1] $118,455.10
Investments	750.00	$750.00	$750.00	$750.00	
Total	90,750.00	750.00	750.00	750.00	118,455.10
Withdrawals	32,147.34	17,060.83	[2] 14,060.84	32,300.00	
Tax losses	−128,081.34	[3] −128,081.34	−128,081.34	[4] −128,081.34	−512,325.77

[1] Denotes property.
[2] Karnes had reported a business income of $7,942.03 but advised us in August of 1966 that he was filing an amended return.
[3] Crouse benefitted by about $3,700 from the tax loss in 1965, and had a carryover loss of $101,046.64.
[4] Indications are that this tax loss allowed Hoyer to avoid probable payment of about $47,500 in tax liabilities.

F. ACTIVITIES OF THE OHIO GROUP

FHA witnesses had been impressed by the fact that Crouse and Karnes were members of the $1 million life insurance club, as salesmen, and that they were skilled in public relations. The Los Angeles-FHA office had stressed the need for good management but Crouse and Karnes admitted in their testimony before the subcommittee that they had no management experience. Also, Mr. Daniels had testified that the late Jack Gordon was experienced in real estate. Interestingly enough, Lesser and Malat told us that Gordon got a commission "out of the deal."

In any event, the testimony of other GAO staff members also assigned to the subcommittee—Messrs. Robert Dumont and Jack Paradise—established several irregularities on the part of the Ohio group, primarily concerning Crouse and Karnes.

Not ony did Crouse and Karnes, along with their attorney, Mr. Arnold Provisor, have Barrington Plaza project funds in nine different Los Angeles area bank accounts, but they violated FHA regulations by mishandling and also failing to separate funds in what was known as a security deposit account.

This account is an accumulation of deposits—usually 1 month's rent—made by each tenant and held in trust for the tenant until such time as the tenant terminates the lease and then is refunded such part as is due and owing over any charges that may have resulted during the tenancy.

This account had grown to about $100,000 during the tenure of Deane and Lesser, as of January 31, 1964. Although a shortage of some $50,000 was thereafter detected by an FHA audit dated February 19, 1965, this deficiency was made up so that, at the time of the April 15, 1965, sale to the Ohio group, the Lesser group transferred $115,403.67 in security deposits. Crouse and Karnes thereafter transferred this amount to their United California Bank account at Beverly Hills, Calif., into a "security deposit" account.

Subsequently, only about $6,000 from said account was ever traced as having been returned to the Barrington Plaza tenants. Almost all of the remainder was withdrawn at various times and used in

various ways by Karnes and Crouse in a "Round Robin" operation involving their many other bank accounts so that on May 31, 1966—2 days before the foreclosure took place—Crouse wrote a check for $17,244.91 which left a balance of $129.06 in the aforementioned "security deposit account."

Karnes and Crouse had a clever ruse for this, however. They announced to the Barrington Plaza tenants that they could apply their security deposits on their June 1966 rent. This would make the month "rent free" for the tenants. More than that, it would relieve Karnes and Crouse of the necessity of returning approximately $100,000 to them, particularly with foreclosure imminent. At the time of our hearings, the FHA was still looking into this interesting innovation of "1 month free apartment rentals."

Under the terms of the forbearance agreement, Crouse and Karnes were required to report all monthly income and expenditures to the FHA. Dumont and Paradise learned that, not only was this not done, but considerable amounts from the Barrington Plaza Enterprises' operating accounts and security deposit account were being diverted into secret—or unknown to the FHA—accounts in the previously mentioned nine banks used by the partners.

In November of 1965, $30,000 was so diverted, with the check used to withdraw said funds being marked "Void" in the monthly report to the FHA. Also, another $137,070 was so diverted by cash withdrawals, transfers to personal accounts, payments on personal notes of Crouse's and Karnes', with a relatively small amount used to purchase a colored TV set, airline tickets, and so forth. Additionally, there was a withdrawal of project funds amounting to some $46,900, the largest portion of which was traced to the payment of personal notes in Ohio, with the proceeds of the notes having been used to pay premiums on life insurance policies in the separate amounts of $800,000 on each general partner.

In the event of the partner's death, one-half was to be paid to his surviving spouse, one-half to the partnership. This insurance only pertained to Crouse and Karnes, however.

Additionally, Dumont and Paradise found several instances where Crouse and Karnes had "milked" the Barrington Plaza project, for their own benefit. For example, they found that from January 1966 through April 1966, account cards for 66 tenants were falsified to cover the omission of credit entries for rent payments totaling $26,087—which, of course, were not reported to the FHA. Also, the BPE bookkeeper gave the subcommittee an affidavit saying that Crouse and Karnes had given her instructions to "enter adjustments" on several room cards, including a writeoff involving a commercial tenant in the amount of $10,000. She had previously worked for the project's accountant.

When she became alarmed, she talked to and received advice from him to do as requested but to make a note of everything, particularly when the instructions were verbal. Her affidavit stated that she had 14 different notes from which she was ordered to make 52 adjustments. She found that several Crouse and Karnes checks were used to defray personal expenses—department stores, eating establishments, and so forth—but were recorded as project disbursements. She also found a $7,500 check to Attorney Arnold Provisor without Provisor having submitted any statement for services rendered.

Lastly, one rental "tradeoff" included a situation where a tenant bet $300 on the outcome of the UCLA-Michigan State Rose Bowl game in January 1966. The tenant rented a $400-per-month apartment, but when he won the bet Karnes gave him February's rent free.

This, then, was the type of operation that succeeded to that of the Lesser Development Corporation.

F. LOSS TO U.S. GOVERNMENT

During the course of the hearings, there were some indications that the loss to the U.S. Government on the Barrington Plaza might run as high as $6 million because the FHA would have to refinance the project. In that regard, I also note that the Wall Street Journal of Monday, May 29, 1967, indicated that the Barrington Plaza has been sold to Tragniew, Inc., a Los Angeles real estate firm, for $21.2 million, which would tend to negate the proposition that such a $6 million loss would occur. However, I have our distinguished chairman's explanation of the very liberal terms and conditions of the Tragniew sale before me and I cannot help but think that the earlier forecast will prove, in the point of time, to be the correct one.

In any event, the possibility of a $6 million loss on the project was not strongly refuted during the subcommittee hearings. In fact, when asked if this anticipated loss was a justified expenditure, Mr. Daniels told our subcommittee that he felt Washington-FHA's decision to go ahead and to subsequently approve of the modifications was sound, consistent with the high-risk urban renewal program. Commissioner Brownstein echoed essentially the same thing, emphasizing the social objective of bringing back the central city and in rehabilitating the slum areas.

At the same time, Commissioner Brownstein minimized the role of the Los Angeles-FHA office, stating that "the technical people" were overruled by Washington-FHA and that the record was not so clear as he would have liked it to be. However, the record of the hearings is clear and is replete with documentation that every pertinent section of the Los Angeles office—the appraiser, the underwriter, the operations branch, and the Director—were all consistently opposed to this project because it was not economical nor feasible. I have to agree with that record, that the Washington-FHA office erred in their decision to consistently overrule the Los Angeles-FHA office—the people closest to the scene.

And I also cannot escape the fact that this project was not what the Congress had in mind when it enacted the urban renewal legislation. The record indicates that this project was designed for luxurious living. Rents ranged from an unfurnished efficiency at $165 per month to a furnished two-bedroom apartment at approximately $600 per month. In fact, I believe that the brochure distributed by the Lesser promoters explains the story of the purpose for this project pretty well when it says, as follows:

Some Special Features and Outstanding Points of Interest Concerning the Barrington Plaza.

Barrington Plaza will be the tallest residential structure in Southern California or anywhere in the country west of Chicago. Barrington Plaza is the largest single private owned building construction job ever awarded in Southern California. Barrington Plaza represents the largest single loan commitment ever made in the 25-year history of the Federal Housing Administration, a commitment made through the Los Angeles Office of FHA for a total of $16,702,500. (Note: This ultimately went up to $18,604,500.)

* * * * *

The project is the first high-rise urban renewal project in the West. *Barrington Plaza will provide luxury apartment living* for an anticipated population of 2500 people in a total of 712 units and featuring all services available in the finest hotels.

After reading this brochure, I am reminded of the words of former Senator Herbert Lehman, of New York, when he stated in the Senate Banking and Currency Committee's Report No. 1472 at the time of the enactment of the section 220 legislation:

Certainly, the "experimental program of mortgage insurance," while it has my general support, in the absence of alternative means, will be of little avail in supplying housing for low-income families in and near the large centers of population . . .

In fact, the real incongruity is that the Barrington Plaza did not measure up to completely luxurious living at all, even though it was intended for that purpose. Testimony indicated that the closet space was woefully indequate, the second bathroom was much too small, every unit irrespective of size contained one wall air conditioner—installed after the building was constructed—and the eastern side of the buildings leaked when subjected to heavy rainfall. In such "neither fish nor fowl" circumstances, no one could survive.

IV. OTHER SECTION 220 PROJECTS

While it is true that our subcommittee only took a look in-depth at one section 220 urban renewal project, due to the relatively short length of time allocated—and realizing that testimony from both former and present Government officials suggested that we look at the other section 220 projects before making a judgment as to the success of the program—I think it is important to examine the testimony of Mr. Alphonse F. Calabrese, veteran subcommittee investigator, concerning such other section 220 projects in the inventory.

In fact, I have taken subcommittee exhibit No. 7 from the hearings and I am placing it in toto in my remarks at this point due to its importance to this subject. Mr. Calabrese testified about it at some length. It is entitled, "Section 220 Projects in Financial Difficulty," and it shows the following:

EXHIBIT No. 7

Sec. 220 projects in financial difficulty (as of Apr. 1, 1965, and Apr. 1, 1966)

	As of Apr. 1, 1965	As of Apr. 1, 1966	Increase (or decrease)
Total projects insured:			
Projects	212	240	28
Mortgage amount	$790,411,754	$885,993,647	$95,581,893
Projects in financial difficulty:			
Projects	59	71	12
Mortgage amount	$269,026,710	$359,508,160	$90,481,450
Categories of financial difficulty:			
1. Modification agreements:			
Projects	29	35	6
Mortgage amount	$157,271,212	$214,548,562	$57,277,350
2. Mortgages in default under forbearance agreements:			
Projects	11	4	(7)
Mortgage amount	$68,695,100	$29,676,900	($39,018,200)
3. Foreclosures pending:			
Projects	0	8	8
Mortgage amount	0	$40,637,400	$40,637,400
4. Assignments pending:			
Projects	2	0	(2)
Mortgage amount	$543,900	0	($543,900)
5. Assigned mortgages:			
Projects	12	16	4
Mortgage amount	$36,973,098	$44,869,398	$7,896,300
6. Title conveyed (project turned over to FHA):			
Projects	1	2	1
Mortgage amount	$79,600	$1,962,100	$1,882,500
7. Current defaults:			
Projects	4	6	2
Mortgage amount	$5,463,800	$27,814,300	$22,351,500

The table, prepared from the internal reports of the FHA's Urban Renewal Division and their Division of Research and Statistics, covers the period from April 1, 1965, through April 1, 1966.

The chart shows that the numbers of FHA-insured projects in financial difficulty, as of April 1, 1965, numbered 59 out of a total of 212 which represented $269,026,710 out of a possible $790,411,754. However, exactly 1 year later the number of projects in financial difficulty rose to 71 out of a total of 240 which represented $359,508,160 out of a total of $885,993,647. Thus, the number in financial difficulty increased by 12, and in dollar amount by $90,481,450—in 1 year's time.

Mr. Calabrese also explained that, although the number of mortgages in default under forbearance agreements decreased by seven—or $39,018,200 less—during this same 1-year period, nevertheless the number of foreclosures pending increased from zero to eight during this time—or an increase of $40,637,000. Thus, it appears that this practically amounted to a transfer of funds from one category to another with no material improvement to the program resulting therefrom.

Mr. Calabrese also explained that of the 212 total section 220 projects as of April 1, 1965, 135 of them were of the elevator or high-rise description—like the Barrington Plaza. Also, of the 71 projects in financial difficulty as of April 1, 1966, 52 of them were also elevator or high-rise in composition.

I believe the remainder of the chart pretty much speaks for itself but it is worth noting that, as to the last entry on the chart entitled, "Current defaults," as of April 1, 1965, there were only four projects involving $5,463,000 in this category while a year later there were six projects involving $27,814,300 so listed. This is the most serious category of all and it should also be noted that the Barrington Plaza was not included in these calculations as it was not finally foreclosed until June 2, 1966.

Under these circumstances, then, I believe it is a fair statement to say that the Barrington Plaza case was an objective illustration of the problems encountered and the deficiences reflected in the section 220 urban renewal program, a program which obviously has been growing into more financial difficulty and into an insurance reserve deficit position.

V. COMMENTS

I think the recommendation made by a majority of the members of the subcommittee to the effect that the FHA make economic soundness a primary standard in determining the worthiness of high-rise, luxury-type urban renewal projects is an excellent one, as I have just shown the large number of such high-rise projects within the section 220 urban renewal program which are in some form of financial difficulty. Certainly, too, the luxury aspect of the section 220 program must be eliminated because there is adequate financing available elsewhere to provide truly luxurious accommodations for those who can afford them. The Federal Government does not belong in this type of an operation. Section 220 projects should mean moderate, nonluxury type facilities.

I am also in accord with another recommendation made by a majority of the subcommittee members, to the effect that HUD and the FHA give adequate attention to economic feasibility in evaluating multifamily projects designed for low-cost housing and avoid approval of projects which have no reasonable prospect of meeting their mortgage obligations.

Early in my remarks, I showed that 591 of 3,601 projects in the six major active FHA programs were in some form of financial difficulty as of December 31, 1965. This represented $1.3 billion of a total of $5.7 billion. Of this total, 56 low- and moderate-income housing projects out of a total of 398 such projects were in financial difficulty as of the same date. This, in turn, represented $86.4 million out of a total of $621.9 million in what is known as the section 221 program.

I recognize that some financial difficulties may occur when social objectives are woven into such a program. But even when these social objectives are evident, the FHA should make every effort to place the projects containing them on a sound business basis—with customer responsibility attached. The Federal Housing Administration should never sit idly by and watch any of their programs, one-by-one, go marching down the financial drain.

VI. LEGISLATION

Our distinguished chairman introduced S. 1249, a bill to amend the National Housing Act to further protect the interests of the United States in the insurance of certain mortgages, in the Senate on March 10, 1967. Senator MCCLELLAN explained the bill in some detail at that time and he has referred to it again today in his remarks accompanying the filing of this subcommittee report. Therefore, I will simply complement those remarks by listing here what I deem to be the purpose of each portion of the proposed legislation. These are as follows:

1

Re: Section 235(a)(b). "Modifications in Terms of Insured Mortgages Covering Multifamily Projects."

This pertains to extensions of time or modification of the terms of the FHA mortgage re: multifamily housing, and the fact that all project income beyond expenses must be held in trust by the mortgagors whenever this occurs with the FHA's approval. Interested persons are placed under similar restrictions.

Purpose: To prevent the "milking" of project funds by a mortgagor, or other interested person, in such situations where the FHA has an insurance commitment with same and where the multifamily housing project is in financial difficulty.

2

Re: Section 228. "Contractor's Cost Certification."

This pertains to the certification of costs as to materials and services by a contractor or subcontractor before FHA mortgage insurance is granted to an otherwise-eligible project.

Purpose: To remedy an existing problem which, in turn, arose from amending the National Housing Act of 1954. The amendment was aimed at prohibiting insured mortgage proceeds from being used to provide excess profits for the project sponsors by requiring the sponsors to certify the actual costs incurred in the construction of a project. However, for such a project cost certification to be meaningful, the FHA should also know the actual cost of the work performed by subcontractors, particularly when they perform a substantial part of the entire project as is often the case. The $100,000 figure which distinguishes between mandatory and discretionary reporting—to the Secretary of HUD—appears to be a judgment factor based upon reason and practical experience.

Re: Section 532. "Audit and Examination of Books and Records."

This pertains to the project owners and managers making binding agreements to permit the Secretary of Housing and Urban Development and the U.S. Comptroller to have access, for audit and examination purposes, to all pertinent books and records of such projects, before FHA insurance is granted to them.

Purpose: To clarify some differences of opinion as to whether the Secretary of HUD and the Comptroller General have the authority to examine such records, with the obvious purpose of being able to take a look at records of the project whose mortgage is being insured with Federal funds.

I believe that these proposals are good, constructive steps in the right direction for these multifamily housing programs. Other instances of irregularities in the programs crop up in the Nation's newspapers from time to time. While our subcommittee staff is presently busy on other matters, I would hope that further inquiry into this vast field of Federal public housing could be made so that additional legislative proposals might be developed in order to streamline the programs and to protect the public's interest at the same time.

BILLS INTRODUCED

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

By Mr. MONDALE:

S. 2033. A bill for the relief of Miss Faridah Yasseri; to the Committee on the Judiciary.

By Mr. SPARKMAN:

S. 2034. A bill for the relief of Kennie E. Ashton; to the Committee on the Judiciary.

S. 2035. A bill to amend the Civil Service Retirement Act, as amended, to provide that accumulated sick leave be credited to the retirement fund or that the individual be reimbursed; to the Committee on Post Office and Civil Service.

By Mr. HART:

S. 2036. A bill for the relief of Mrs. Aili Kallio; to the Committee on the Judiciary.

By Mr. DOMINICK (for himself and Mr. McINTYRE):

S. 2037. A bill to provide additional benefits for optometry officers of the uniformed services; to the Committee on Armed Services.

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

By Mr. KENNEDY of New York:

S. 2038. A bill to discharge the States from the obligation of repayment of money deposited with them under the act of June 23, 1836; to the Committee on Finance.

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

By Mr. RIBICOFF:

S. 2039. A bill to amend the Public Works and Economic Development Act of 1965 to provide for the establishment of a loan guarantee reserve fund, and for other purposes; to the Committee on Public Works.

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

By Mr. RANDOLPH (for himself, Mr. COOPER, and Mr. NELSON):

S. 2040. A bill to provide for Federal assistance in the planning and installation of works and measures for the control and prevention of damages resulting from erosion of the roadbeds and rights-of-way of existing State, county, and other rural roads and highways, from erosion of the banks of rivers and streams, and from erosion of unrestored or unrehabilitated surface or strip mined non-Federal lands, and for other purposes; to the Committee on Public Works.

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

By Mr. LONG of Louisiana (for himself and Mr. CURTIS):

S. 2041. A bill to amend title 28 of the United States Code, "Judiciary and Judicial Procedure," to include provisions relating to the U.S. Tax Court, and for other purposes; to the Committee on the Judiciary.

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

By Mr. McCARTHY:

S. 2042. A bill to amend section 4063 of the Internal Revenue Code of 1954; to the Committee on Finance.

By Mr. BURDICK:

S. 2043. A bill to amend the Internal Revenue Code of 1954 to provide that a farmer (or fisherman) shall have until March 15, instead of only until February 15 as at present, to file an income tax return which also satisfies the requirements relating to declarations of estimated tax; to the Committee on Finance.

By Mr. DIRKSEN (for himself and Mr. KUCHEL):

S. 2044. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on olives packed in certain airtight containers; to the Committee on Finance.

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

By Mr. DODD:

S. 2045. A bill for the relief of Cesarina Martini Merlonghi; to the Committee on the Judiciary.

By Mr. McCLELLAN:

S. 2046. A bill for the relief of Jack L. Good; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 2047. A bill to exempt certain vessels engaged in the fishing industry from the requirements of certain laws; to the Committee on Commerce.

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

RESOLUTION

EXPRESSION OF THE SENSE OF THE SENATE AS TO THE DESIRABILITY OF A STABLE AND DURABLE PEACE IN THE MIDDLE EAST

Mr. SYMINGTON (for himself, Mr. JAVITS, Mr. ALLOTT, Mr. BAKER, Mr. BAYH, Mr. BENNETT, Mr. BIBLE, Mr. BREWSTER, Mr. BROOKE, Mr. BURDICK, Mr. CANNON, Mr. CASE, Mr. CHURCH, Mr. CLARK, Mr. COOPER, Mr. DODD, Mr. DOMINICK, Mr. ERVIN, Mr. FONG, Mr. GRIFFIN, Mr. HANSEN, Mr. HARRIS, Mr. HART, Mr. INOUYE, Mr. JACKSON, Mr. LAUSCHE, Mr. LONG of Missouri, Mr. McCARTHY, Mr. McCLELLAN, Mr. McGEE, Mr. McGOVERN, Mr. McINTYRE, Mr. MONDALE, Mr. MONRONEY, Mr. MORSE, Mr. MORTON, Mr. MOSS, Mr. MURPHY, Mr. MUSKIE, Mr. NELSON, Mr. PASTORE, Mr. PEARSON, Mr. PELL, Mr. PROUTY, Mr. PROXMIRE, Mr. RANDOLPH, Mr. RIBICOFF, Mr. SCOTT, Mr. SMATHERS, Mrs. SMITH, Mr. STENNIS, Mr. TALMADGE, Mr. TYDINGS, Mr. YARBOROUGH, Mr. YOUNG of Ohio, Mr. COTTON, Mr. FANNIN, Mr. SPONG, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of New York, Mr. BYRD of West Virginia, Mr. KUCHEL, and Mr. JORDAN of Idaho) submitted a resolution (S. Res. 143) looking toward a stable and durable peace in the Middle East, which was referred to the Committee on Foreign Relations.

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

ADDITIONAL BENEFITS FOR OPTOMETRY OFFICERS OF THE UNIFORMED SERVICES

Mr. DOMINICK. Mr. President, on behalf of myself and the Senator from New Hampshire [Mr. McINTYRE], I am pleased to introduce a bill to correct a serious inequity which exists in our armed services.

Of the four health professions, whose training is recognized by the U.S. Office of Education and whose members are licensed in every State and the District of Columbia, to clinically examine, prescribe, and correct human deficiencies, one receives treatment in our armed services which is less than commensurate with the contribution which it makes. The four professions are: physicians, dentists, veterinarians, and optometrists. Of the four, only the medical doctor spends more years in preparation than any of the other three. Yet, the medical doctor, the dentist, and the veterinarian enter military service at the rank of captain, and receive incentive pay amounting to $100 per month in addition to their beginning base pay. The fourth profession, the optometrist, who spends the same number of years to attain his professional competency as the veterinarian or the dentist, is penalized upon his entrance into the service of our country.

The optometrist is asked to enter military service as a first lieutenant and is the only one of the four professions who does not receive incentive pay.

Mr. President, we all recognize that good vision is vital to our ability to perform our assigned task. This is especially true of our military forces.

Lt. Gen. William W. Dick, Jr., chief of research and development of the U.S. Army, characterized the need for good vision most succinctly when he said recently:

> In recent years the Army has been teaching that there are three basic elements to successful combat operations: a unit of any size—from a squad to a field army—must be able to shoot, to move, and to communicate.
>
> Ideally—

General Dick continued—

> each of these elements—fire power, mobility, and communications, is equally achievable. The most deadly weapons can be highly ineffective if (1) they cannot be moved quickly to the proper place at the time needed, (2) the word to move to the proper place fails to reach the unit, and (3) instructions as to the location and nature of the target cannot be communicated to the unit.

To this statement, General Dick added the following:

> Actually, there is an implied fourth factor to add to those three, and General Johnson shortly after becoming Chief of Staff saw fit to take this factor out of the implied status and elevate it to equal status. He directed

the Army staff to add "seeing" to the other three functions.

Mr. President, the optometrists serving in our Armed Forces are dedicated to an active search for ways and means of giving our fighting men and women the best possible and most efficient vision for their individual military assignments. Theirs is not a small task. The report of the Surgeon General of the Army, dated June 1, 1964, shows that 31.8 percent of the Army wears glasses. Of the commissioned officers, 52.8 percent wear glasses; and 28.6 percent of our enlisted men and 59.6 percent of the WACS require eyeglasses. It is not surprising, therefore, when one realizes these facts that the shortage of optometrists in our military services is keenly felt.

The seriousness of this shortage is clearly reflected in recent actions by the Department of Defense which recently had to request the Selective Service to issue a special draft for additional optometrists. Under date of September 23, 1965, the Director of the Selective Service System issued Operations Bulletin No. 280, the fourth paragraph of which reads as follows, and I quote:

> Optometrists. The Army and Air Force are reported to be extremely short of Optometrists. This should be considered in processing these registrants.

Subsequently under date of January 21, 1966, Lt. Gen. Leonard D. Heaton, the Surgeon General of the Army, advised the junior Senator from North Carolina [Mr. JORDAN], in part as follows:

> It is estimated that world-wide (including Vietnam), the Army Medical Service will be approximately 130 Commissioned Optometrists short of projected requirements as of June 1966.

Prior to this time the office of the Surgeon General issued a general letter, the first paragraph of which read as follows:

> The United States Army Medical Service is in critical need of additional Optometrists. It is anticipated that our requirements will continue to increase as our Army increases in the current world-wide commitment.

Mr. President, in order to provide the inducement to overcome this shortage of optometrists in our military forces, the legislation which I introduce today would simply afford to the optometrist, the same treatment which we give to our veterinarians and our dentists who enter military service.

I ask unanimous consent that the provisions of my bill be included at this point in my remarks.

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

The bill (S. 2037) to provide additional benefits for optometry officers of the uniformed services, introduced by Mr. DOMINICK (for himself and Mr. MCINTYRE), was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

S. 2037

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 303(a) of title 37, United States Code, is amended as follows:

(1) By striking out "and" at the end of clause (2);

(2) By striking out the period at the end of clause (3) and inserting in lieu thereof "; and";

(3) By adding at the end thereof the following new clause:

"(4) a commissioned officer of the Army, Navy, Air Force, or the Public Health Service who is designated as an optometry officer, who is on active duty on July 1, 1967, for a period of at least one year or who, after that date and before July 1, 1971, is called or ordered to active duty for such a period."

SEC. 2. The catchline of section 303 of title 37, United States Code, and the corresponding item in the analysis of chapter 5 of that title, are each amended by adding "and optometry officers" after "veterinarians".

DISCHARGE OF THE STATES FROM THE OBLIGATION OF REPAYMENT OF MONEY DEPOSITED WITH THEM UNDER THE ACT OF JUNE 23, 1836

Mr. KENNEDY of New York. Mr. President, I introduce, for appropriate reference, a bill to discharge the States from the obligation of repayment of money deposited with them under the act of June 23, 1836.

For several years prior to 1836 the United States had been enjoying an era of great prosperity and world trade; the South was producing an abundance of cotton which brought high prices on the world market, and in return was buying items which were subject to a high tariff and brought in an unexpected amount of customs revenue. The West, with an abundance of public lands for sale, swelled the receipts from the sales of public lands to a total in excess of $44 million.

When the surplus in the Treasury continued to increase beyond all expectations the administration of President Andrew Jackson reported that the balance on hand, with the accruing receipts, was "likely for some time to come to exceed the real wants and just objects of the Government for expenditure"—"Report of the Treasurer, 1836," page 687—and it was decided to deposit the surplus with the 26 existing States according to the number of electoral votes each had. Pursuant to act of Congress, act of June 23, 1836, chapter 115, 5 Statutes 52, the U.S. Government deposited $28,101,644 with the several States in the form of interest-free demand loans. My own State of New York received $4,014,520.71, which has now been held in trust for 130 years. The act of 1836 did not specify any conditions under which these funds were to be used. The only proviso was that the moneys were to be returned to the Federal Government upon call.

For 74 years nothing further was done by the Congress or the Treasury. Then by the act of June 25, 1910, 36 Statutes 776, the Treasurer of the United States was relieved from further accountability for these deposits. However, the States were not discharged. To the contrary, the act provided in part:

Provided, That the credit herein authorized to be given to the Treasurer of the United States shall in no wise affect or discharge the indebtedness of the several States to the United States as is provided in said Act of Congress, approved June 23, 1836, and shall be made in such manner as to debit the respective States chargeable therewith upon the books of the Treasury Department, until otherwise directed by the Congress.

For 56 years now, we have had the strange anomaly of States remaining liable to the Federal Government for the very deposits for which the Federal Government was relieved of accountability.

Prior to June 25, 1910, the Secretary of the Treasury carried the total of the surplus revenues distributed to States in 1837 as part of his cash accountability but labeled it as "unavailable funds of the General Treasury." After the act of June 25, 1910, the Treasury was relieved of cash accountability and Congress was left with the responsibility of deciding what should be done with the deposits.

After 130 years of confusion it is time for Congress to meet that duty and decide whether to demand repayment from the States, or to relieve the States from the obligation of repayment of money deposited with them. Any attempt to demand repayment would create more problems than it would solve. Many of the States have either no record of the money, lost it through improvident loans, spent it on establishing schools, or had their funds liquidated during the Civil War. It would be unrealistic to expect these States to repay after all these years.

The only sensible solution is to wipe these obligations off the books. Since the Treasury is no longer accountable for the debt under the act of June 25, 1910, it is not carried as an asset on the books of the United States. At the present time it is recorded only as a memorandum book entry and the removal of the debt would in no way affect the balance in the Treasury. Nor would it affect the public debt.

Last year I introduced a similar bill to discharge the States from the obligation to repay this money to the Federal Government. Although there was not sufficient time for the Congress to act on the proposal, both the Bureau of the Budget and the Treasury Department did indicate their approval of this effort to clarify the status of these funds.

It is unfair to permit the confused condition that now prevails to continue. Under the act of June 25, 1910, Congress has to resolve this situation. After 130 years of uncertainty, let us clear the record.

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

The bill (S. 2038) to discharge the States from the obligation of repayment of money deposited with them under the act of June 23, 1836, introduced by Mr. KENNEDY of New York, was received, read twice by its title, and referred to the Committee on Finance.

EXPANDING EDA LOAN GUARANTEES

Mr. RIBICOFF. Mr. President, I introduce, for appropriate reference, a bill to amend the Public Works and Economic Development Act of 1965 to in-

crease the funds available to guarantee loans to private borrowers to start or expand businesses in redevelopment areas. This bill is intended as a companion to S. 581, which would redefine the areas qualifying for assistance under the Act.

Small- and medium-size businesses seeking to locate new or expanded facilities in redevelopment areas, including the core areas of our cities, need long term credit. Firms establishing themselves in these localities require this type of credit in order that they may have set adequate period of time in which to establish themselves in a difficult financial situation. If these enterprises are given the opportunity to develop, they can stabilize and upgrade a community and become a valuable resource of the people.

The loan guaranty is well suited to stimulate the generation of long term credit. It encourages the private money markets to supply the necessary funds. Urban development is primarily a job for the private sector and the loan guaranty insures that the private sector will play the leading role in providing investment capital.

Another advantage to the loan guaranty is that it is one of the least expensive methods of promoting the flow of capital toward desirable goals. A small reserve can guarantee a large amount of loans.

Under present law the Economic Development Administration has limited authority and resources for guaranteeing loans to private businesses. The loans may be for working capital only, and must be made in connection with projects where there has been a previous loan or a purchase of an evidence of indebtedness.

In these circumstances EDA has guaranteed only $12 million in loans in 2 years and its reserve fund totals only about $2.6 million.

Financial experts have estimated that a $10,000 capital investment is required to create one job. At this rate, the EDA loan guaranty program has created only 1,200 jobs in 2 years. With unemployment rates running 20 percent or more in redevelopment areas and ghettos this performance is woefully inadequate.

To remedy this situation and make the loan guaranty program a potent tool of job creation, I propose that the Economic Development Act be amended to allow the guarantee of any private business loan to finance a project in a redevelopment area and that a reserve fund up to $100 million be created to guarantee these loans. By conservative estimates this reserve should be sufficient to guarantee $2 billion in private loans for new investment capital. The $2 billion could create 200,000 new jobs. This would give the hard core unemployed who are seeking work an opportunity for a job.

Mr. President, this is a practical plan. The ratio of reserves to loans in the Federal housing program is about 50 to 1. Accordingly it is eminently likely that a 20 to 1 reserve ratio would be adequate to support the volume of loans I have suggested.

By reducing the risk to the lender the Government can spur action on one of the principal causes of our urban problems. If Government provides the necessary incentives I have every confidence that the business community will respond affirmatively. The bill I now introduce will do much to assure that response.

The slum areas of our Nation—and the slum dwellers—do not want charity.

Welfare and government handouts do not bring self-respect to a community, nor to its residents.

But new investment by business can be extremely important as a means to revitalize the city.

We need to encourage private investment in the run-down areas of the cities and minimize the risks faced by private lenders.

Remove or ease the obstacles to private investment and the businessman will invest—he will build and expand stores and factories—and the community will be upgraded, jobs will open up and the local economy will be strengthened.

I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

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

The bill (S. 2039) to amend the Public Works and Economic Development Act of 1965 to provide for the establishment of a loan guaranty reserve fund, and for other purposes, introduced by Mr. RIBICOFF, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

S. 2039

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 202 (a) of the Public Works and Economic Development Act of 1965 is amended by striking out all that follows the semicolon at the end of clause (1) and inserting in lieu thereof the following: "and (2) upon the application of any private lending institution and subject to such terms and conditions as the Secretary may by regulation prescribe, to guarantee any loan made to a private borrower by such institution in connection with any project in a redevelopment area without regard to whether assistance under clause (1) has been granted with respect to such project. No guarantee of a loan under this subsection shall at any time exceed 90 per centum of the amount of the outstanding unpaid balance of such loan, and the aggregate amount of the unpaid balances of all loans so guaranteed which are outstanding at any one time shall not exceed $2,000,000,000."

(b) Section 203 of such Act is amended—

(1) by striking out the section heading and inserting in lieu thereof "FUNDS";

(2) by adding "(a)" after "Sec. 203.";

(3) by striking out "Funds" in the first sentence and inserting in lieu thereof "Except as otherwise provided in subsection (b), funds";

(4) by striking out "202" in the first sentence and inserting in lieu thereof "202(a)(1)"; and

(5) by adding at the end thereof a new subsection as follows:

"(b) There is hereby established in the Treasury of the United States a loan guaranty reserve fund which shall be available to the Secretary for the purpose of extending financial assistance under section 202(a)(2), and for the payment of all obligations and expenditures arising in connection therewith. There shall be deposited in the loan guaranty reserve fund (1) any sums held, on the effective date of this subsection, in the economic development revolving fund as reserves for loans heretofore guaranteed by the Secretary under section 202(a)(2), (2) receipts in the form of fees or charges made in connection with loans guaranteed under such section, and (3) such sums obtained by the Secretary under section 201 (together with any sums referred to in the preceding clauses (1) and (2)) as may be necessary to maintain a balance in the loan guaranty reserve fund which is at least equal to 5 per centum of the aggregate amount of the outstanding unpaid balances of loans guaranteed under section 202(a)(2). Moneys in the loan guaranty reserve fund not needed for current operations shall be invested in direct obligations of the United States or obligations guaranteed by the United States."

SENATORS RANDOLPH, COOPER, AND NELSON INTRODUCE BILL RELATING TO CONTROL OF EROSION FROM ROADBANKS, RIVERBANKS, AND STRIP MINE LANDS

Mr. RANDOLPH. Mr. President, I introduce a bill for myself, and also on behalf of the Senator from Kentucky [Mr. COOPER] and the Senator from Wisconsin [Mr. NELSON], and request its appropriate reference. It is a measure designed to provide Federal assistance to States, counties, and other local planning agencies to alleviate the increasing problem of erosion from roadbanks, river and stream banks, and abandoned strip mined lands.

These three sources of siltation are creating serious problems in terms of flood control as well as water pollution.

The Congress has already evidenced its interest in the roadbank erosion problem with the enactment in 1966 of language in the Federal Aid Highway Act requiring the Federal highway authorities and the Department of Agriculture to establish guidelines to control erosion on Federal aid highways. The language in the bill which we are presenting today applies to all roads in the United States.

The Committee on Public Works is currently awaiting the report of the Secretary of the Interior on strip and surface mining and his recommendation of measures to control the despoilment of our land and the pollution of our streams and rivers.

The control of river and stream bank erosion has been covered to some degree by watershed programs but there is still much work to be done.

The legislation before us is substantially the same as introduced by the Senator from Wisconsin [Mr. NELSON] during the 89th Congress. We commend his leadership and activity in this critical area of controlling soil erosion and pollution.

The legislation is introduced as a point of reference. It is not presented as a complete or final solution in this field. We fully expect to take advantage of the reports and studies which are pending or underway before action is taken upon the legislation. The consideration of legislation of this nature will be important in improving the general environment of our Nation.

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

The bill (S. 2040) to provide for Federal assistance in the planning and installation of works and measures for the control and prevention of damages resulting from erosion of the roadbeds and rights-of-way of existing State, county, and other rural roads and highways, from erosion of the banks of rivers and streams, and from erosion of unrestored or unrehabilitated surface or strip mined non-Federal lands, and for other purposes, introduced by Mr. RANDOLPH (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Public Works.

Mr. NELSON. Mr. President, I am pleased to join with my distinguished colleagues, Senator RANDOLPH and Senator COOPER, in cosponsoring this highly significant bill aimed at preserving our Nation's soil and water.

In the last session of Congress, I introduced the River and Stream Erosion Control Act. In this session I have reintroduced that bill and have also authored the Roadbank Erosion Control Act. The bill which my distinguished colleagues have introduced today is aimed at controlling erosion and restoring the land surface not only along our highways, rivers and streams, but also in those areas where strip mining and the resultant slag piles have scarred the countryside.

As the pressure on our land and water resources increases, it is imperative that we continue to fight soil erosion and the pollution which results from that erosion. There is great concern today about water pollution by fertilizer and pesticide residues. A close look at the problem reveals this important fact: When water moves across the land surface, it carries with it both fertilizer and pesticide residues and soil particles. These components are inseparable—you cannot have one without the other.

It is obvious that one of our basic concerns in our efforts to control water pollution has to be the stabilization of the land surface.

This Nation is losing the equivalent of 400,000 acres of good land each year from erosion and other forms of soil deterioration. Flood damages in upstream watershed areas still amount to $1 billion each year. The accumulation of sediments in reservoirs and ponds throughout the country totals at least 850,000 acre-feet annually. Every year it costs us an estimated $250,000,000 to remove soil deposited in stream channels, harbors and reservoirs.

It is high time that we unify and expand both the direction and scope of our Federal soil and water conservation programs. I am certain that this bill is a step in the right direction.

Our land is a most precious resource. It would be a tragedy to have to tell our grandchildren that the land was lost because we did not act in time to save it.

MEMORANDUM ON CONFERRING CONSTITUTIONAL STATUS ON THE TAX COURT OF THE UNITED STATES

Mr. LONG of Louisiana. The problem of the status of the Tax Court of the United States has been a continuing and troublesome one since its inception as the Board of Tax Appeals in 1924. It was designed to provide a forum for taxpayers to obtain an independent review of the deficiencies in their Federal income, estate, and gift taxes as determined by the Commissioner of Internal Revenue. The root of the problem lies in the fact that the governing legislation has labeled and still labels the Tax Court as "an independent agency in the executive branch of the U.S. Government" despite the fact that the court functions strictly as a court of record. For reasons based on history, logic, and substance, the proper functioning of the court requires that its status be changed and that it become a full-fledged member of the Federal Judiciary. The Tax Court is the last Federal court without constitutional status.[1]

HOW THE COURT PRESENTLY OPERATES

The Tax Court has always functioned as a court of record. It holds trials, transcripts of testimony are made, briefs are filled, opinions are issued and decisions entered solely on the basis of the record before the court. No facts except those stipulated by the parties or proved in accordance with accepted rules of evidence are considered by the court. The court's published opinions provide a body of precedent for the guidance of the bar and the taxpaying public. Thus, in all respects the methods of the Tax Court are those generally utilized by all Federal courts.[2] The Tax Court does not have, and has never had, any investigatory or regulatory powers or duties such as are customarily exercised by administrative agencies.

HISTORY OF THE TAX COURT

From the beginning in 1924, efforts, some successful and some unsuccessful, have been consistently made to accord the Tax Court full judicial status. In the original legislation of 1924, Congress rejected the concept of an informal body contained in the original administration proposal and, instead, established a formal board to function along judicial lines.[3] Again in 1926, Congress eliminated the provision for a trial de novo by way of appeal from the Board's decisions and provided that decisions would be final unless appealed to a U.S. Court of Appeals.[4] The process was further continued in 1942 when the name of the Board of Tax Appeals was changed to the Tax Court of the United States and its members were designated as judges. Again, in 1947, the House of Representatives passed H.R. 3214, which placed the Tax Court in the judiciary. The bill accorded the same treatment to the Court of Claims, the Court of Customs and Patent Appeals, and the Customs Court. The provisions relating to the Tax Court were deleted in the course of Senate action during the closing days of the 80th Congress. Provisions relating to the other

[1] The United States Military Court of Appeals is an Article I court.

[2] On April 22, 1948, at p. 38 of the hearings on H.R. 3214 before a subcommittee of the Senate Judiciary Committee, 80th Cong., 2d Sess., Chief Judge Harold M. Stephens of the United States Court of Appeals for the District of Columbia stated:

"But as a matter of fact, the Tax Court has become a court in every proper sense of the term, insofar as the functions that it performs are concerned.

"It not only has a staff of members, all of whom are lawyers and judges in the best sense of the term, but its work is that of a court.

"It passes on questions of fact as a court does. It passes upon questions of law as a court does. It has to pass not only on questions of tax law, but on questions of general law. Because tax problems cannot be solved in terms of tax statutes alone. They have to be solved in terms also of the law with respect to trusts and with respect to corporate reorganizations and with respect to contracts and almost every other branch of the civil law, and sometimes even of the criminal law.

"It takes a court and lawyers who are trained in the law to deal with those problems.

"The preparation and presentation of cases before the Tax Court requires knowledge in respect to the preparation of pleadings, the examination and cross-examination of witnesses, the preparation of findings of fact and conclusions of law, the arguments of questions of law. It requires a high degree of ability."

[3] See the following comments of Senators Jones and Walsh in support of the 1924 change (appearing in the transcript of hearings on H.R. 3214, *supra*, at p. 43):

Senator Jones said:

"The hearings are for judicial purposes. They are supposed to be conducted along the lines of judicial procedure. They are, in effect, courts of appeal. They determine controversies between the Government and taxpayers. Evidence is to be submitted bearing upon the question, and a decision is to be reached, which, for practical purposes, in most cases at least, is a final decision.

"I submit that when there is a controversy between the Government and a taxpayer which shall follow through the various lines of procedure and finally reach the Board of Appeals, when it gets there all the proceedings should be public proceedings, the evidence should be taken down in writing, there should be a finding of fact, and the decision of the Board should be in writing and filed in the case just the same as any other judicial proceeding. Because that is what the case would be. It would be a judicial proceeding."

And Senator Walsh, supporting that, said:

"I think that the proceeding ought to approximate, as nearly as practicable, proceedings in court. It really is intended in a way as an equity judicial tribunal for the determination of those matters. There is no means that can be devised of making a court decide cases aright, in accordance with sound reason, better than by requiring the court to file its opinion showing how it arrived at the conclusion which it reached."

[4] Under the 1924 Act, the Board was not empowered to hand down final decisions and final judgments. In enacting the 1926 Act, the Congress said:

"We are going to change this. We are going to provide that hereafter, upon the determination of a deficiency against a taxpayer for additional amounts of tax, the taxpayer shall no longer be enabled to go both ways, both to the Board of Tax Appeals and then to the district court. He must hereafter make an election to proceed one way or the other. Because we are going to set up a Board of Tax Appeals in a manner which will give him his full rights, for *not only a judicial determination* before this Board, but for a proper judicial review of the findings of this Board, and its conclusions of law, on the record that is made before it." [Emphasis supplied] [Transcript of hearings on H.R. 3214, *supra*, at p. 45]

courts were retained, and the bill passed the Senate and was enacted into law. In ensuing years, similar bills designed to accord the Tax Court judicial status in the same manner as all other Federal courts were introduced—H.R. 7514 in 1948, and H.R. 3113 in 1949—in the House of Representatives and S. 3796 in 1958 and S. 1274 in 1959 in the Senate. H.R. 3113 was reported favorably by the House Judiciary Committee, but no further action was taken and the bill died at the end of the 81st Congress.[5] On May 17, 1967, Chairman MILLS of the House Ways and Means Committee again introduced legislation—H.R. 10100—to incorporate the Tax Court into the Federal judiciary.

Transfer of the Tax Court into the judiciary has had the support of the American Bar Association,[6] distinguished Federal judges,[7] and the Hoover Commission.[8]

REASONS FOR THE LEGISLATION

Compelling reasons exist for bringing the Tax Court full-fledged into the mainstream of the Federal judiciary establishment. None of the objections which have been voiced against this step in the past bear any relationship to the substantive merits of the proposal—they deal with jurisdictional problems relating to which executive department should represent the Government before the tax court, which committee of Congress should have jurisdiction of matters pertaining to the tax court, and the breadth of the eligible representation of taxpayers before the court. By way of contrast, substantial reasons affirmatively support the proposed transfer of the court to the judiciary:

First. The perpetuation of an "executive tribunal" to exercise exclusive judicial functions may well violate the constitutional doctrine of separation of powers.[9]

Second. Although the present functions of the tax court are judicial in nature, it has no power to enforce its subpenas, punish for contempt, or otherwise compel observance of its rulings in the performance of its functions.

Third. Despite the fact that the Tax Court is independent of the Internal Revenue Service and impartial in the performance of its judicial duties, many taxpayers consider that it is merely an arm of the Internal Revenue Service and a further extension of the administrative settlement procedures. The situation is further exacerbated by the fact that the Tax Court is presently located in the Internal Revenue Building; the Public Works Committees of both Houses of Congress have recognized this and have approved for construction a separate building in Washington to be used by the Tax Court as a courthouse. Thus, the public remains unconvinced of the independence and impartiality of the court, although the court is the only judicial forum where a taxpayer can have his tax liability determined without first paying the deficiency asserted by the Commissioner.

Fourth. Continuing the Tax Court within the executive branch has given it an administrative setting which has caused sometimes unforeseen and always potentially unfortunate effects, not capable of resolution without litigation.[10] A good example is the Administrative Procedures Act and the litigation engendered by its enactment. Another example involves the holding of the Supreme Court [11] that decisions of the Tax Court on questions of fact were not reviewable if supported by any evidence in the record. This holding required repeal legislation, which provided that Tax Court decisions shall be subject to review by the U.S. Court of Appeals in the same manner and to the same extent as decisions in the district courts in cases tried without a jury.[12] The Congress has had constantly to remember that specific reference to the Tax Court is required in legislation relating to the Federal courts covering procedures and questions of personnel and administration.

Fifth. No additional costs will be involved. The present salaries of the judges will remain unchanged, no additional judges—there are now 16 active judges—and no new employees—the Court now has a staff of 130 persons—are presently contemplated. The retirement provisions, including survivor benefits, are substantially similar to those already provided for the other Federal courts.

Sixth. The use of the commissioner system by the court will be facilitated, thereby enlarging the capacity of the court to deal with small claims.

WHAT THE NEW LEGISLATION WOULD DO

The Tax Court would be moved from the Internal Revenue Code into the Judicial Code and made an article III constitutional court. The emoluments of office would be the same as for other Federal judges. The court's jurisdiction would not be changed and its rules of procedure would be as similar to the Federal Rules of Civil Procedure as practicable. Judges appointed to the court after the enactment of the legislation would serve during good behavior. Judges now serving on the court could serve out their current terms if they so desired and the recall provisions applicable to retired judges would be preserved. The retirement system would be integrated into the retirement system for other judges. Provisions would be made to protect the right to practice before the court of all persons presently authorized so to practice, whether or not they are lawyers—as was done when the Customs Court was placed in the judiciary—and with respect to representation of the U.S. Government in litigation before the court.

CONCLUSION

The continuation of the Tax Court as "an independent agency in the executive branch of the U.S. Government" is an unnecessary and complicating anomaly which fails to accord with the initial intent of Congress that the court be a judicial tribunal with its procedure to conform as nearly as possible "to the procedure in the case of an original action in a Federal District Court." Moreover, the possibility of a continuing and serious violation of the Constitution is a significant consideration.[13] More importantly, the continuation of such a status perpetuates an unjustified and unfortunate image of the court in the mind of the public.

CHRONOLOGY

Revenue Act of 1924: Creation of Board of Tax Appeals as a tribunal with formal procedures.

Revenue Act of 1926: Board of Tax Appeals' decision final, appeal to Circuit Court of Appeals and ultimately on certiorari to the Supreme Court.

Revenue Act of 1942: Name "Board of Tax Appeals" changed to "The Tax Court of the United States" and "members" to "judges." No change, however, in status of Court.

Year 1947 (80th Cong., 1st Sess.):

Mr. Robsion (House Judiciary Committee) introduced H.R. 2055.

H.R. 3214 was substituted for H.R. 2055 and introduced by Mr. Robsion on April 25, 1947. (Bill is to "revise, codify, and enact into

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[5] See Exhibit A which sets forth the chronology of the various legislative efforts.

[6] On September 9, 1948, the ABA House of Delegates received and adopted a resolution recommended by the Section of Taxation that the Tax Court be made a court of record under the judicial code. And on February 20, 1956, the ABA House of Delegates approved and adopted the Report of the Special Committee on Legal Services and Procedure which included the following resolution:

"TAX COURT.—*Resolved* further, That the American Bar Association recommends to the Congress that the Tax Court of the United States be removed from the executive to the judicial branch of the Government as a court of original jurisdiction, and that this result be achieved by amendment of Title 28 of the United States Code."

See: ABA Report of the Special Committee on Legal Services and Procedure, January 31, 1956, Resolution 4.1, p. 43.

On June 7, 1967, the American Bar Association endorsed H.R. 10100. (Copy of letter to Chairman Celler of the House Judiciary Committee appears as Exhibit B.)

[7] Judge Albert B. Maris of the United States Court of Appeals for the Third Circuit said in the hearings before the Senate Judiciary Committee on H.R. 3214, at pp. 23–24:

"In view of the character of the Tax Court's business and of the high quality and impartiality of the work of its judges, we believe it to be the consensus of opinion of the Federal judges, and especially of those who review its decisions, that the court has earned the right to be treated in law as well as in fact as a court rather than an administrative agency. We, therefore, recommend that the Senate concur in the action of the House in including the Tax Court in the bill as a court of record."

See also statement of Judge Stephens, note 2, *supra*.

[8] The Hoover Commission made the following comments:

"The first area is that of taxation. The Tax Court of the United States is the only strictly executive tribunal in the United States. We believe that this Court should be removed from the executive branch. It would be a legislative court comparable to the United States Court of Claims."

This idea was later adopted as part of the Hoover Commission Recommendation No. 51 (see Hoover Commission Task Force on Legal Services and Procedure, pp. 87–88).

[9] Recommendation No. 65, id. at pp. 255–256.

[10] See Exhibit C which summarizes the more significant cases dealing with problems affected by the status of the Tax Court.

[11] *Dobson* v. *Commissioner*, 320 U.S. 489 (1943).

[12] Sec. 1141(a), Internal Revenue Code of 1939.

[13] See note 9, *supra*.

law Title 28 of the U. S. Code entitled 'Judicial Code and Judiciary.' ")

Bill is referred to Committee on the Judiciary of the House.

Bill is favorably reported by the House Judiciary Committee (H. Rept. No. 308).

Amended on House floor (addition of grandfather clause).

Passage by House.

Bill introduced in Senate, July 8, 1947.

Referred to Senate Committee on Judiciary.

Year 1948 (80th Cong., 2nd Sess.):

Subcommittee hearings in April and June 1948.

Reported with amendments (deleting all reference in Bill to the Tax Court) (S. Rept. No. 1559) June 9, 1948.

Amended and passed Senate, June 12, 1948.

H.R. 7154 introduced by Rep. Reed (Ill.) August 7, 1948 (Bill contained substantially the provisions deleted from H.R. 3214).

Referred to House Judiciary Committee.

ABA (Tax Section) House of Delegates adopted Bill but recommended the deletion of the grandfather clause.

Bill was never reported out of Committee.

Year 1949 (81st Cong., 1st Sess.):

H.R. 2447 introduced by Rep. Reed (Ill.).

H.R. 3113 substituted for H.R. 2447 again introduced by Rep. Reed, March 1, 1949. Referred to House Judiciary Committee. Hearings before Subcommittee No. 2. Bill favorably reported out of Committee (H. Rept. No. 1138). No further action taken. Died at the end of the 81st Congress.

July 10, 1953: Establishment of the Hoover Commission on the Organization of the Executive Department.

Year 1954: Task Force on Legal Services and Procedures Report submitted to full Commission (February 10, 1954).

Year 1955: Hoover Commission Report submitted to Congress (March 28, 1955). Task Force Report sent to Congress (March 31, 1955).

February 20, 1956:

ABA Special Committee report on Task Force and Hoover Commission recommendations.

Report adopted ABA House of Delegates, authority to supplement recommendations.

Proposed bill drafted by Judge Rice of the Tax Court and Drafting Committee of ABA Advisory Group.

Year 1957: Final Draft adopted by ABA Special Committee, March 1957.

Year 1958 (85th Cong., 2nd Sess.): Sen. Henning introduced S. 3796 in the Senate. No hearings ever held on S. 3796. Died at the end of the 85th Congress.

Year 1959 (86th Cong., 1st Sess.): Sen. Henning introduced S. 1274, the successor of S. 3796. Never reported out of Committee.

Year 1963 (88th Cong., 1st Sess.):

Rep. Fogarty introduced H.R. 3179. Bill to provide the judges of the Court of Military Appeals tenure during good behavior.

Favorably reported out of Committee on Armed Services after hearings.

Passed House.

Never reported out of Senate Committee on Armed Services.

EXHIBIT A.—*Summary*

Bill	Type of court	Tenure	Chief judge selection	Practice
H.R. 3214	Art. I	12 years	Biennial	Grandfather clause.
(1)	(?) art. III	Life	Seniority	
H.R. 7154	Art. I	12 years	Biennial	Grandfather clause is an integral part of act.
H.R. 3113	do	do	do	Grandfather clause—part of transitory provisions.
Hoover recommendation	do	Life	Presidential appointment.	FRCP and court rule.
S. 3796	Art. III [2]	do [2]	Biennial	Grandfather clause—part of transitory provisions.
H.R. 3179, Court of Military Appeals.	Art I	Life (transitory) (status for present judges).		

[1] Alternative sections posed in H. Rept. 308.

[2] Transitory provision that present judges serve out terms; court becomes art. III on expiration of final term.

Note.—With all Tax Court bills it is generally true that length of service for various purposes will include prior service on the court or the Board of Tax Appeals.

INDIVIDUAL BILLS

Revenue Act of 1924:

Creation of Board of Tax Appeals (BTA):

1. Original Treasury Dept. recommendation was for "case settlement board" in the Treasury Dept., independent of the IRS, with informal procedures.

2. Bill as reported and passed by House created a "case settlement board" independent of both the Treasury Dept. and the IRS. Board had informal procedures.

3. Amended on Senate Floor to constitute BTA as a tribunal with formal procedures. (Proposed: Sen. Jones (New Mex.); supported: Sen. Walsh (Mont.)) Amendment adopted.

Revenue Act of 1926:

A. W. Gregg (Solicitor, IRS) appearing for Treasury Dept. suggested that BTA should be a "court" in name, as it is in fact.

Bill as passed retained "independent agency" language but the BTA was fitted into the Federal judiciary system. To wit: No longer is de novo hearing in district court available to party losing before BTA. Decision of BTA final, subject to appeal to the circuit court of appeals or on certiorari to the Supreme Court.

Revenue Act of 1942: Changed name "Board of Tax Appeals" to "The Tax Court of the United States" and "members" to "judges." No change, however, in status of Court.

Years 1947 (80th Cong., 1st Sess.); 1948 (80th Cong., 2nd Sess.):

Mr. Robsion (Judiciary Committee) introduced H.R. 2055.

H.R. 3214 was substituted for H.R. 2055 and introduced on April 25, 1947. Its purpose was to "revise, codify and enact into law Title 28 of the U.S. Code entitled 'Judicial Code and Judiciary.' "

Bill is referred to Committee on the Judiciary of the House.

As reported by House Judiciary: Bill included Tax Court in the Federal Judiciary.

Report by Atty. General Clark (April 17, 1947) noted no objection to such an inclusion as "Court of Record."

Bill as reported constituted the Court as a legislative court—tenure of judges set at terms of 12 years.

The House Report noted, however, that the tenure provision (§ 272(a)) and the provision dealing with the biennial appointment of a judge to act as chief judge (§ 273) were inconsistent with the provisions governing other courts. They, therefore, provided for alternative sections as to tenure (tenure during good behavior) and appointment of a chief judge (seniority system). These alternative sections were never adopted. Also, as reported, the matter of practice before the Court was reserved to the Tax Court to determine by Rule (see § 2560).

By amendment on the House Floor the grandfather clause was added to § 2560—("No qualified person shall be denied permission to practice before such Court because of his failure to be a member of any profession or calling.")

Bill passed House.

Introduced in Senate, July 8, 1947.

Sent to Senate Judiciary Committee.

Senate Hearings: Judiciary Subcommittee.

Problem is grandfather clause (§ 2560)—it is the only phrase of Bill which is controversial. (Rep. Reed (Ill.) testimony.)

Sen. Donnell (Mo.), subcommittee chairman, in regard to "controversy" suggests either (1) strike the sentence or (2) pass the Bill as is and later amend it if necessary. On noting these views in questioning Rep. Devitt (Minn.), the latter replied that because § 2560 was controversial the Senate should strike *all* provisions relating to the Tax Court (except § 1294, re: the Dobson Rule). His reason was that by doing so they would not hold back the entire bill. In fact, Devitt remarked that to accomplish this he had had the House Committee prepare such an amendment in advance. He concluded that the Tax Court provision could then be put through the normal legislative process to give all a chance to be heard on § 2560.

Judge Albert Maris suggested that only the grandfather clause be stricken and that authority to practice be left to the Tax Court's rule-making function as the Bill had provided when reported out of the House Judiciary Committee. He noted that a precedent for keeping this a part of the rules of the court is the Customs Court. When Congress constituted the Customs Court out of what had been the Board of United States General Appraisers, the Court (Rule 11) "grandfathered" those customhouse brokers who at that time were authorized to practice before it; noting Presiding Judge Oliver's remark that the rule had proven very practical.*

June 9, 1948: Bill reported by Sen. Wiley with amendments which would strike all provisions relating to the Tax Court (S. Rept. No. 1559).

June 12, 1948: Passage, with amendments deleting Tax Court from Bill. (Reason given in S. Rept. 1559: avoid controversial matter so as not to delay passage of entire bill.)

Year 1948: H.R. 7154—proposed by Rep. Reed (Ill.), August 7, 1948. Bill contained substantially the provisions deleted from H.R. 3214; the new Bill retained the grandfather clause.

Sent to House Judiciary Committee.

September 9, 1948: ABA (Tax Section) House of Delegates adopted the Bill but recommended the deletion of the grandfather clause.

Bill was never reported out of the House Judiciary Committee.

No hearings were ever held.

Year 1949: H.R. 3113 (successor to H.R. 2447) introduced March 1, 1949, by Rep. Reed (Ill.), 81st Cong., 1st Sess.

Sent to House Judiciary Committee.

Bill as introduced contained grandfather clause—no change in tenure (same 12 year term).

Hearings before Subcommittee No. 2 of House Judiciary Committee. At hearings: ABA statement. ABA notes that grandfather clause is now in the Bill as a transition provision. They, therefore, in order not to interfere with passage, approve the position taken but note their opinion that the same result

*Judge Maris noted that Judge Turner had informed him that if the Tax Court had authority to handle the matter by rule, the Court would maintain those persons already on the roll.

could be obtained by leaving the question up to the Court in its rule-making capacity. If, however, the Committee deemed the provision essential, the ABA would not oppose the passage of the Bill.

Hearings Volume 5, Text § 2662: Taxpayer shall be represented before such court in accordance with the rules of practice prescribed by such court. . . . All persons admitted prior to effective date of this act . . . shall be recognized . . . so long as they behave themselves well, to represent petitioners before that court.

Attorney Spencer Gordon for accountants (American Institute of Accountants)—suggestions:

1. Allow accountants (by Tax Court rule) to continue to be admitted to practice for purpose of making appeal and settling case, not to try it (in addition to present grandfather clause).

2. Keep in the Act (language from Revenue Act of 1942) "no qualified person . . ."

3. Defer passage until the passage of H.R. 2983, as yet not introduced (to establish a tax settlement board (sponsored by accountants)). Kind of analogy to pretrial hearing in District Court (informal).

Main gist—(also, Mark Richardson representing accountants): Trial function is not function of accountant, but Tax Court petition is function of accountant since at this stage you are still in negotiation with IRS, i.e., settlement function.

Bill favorably reported out of Committee (H. Rept. No. 1138, 81st Cong., 1st Sess.) but no further action taken. Died at the end of the 81st Congress.

July 10, 1953: Establishment of the Hoover Commission on the Organization of the Executive Department.

February 10, 1954, Hoover Task Force on Legal Services and Procedures Report submitted to Commission. Recommendation: Administrative court with tax section; would accomplish the inclusion of the Tax Court in the Judiciary; § 412(b) of the proposed bill contained the grandfather clause regarding the Tax Court.

March 28, 1955, Hoover Commission Report submitted to Congress. Tax Court as legislative court.

March 31, 1955, Hoover Task Force Report sent to Congress.

February 20, 1956, ABA Special Committee reports on Task Force and Commission recommendation: Tax Court to Judicial Branch. Separately refers to specialized courts (e. g., Trade Labor).

Report of ABA Committee adopted by House of Delegates and authority to implement is received from ABA Board of Governors. Committee Advisory Group, Drafting Committee—in conjunction with Judge Rice of the Tax Court.

Final draft adopted by ABA Special Committee in March 1957.

May 13, 1958: Sen. Henning introduced S. 3796 in the Senate (85th Cong., 2nd Sess.) to incorporate Tax Court in Title 28. Court, after expiration of present terms of judges, will be Art. III court, judges having tenure during good behavior.

No hearings were ever held on S. 3796 and the Bill died with the close of the 85th Congress.

Year 1959: Sen. Henning introduced S. 1274, the successor of S. 3796, which, like its predecessor, never was reported out of Committee.

Year 1963 (88th Cong., 1st Sess.): H.R. 3179—to provide the judges of the U.S. Court of Military Appeals tenure during good behavior (Title 10).

Introduced by Mr. Fogarty (Committee on Armed Services).

Sent to Committee on Armed Services.

Hearings (Vol. 2, No. 12) before Subcommittee No. 1, June 4, 1963. Hearings earlier on H.R. 4352 and 5703 to establish Court as an Art. I, legislative court; increase to life tenure.

Both Bills had received unfavorable reports from Departments of Defense and Justice.

Earlier committee had made a "Committee Print" calling for Art. I court rather than a court of questionable status as under present House Bill. The Department of Defense (Maj. Gen. Kuhfeld, Air Force JAG) supports the "Committee Print" calling for an Art. I court, autonomous, not within Title 28 but rather within Title 10. Problem: Since only three judges, what of President's power to remove for disability. If life tenure, you would need hearing, etc. (Note: Not really a problem with Tax Court as you have maximum of 16 judges sitting.) Then if removed, temporarily, question of Art. III judges being able to sit. (Again, not analogous to Tax Court.) (Transitory status for present judges, not per se, made subject to life tenure by the Bill.)

Favorably reported, H. Rept. No. 413.

Subject of Special Order, H. Rept. No. 424.

Debated and passed House.

Referred to Senate Committee on Armed Services.

Never any hearings held.

EXHIBIT B

AMERICAN BAR ASSOCIATION,
Chicago, Ill., June 7, 1967.

Re H.R. 10100.

Hon. EMANUEL CELLER,
Chairman, House Judiciary Committee,
Rayburn House Office Building,
Washington, D.C.

DEAR MR. CELLER: The American Bar Association has for several years supported the transfer of the Tax Court of the United States from the executive to the judicial branch of the government as a court of original jurisdiction. Congressman Wilbur Mills has introduced legislation (H.R. 10100) to bring about this transfer, and it has been referred to your committee.

In 1956, the House of Delegates of the American Bar Association adopted the following resolution:

"Resolved Further, That the American Bar Association recommends to the Congress that the Tax Court of the United States be removed from the executive to the judicial branch of the government as a court of original jurisdiction, and that this result be achieved by amendment of Title 28 of the United States Code."

This represents our current views on the Tax Court legislation.

I am writing, therefore, to commend this legislation for consideration by you and your committee. If hearings are scheduled, we would like to have witnesses appear on behalf of the Association. The Association's Section of Taxation has the delegated primary responsibility within the Association in this matter, so any notice of hearings should be sent to that section at 1705 De-Sales Street, N.W., Washington, D.C. 20036.

Sincerely yours,

ORISON S. MARDEN.

EXHIBIT C

Year 1929: *Old Colony Trust Co.* v. *Commissioner*, 279 U.S. 716. Power of Court of Appeals to review B.T.A. affirmed, though B.T.A. is an administrative agency rather than a court.

Year 1943: *Commissioner* v. *Gooch Milling & Elevator Co.*, 320 U.S. 418. B.T.A. is independent, executive agency whose jurisdiction is limited solely to that year in which the Commissioner has determined the deficiency; also no power to order a refund or credit.

Dobson v. *Commissioner*, 320 U.S. 489. Tax Court is independent agency and its findings are subject to a limited scope of review. Is there a rational basis for conclusion reached by the administrative body—only reverse for a clear-cut mistake of law.

Year 1944: *Hutchings-Sealy National Bank* v. *Commissioner*, 141 F. 2d 422 (C.A. 5) 1 T.C. 692. Tax Court (agency) review procedure, substitution for a now deceased party, not controlled by general appeal or writ of error procedure but by petition for review per rules of reviewing court.

Year 1947: *Commissioner* v. *Weisler*, 161 F. 2d 997, 6 T.C. 1148. Scope of review of Tax Court—*Dobson* rule applied.

Lincoln Electric Co. v. *Commissioner*, 162 F. 2d 379 (C.A. 6) 6 T.C. 37. Review of Tax Court decisions is governed by the Administrative Procedure Act—(APA)—scope of review has been broadened by APA. No need to particularize in this case since *Dobson* rule was held not to apply.

Year 1947: *Anderson* v. *Commissioner*, 164 F.2d 870 (C.A. 7) 5 T.C. 443. Seventh Circuit does not agree with Sixth Court of Appeals in *Lincoln Electric* and held that the power of Court of Appeals to review Tax Court decisions had not been broadened by APA.

Credit Bureau of Greater N.Y. v. *Commissioner*, 162 F.2d 7 (C.A. 2) 1946 T.C.M. Second Circuit refused to consider application of APA to Tax Court review.

Year 1948: *Kennedy Name Plate Co.* v. *Commissioner*, 170 F.2d 196 (C.A. 9) 1947 T.C.M. Sec. 8(a) of APA (review by full admin. body) not applicable to Tax Court—assumes but does not decide that APA might apply. Tax Court, in this particular, had its own relevant procedure set out in the statute (I.R. Code)

Year 1949: *Cohen* v. *Commissioner*, 176 F.2d 394 (C.A. 10) 9 T.C. 1156. A section of APA held inapplicable to Tax Court but court did not pass on whether Tax Court was a "court" within the exclusion from the Act (sec. 2(a)).

Year 1950: *Emily Marx*, 13 T.C. 1099. Burden of proof not met—therefore no decision necessary as to whether Tax Court could act under APA.

Kay v. *Commissioner*, 178 F.2d 772 (C.A. 3) 11 T.C. 471. Tax Court is not bound to follow a determination by the Commissioner any more than are the Circuit Courts of Appeal.

Year 1954: *Stern* v. *Commissioner*, 215 F.2d 701 (C.A. 3) 21 T.C. 155. Tax Court really (in fact) a court—should follow court procedures (disclose names of judges sitting en banc).

Year 1955: *Reo Motors* v. *Commissioner*, 219 F.2d 610 (C.A. 6) 9 T.C. 314. Though not technically a federal court, it does exercise an inherently judicial function—Tax Court has power to vacate and correct its decisions.

Fairmont Aluminum Co. v. *Commissioner*, 222 F.2d 622 (C.A. 4) 22 T.C. 1377. Tax Court proceedings are judicial in nature; therefore judicial doctrine (collateral estoppel) is properly applicable.

Year 1956: *Lasky* v. *Commissioner*, 235 F.2d 97 (C.A. 9), affd. per curiam 352 U.S. 1027 (1957) 22 T.C. 13. Tax Court has no jurisdiction to set aside its decisions—no equity jurisdiction.

Year 1959: *O'Dwyer* v. *Commissioner*, 266 F.2d 575 (C.A. 4) 28 T.C. 698. Tax Court is not a "reviewing court" within meaning of sec. 10(e) of APA—does not review record made in dealing with the Commissioner but tries facts de novo.

Year 1961: *Louisville Builders Supply Company* v. *Commissioner*, 294 F.2d 333 (C.A. 6). Tax Court has no jurisdiction to grant an order in a case in which as yet no notice of deficiency sent and petition filed. While Tax Court has judicial or quasi-judicial power it is limited by statute. (I.R. Code)

Year 1963: *Fairmount Park Raceway* v. *Commissioner*, order 3/21/63. Citing *Lasky*—denial of motion to correct transcript.

Year 1963: *Estate of Bernard A. Marx*, 40 T.C. 1. Citing *Louisville Builders* case. Tax Court has no power pre-deficiency notice to authorize taking of deposition.

Year 1964: *William S. Baglivo*, Tax Court Memo Sur Order 2/27/64. *Lasky* cited—no

power to reopen for defense that taxpayer was not competent at time of trial. No equity jurisdiction.

Year 1965: *MacRae* v. *Riddell*, 350 F. 2d 291 (C.A. 9). Tax Court has power to issue subpoena duces tecum and has power to quash it, once issued. Once quashed the District Court has no proper jurisdiction to enforce.

Sprague Electric Company v. *Tax Court*, 340 F. 2d 947 (C.A. 1). District Court is without power by mandamus to order Tax Court to set aside an order. To do so would be to review a Tax Court decision. Such review is within the exclusive jurisdiction of the Courts of Appeal.

Amos v. *Commissioner*, 360 F. 2d 358 (C.A. 4) 43 T.C. 50. Prior criminal conviction of taxpayer in District Court for tax evasion will collaterally estop taxpayer in Tax Court—judicial doctrines applicable in Tax Court.

United States v. *Teitelbaum*, 342 F. 2d 672 (C.A. 7). Where Tax Court had no power to order execution, suit in District Court to reduce the determined deficiency to judgment is proper. Res judicata and/or collateral estoppel will be applicable.

Year 1966: *Holzer* v. *United States*, 367 F. 2d 822 (C.A. 7) (250 F. Supp. 875). Litigation in Tax Court prevented taxpayer from litigating same year in a refund claim in District Court.

Year 1966: *Stein* v. *United States*, 363 F. 2d 587 (C.A. 5). Tax Court is an agency within federal statute making it a crime to submit false documents to an agency of the United States.

Martin v. *Commissioner*, 358 F. 2d 63 (C.A. 7). Agency not an unconstitutional interference by Congress into the Judiciary.

Nash Miami Motors, Inc. v. *Commissioner*, 358 F. 2d 636 (C.A. 5). Not unconstitutional separation of powers.

Glidden Co. v. *Zdanok*, 370 U.S. 530 (1962) (C.A. 2) 288 F. 2d 99, 111 U.S. App. D.C. 238, 296 F. 2d 360 affd. Discussion of constitutional courts.

Mr. President, on behalf of myself, and the Senator from Nebraska [Mr. CURTIS], I introduced, for appropriate reference, a bill to amend title 28 of the United States Code, "Judiciary and Judicial Procedure", to include provision relating to the U.S. Tax Court, and for other purposes.

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

The bill (S. 2041) to amend title 28 of the United States Code, "Judiciary and Judicial Procedure", to include provisions relating to the U.S. Tax Court, and for other purposes, introduced by Mr. LONG of Louisiana (for himself and Mr. CURTIS), was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF TARIFF SCHEDULES WITH RESPECT TO THE RATE OF DUTY ON CERTAIN OLIVES

Mr. DIRKSEN. Mr. President, the report of the Tariff Commission investigation and subsequent developments in olive imports make it clear that the American bottling industry is now in serious jeopardy. The same danger applies to American growers and processors of olives.

This danger arises from the fact that our tariff on olives does not differentiate between olives in bulk and olives in small retail-size containers. Thus, when the Spanish Government cause an olive bottling industry to develop in Spain, we were exposed to this threat without benefit of the sensible classification that our tariff laws provide for other agricultural commodities and fish products.

We have studied this problem thoroughly and discussed it with many Government officials and those legislators most directly concerned. Substantially everyone knowledgeable about the problem agrees that our only effective remedy is a tariff classification which recognizes the difference between bulk olives and bottled olives. On bottled olives this classification should provide a tariff structure which will allow American bottled products—produced independently without Government assistance—to compete with foreign government-subsidized products.

Mr. President, on behalf of myself, and the senior Senator from California [Mr. KUCHEL], I introduce, for appropriate reference, a bill to amend the tariff schedules of the United States with respect to the rate of duty on olives packed in certain airtight containers.

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

The bill (S. 2044) to amend the Tariff Schedules of the United States with respect to the rate of duty on olives packed in certain airtight containers, introduced by Mr. DIRKSEN (for himself and Mr. KUCHEL), was received, read twice by its title, and referred to the Committee on Finance.

EXEMPTION OF CERTAIN VESSELS ENGAGED IN THE FISHING INDUSTRY FROM THE REQUIREMENTS OF CERTAIN LAWS

Mr. MAGNUSON. Mr. President, I introduce, at the request of the Association of Pacific Fisheries, for appropriate reference, a bill to clarify the status of cannery tenders engaged in fishing operations under certain laws administered by the Coast Guard. I ask unanimous consent that the text of the bill and a letter from the Association of Pacific Fisheries requesting introduction of this bill be printed in the RECORD at this point.

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

The bill (S. 2047) to exempt certain vessels engaged in the fishing industry from the requirements of certain laws, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 2047

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4426 of the Revised Statutes of the United States (46 U.S.C. 404) is amended by adding at the end thereof the following sentence:

"As used herein, the phrase 'engaged in fishing as a regular business' includes cannery tender or fishing tender vessels of not more than five hundred gross tons which are engaged exclusively in (1) the carriage of cargo to or from vessels in the fishery or a facility used or to be used in the processing or assembling of fishery products, or (2) the transportation of cannery or fishing personnel to or from operating locations."

SEC. 2. Section 1 of the Act of August 27, 1935 (46 U.S.C. 88), is amended by designating the existing section as subsection (a) and by adding a new subsection (b) as follows:

"(b) All cannery tender or fishing tender vessels of not more than five hundred gross tons except those constructed after the effective date of this subsection or those converted to either of such services after five years from the effective date of this subsection are exempt from the requirements of this Act."

SEC. 3. The first proviso of section 1 of the Act of June 20, 1936 (46 U.S.C. 367) is amended by adding at the end thereof the following sentence:

"As used herein, the phrase 'any vessel engaged in the fishing, oystering, clamming, crabbing, or any other branch of the fishery or kelp or sponge industries' includes cannery tender or fishing tender vessels of not more than five hundred gross tons which are engaged exclusively in (1) the carriage of cargo to or from vessels in the fishery or a facility used or to be used in the processing or assembling of fishery products, or (2) the transportation of cannery or fishing personnel to or from operating locations."

SEC. 4. The first subparagraph of section 4417a of the Revised Statutes of the United States (46 U.S.C. 391a(1)) is amended by adding at the end thereof the following sentence:

"Notwithstanding the first sentence hereof, cannery tenders, fishing tenders or fishing vessels of not more than five hundred gross tons when engaged exclusively in the fishing industry shall be allowed to have on board inflammable or combustible cargo in bulk to the extent and upon conditions as may be required by regulations promulgated by the secretary of the department in which the Coast Guard is operating."

SEC. 5. This Act is effective upon enactment.

The letter, presented by Mr. MAGNUSON, is as follows:

ASSOCIATION OF PACIFIC FISHERIES, INC.,
Seattle, Wash., June 12, 1967.

Hon. WARREN G. MAGNUSON,
U.S. Senate,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR: The salmon canning industry is concerned about the U.S. Coast Guard regulations as they apply to cannery tenders, the vessels which transport fish from the fishing grounds to the processing plants.

The present regulations, particularly those covering load lines, freight for hire, dispensing fuel and manning schedules, present serious problems in the operation of these vessels which are unique in the type of service they perform.

We have discussed these problems with members of your staff. They are well informed on the details of this situation.

We request that you introduce legislation which will update the Coast Guard Regulations as they pertain to these tenders. This procedure seems to us to be the logical solution to these problems.

Sincerely yours,

W. V. YONKER,
Executive Vice President.

STABLE AND DURABLE PEACE IN THE MIDDLE EAST

Mr. SYMINGTON. Mr. President, on behalf of the senior Senator from New York [Mr. JAVITS] and myself, I send to the desk a resolution and ask that it be referred to the appropriate committee.

There are at the present time 62 cosponsors of the resolution. Its purpose is to express the sense of the Senate as to the desirability of a stable and durable peace in the Middle East.

I ask unanimous consent that the resolution be read, along with the names of the cosponsors.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the resolution, together with the cosponsors, will be read.

The assistant legislative clerk read as follows:

S. RES. 143

Mr. SYMINGTON (for himself and Mr. JAVITS, Mr. BAKER, Mr. BAYH, Mr. BENNETT, Mr. BIBLE, Mr. BREWSTER, Mr. BROOKE, Mr. BURDICK, Mr. CANNON, Mr. CASE, Mr. CHURCH, Mr. CLARK, Mr. COOPER, Mr. DODD, Mr. DOMINICK, Mr. ERVIN, Mr. FONG, Mr. GRIFFIN, Mr. HANSEN, Mr. HARRIS, Mr. HART, Mr. INOUYE, Mr. JACKSON, Mr. LAUSCHE, Mr. LONG OF MISSOURI, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MCGEE, Mr. MCGOVERN, Mr. MCINTYRE, Mr. MONDALE, Mr. MONRONEY, Mr. MORSE, Mr. MORTON, Mr. MOSS, Mr. MURPHY, Mr. MUSKIE, Mr. NELSON, Mr. PASTORE, Mr. PEARSON, Mr. PELL, Mr. PROUTY, Mr. PROXMIRE, Mr. RANDOLPH, Mr. RIBICOFF, Mr. SCOTT, Mr. SMATHERS, Mrs. SMITH, Mr. STENNIS, Mr. TALMADGE, Mr. TYDINGS, Mr. YARBOROUGH, Mr. YOUNG of Ohio, Mr. COTTON, Mr. FANNIN, Mr. SPONG, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of New York, Mr. BYRD of West Virginia, Mr. KUCHEL, Mr. JORDAN of Idaho, and Mr. ALLOTT), submitted the following resolution:

Whereas the United States has a vital and historic national interest in a stable and durable peace in the Middle East; and

Whereas the President of the United States has stated the principles upon which our Nation is committed to peace in the area and that every nation in the area has a fundamental right to live and to have this right respected by its neighbors; and

Whereas the peace and security of the nations of the Middle East have been endangered by a wasteful and destructive arms race, threatened by belligerency and have just been shattered by hostilities endangering the peace of the entire world: Therefore, be it

Resolved, That it is the sense of the Senate that—

1. The security and national interests of the United States require that there be a stable and durable peace in the Middle East; and

2. Such a peace calls for discussions among the parties concerned, using such third party or United Nations assistance as they may wish, looking toward—

(a) recognized boundaries and other arrangements that will give security against terror, destruction and war, and the consequent withdrawal and disengagement of armed personnel;

(b) a just and equitable solution to the refugee problem;

(c) free maritime passage through international waterways, including the Suez Canal and the Gulf of Aqaba, and

(d) limits on a wasteful and destructive arms race; and

3. In a climate of peace, the United States will do its full share to—

(a) help with a solution for the refugees;

(b) support regional cooperation; and

(c) see that the peaceful promise of nuclear energy is applied for the critical problem of desalting water: And be it further

Resolved, That the President is requested to pursue these objectives, as reflecting the sense of the Senate, within and outside the United Nations and with all nations similarly minded, as being in the highest national interest of the United States.

Mr. SYMINGTON. Mr. President, I ask unanimous consent that the resolution be held at the desk for possible additional cosponsors until the close of the session tomorrow afternoon.

The PRESIDING OFFICER. Is there objection?

Mr. AIKEN. Mr. President, I have been asked to object to the holding of the resolution for the addition of cosponsors.

The PRESIDING OFFICER. Objection is heard.

Mr. AIKEN. I do not know what the resolution is. This is no reflection on the Senator from Missouri in any way.

It is a procedure which has been objected to before, and I have been asked to object to it at this time.

Will the resolution be referred to committee?

Mr. SYMINGTON. It was requested that it be referred to the proper committee, which I believe would be the Committee on Foreign Relations.

Mr. AIKEN. I have no objection to the committee considering it. However, I have been asked to object to this procedure.

The PRESIDING OFFICER. The resolution will be referred to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS OF BILLS

Mr. BYRD of West Virginia. Mr. President, at the request of Mr. TYDINGS, I ask unanimous consent that, at the next printing of S. 1981 and S. 1982, bills to improve the judicial machinery for the courts of the District of Columbia, the name of the Senator from Nevada [Mr. BIBLE] be added as a cosponsor.

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

Mr. TYDINGS. Mr. President, I ask unanimous consent that at the next printing, the following Senators be added as cosponsors of legislation I have introduced: S. 824, Senator MCGEE; S. 1366, Senator YARBOROUGH; S. 1360 and S. 1361, Senator GRUENING; S. 1503, Senator JAVITS; S. 1565, Senator KENNEDY of New York; S. 1765, Senator CLARK; and S. 1941, Senator KENNEDY of New York.

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

NOTICE OF HEARINGS ON DISTRICT REORGANIZATION PLAN

Mr. MCCLELLAN. Mr. President, the Committee on Government Operations has scheduled public hearings on Reorganization Plan No. 3, to reorganize the government of the District of Columbia, for July 25, 26, and 27 in room 3302, New Senate Office Building.

In view of the interest in this proposal, the hearings will be held before the full committee. I have designated the junior Senator from Connecticut [Mr. RIBICOFF], chairman of the Subcommittee on Executive Reorganization. to serve as cochairman of the committee for the purpose of processing this plan and conducting the proposed hearings.

Inquiries should be directed to room 162, Old Senate Office Building, Washington, D.C., telephone No. 225–2308.

THE JOHNSON–KOSYGIN SUMMIT

Mr. MANSFIELD. Mr. President, one of the characteristics of the summit meeting between President Johnson and Prime Minister Kosygin was the warm and sympathetic reception by the people—not only of Glassboro, N.J., but throughout the country.

I believe this demonstrates popular approval for President Johnson's summit peace efforts.

The American people are not so gullible as to think that immediate agreements on explosive world issues would emerge from the summit meeting.

Yet they were encouraged—and justifiably—to believe that such a meeting would make a solid contribution to greater understanding between two nations which have differed on many issues in the past.

The meeting did produce a lessening of tensions. It did produce an atmosphere of understanding. It did make "accidents" less likely. It did bring the participants closer together on missile control and nonproliferation of nuclear weapons.

There is a definite history of agreements for peace between the Soviet Union and the United States, agreements which preceded the summit meeting: the Outer Space Treaty, the opening of a new United States-Soviet direct air link, increased East-West trade.

The summit is another large step in the work of building bridges between East and West. We shall not regret it. The President is to be applauded for his tireless efforts. The people know the value of those efforts.

Mr. President, I ask unanimous consent to have printed in the RECORD the following comments on the popular and positive reaction to President Johnson's peace initiatives:

An editorial entitled "The Summit," published in Newsday for June 24, 1967; an article entitled " 'Spirit of Glassboro' Really One of People," written by Isabelle Shelton, and published in the Washington Star of June 26, 1967; an editorial entitled "Glassboro," published in the Washington Post of June 27, 1967; an article entitled "Washington: A Steadier Administration," written by James Reston, and published in the New York Times of June 28, 1967; and an article entitled "Johnson-Kosygin Talks: Possibly A Step Forward," written by Joseph Kraft, and published in the Los Angeles Times of June 28, 1967.

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

[From Newsday, June 24, 1967]

THE SUMMIT

"Oh, East is East, and West is West, and
Never the twain shall meet,
Till Earth and Sky stand presently at
God's great Judgment Seat.
But there is neither East nor West,
Border, nor Breed, nor Birth,
When two strong men stand face to face,
though they come from the ends of the
earth!"

—RUDYARD KIPLING, "The Ballad of East and West."

Kipling's rhythmic view of the East-West split in the year 1889 still holds true today. Two strong men, President Johnson and Soviet Premier Kosygin, met yesterday at the Glassboro summit and perhaps their meeting could yet cause the twain to meet.

President Johnson has made the betterment of East-West relations a leading element of his foreign policy. He has sought to broaden trade with Russia and the satellite nations. He has asked Congress to extend credits to allow the Russians to buy machine tools for their new Fiat automobile plant. He has tried to head off an antimissile race and has sought agreement on a nonproliferation treaty. During the current crisis in the Middle East, he has called for a reasonable settlement of the long-standing Arab-Israeli grievances that could one day produce an East-West confrontation.

Unfortunately, Russia has not followed a reasonable course. The war in Vietnam is a potential threat to the peace of the entire world, but the Russians have done nothing to move Hanoi to the peace table. Instead, they have poured supplies and arms into North Vietnam, encouraging Hanoi to continue the war.

In this hemisphere, Russian aid has enabled Fidel Castro to survive despite wholesale mismanagement. It was with Russian help that Castro first turned his island into a base of subversion that still threatens all of Latin America.

Yesterday's Johnson-Kosygin meeting probably would not have taken place if Russian efforts to gain power in the Mideast had not backfired. Yet Russia has persisted in its folly of encouraging Arab belligerence. In his UN speech, Kosygin offered only propaganda, invective and a "peace proposal" that would guarantee continuing hostilities between Israel and her Arab neighbors.

There were several hopeful signs at yesterday's summit meeting. There was a hint in President Johnson's remarks of Russian interest in a nuclear nonproliferation treaty. The fact that the world leaders are to meet again tomorrow is, in itself, a good omen. But why must the quest for peace be so bitterly slow? There could be peace today if the Russians wanted it and it could be a peace that would be fair to all. But there is no peace, and Russian policies in the Mideast, in Vietnam and in Latin America have shown little promise of peace.

In the final analysis, the major concern of both the U.S. and Russia must be to prevent the outbreak of World War III. Both powers must make new efforts to head off a new missile race and spread of nuclear weapons. Indeed, the possession of a hydrogen bomb by Red China presents new dangers to world peace and especially to Russia and to China's neighbors in Asia.

The fact remains, in assessing yesterday's summit meeting, that peace depends more upon the Russians than it does upon the U.S. Hopefully, in his talks with the President, Kosygin will indicate a willingness on the part of the Russians to modify their policies in the Mideast, Vietnam and Latin America. Until Kosygin does so, the U.S. must look to its allies to continue our worldwide holding actions against Russian expansionism. Cooperation with Russia is possible, but until it comes, the U.S. must stand fast.

[From the Washington (D.C.) Star, June 26, 1967]

THE CROWD OUTSIDE: "SPIRIT OF GLASSBORO" REALLY ONE OF PEOPLE

(By Isabelle Shelton)

GLASSBORO, N.J.—A "Spirit of Glassboro" was reflected in the hearts and faces of the crowds that waited for the leaders of the world's two strongest powers to finish their discussion even if it was not reflected in the results of the summit meeting.

There had been a carnival atmosphere yesterday—balloons, ice cream trucks, front yard hot dog stands. While families turned out with children, dogs and picnic lunches.

When the bulk of the crowd of several thousand stood its ground late in the day in a pelting rain, shouting "We Want Alec" and "We Want Johnson," a yearning for peace seemed tangible enough to touch.

For one brief moment, it was possible to believe, as New Jersey Gov. Richard J. Hughes said, that "there must be lots of Glassboros in the world—in China and Europe and Vietnam and Russia—filled with people who are working and praying and trusting that their children and their children's children will be able to grow up in a peaceful world."

Soviet Premier Kosygin apparently got the crowd's message as yesterday's session was ending, just as he and President Johnson were about to enter a limousine that was to take them to waiting helicopters and back into their separate worlds.

Johnson, usually supersensitive to crowds, was ignoring them, no doubt out of courtesy to Kosygin.

It was the Russian who wheeled, just as Johnson was about to enter the car that would take them to their helicopters, and walked across the lawn of the meeting house to wave and speak fondly to the soaked, steaming crowd massed below.

For a man not used to American-style politics, Kosygin learned fast. He raised his arms above his head, clasped his hands and grinned broadly, in the best prize fighter style. You would have thought he'd been winning ward and county elections all his life.

ANTI-RUSSIAN SIGNS GONE

The few anti-Russian signs (carried by protesting Ukranians) that had been there earlier were gone. The only sign visible at the moment was in Russian, and it said, according to a Russian reporter, "something good about peace."

The President followed Kosygin in brief waves and words to the crowd. And then they were gone.

None of the dire things that state and local police had suddenly begun to worry Saturday afternoon and evening came to pass.

The crowd, not much if at all bigger than the 5,000 or so Friday, continued its love affair with Kosygin to the end.

Hostile pickets such as met President Johnson Friday night in Los Angeles didn't show up. Police and state officials knew after Friday's summit meeting that the people of Glassboro and vicinity didn't feel that way.

But after reading the reports from California Saturday, they began to worry that organized groups of "peaceniks" or other dissenters of the right or left might come massing in from nearby large cities, if only for the television exposure.

FENCING UNNEEDED

The long lines of snow fencing, on which New Jersey state highway department crews worked all night Saturday, weren't needed. The more than doubled state and local police force (from Friday's 700 to 2,000) probably wasn't either—although it no doubt contributed order to the traffic situation.

The giant cleanup effort was launched at dawn today to remove tons of paper cups, soda bottles and assorted trash left by the spectators.

Seven state troopers were stationed in "Hollybush" during the night to guard against souvenir hunters, and workmen today began converting hollybush back into a home for college President and Mrs. Thomas E. Robinson.

Glassboro—where the biggest event in the past was a two-state baseball tournament—probably will never be quite the same again.

[From the Washington (D.C.) Post, June 27, 1967]

GLASSBORO

Meetings of heads of state arouse great hopes and involve great risks. The meetings which President Johnson and Premier Kosygin held at Glassboro are no exception. They inspired the hope that some great, dramatic and spectacular resolution of Soviet-American tensions might emerge; and they involved the risk that a direct meeting might worsen the situation, as the Vienna meeting between President Kennedy and President Khrushchev did.

No one has more eloquently defined the special risks of such confrontations than Secretary Rusk did in an article in *Foreign Affairs* magazine in 1960. He then wrote:

"The experienced diplomat will usually counsel against the direct confrontation of those with final authority. Negotiation *ad referendum* offers greater opportunity for feeling out the situation, exploring the opposing points of view, trying out alternative approaches, without commitment, testing general propositions by meticulous attention to detail. The process needs time, patience and precision, three resources which are not found in abundance at the highest political level. The direct confrontation of the chiefs of government of the great powers involves an extra tension because the court of last resort is in session. The costs of error or misunderstanding are multiplied by the seriousness of the issue and the power of those present."

The Glassboro meeting seems to fall midway between the worst fears of the diplomats and the highest hopes of laymen. It settled no outstanding issues, apparently; but neither did it complicate any issues, so far as can be seen at this distance. The Kosygin press conference, at many points, seemed unnecessarily abrasive. But it will be helpful to have Americans know how unyielding, uncompromising and unaccommodating the Soviet government is, on all points of difference. And it will be well for Americans to bear in mind that Kosygin was talking, not to Americans alone, or even chiefly to Americans, but to his clients in the Arab states, his rivals in China and his critics at home.

Neither leader had much choice about holding this meeting. If they had not met, inferences would have been drawn that might have been very hurtful to Soviet-American relations. But the meeting, with its attendant difficulties, lends new force to a piece of advice by Philippe de Comines (cited by Dean Rusk in 1960) that "Two great princes who wish to establish good personal relations should never meet each other face to face but ought to communicate through good and wise ambassadors."

President and Premier have parted with an effort to have it both ways by capping their conference with a plan for continuing negotiations through their foreign offices and ambassadors. If anything constructive is to come out of Glassboro, it no doubt will emerge in these meetings, at a lower level where there is less tension and less attention.

Perhaps, in the end, nothing is lost by letting American citizens, anxious for peace, get a glimpse of how irreconcilable Soviet and American views really are on a long list of world problems. The conference destroys the lingering illusion that if only good will and politeness and courtesy and conciliation prevailed, peace could be achieved forthwith. We are confronted by a powerful, arrogant, uncompromising adversary who has purposes that cannot be reconciled with ours readily. If our own government sometimes fails to reach an accom-

modation, Americans now will more clearly understand that the fault and failure may not reside exclusively in their own officials.

[From the New York Times, June 28, 1967]

WASHINGTON: A STEADIER ADMINISTRATION

(By James Reston)

WASHINGTON, June 27.—The Johnson Administration is a little steadier, a little more confident, and a little stronger politically as a result of its handling of the Middle Eastern crisis.

There are several reasons for this. The U.S. military estimates of Israel's capacity to deal with the Arab armies were remarkably accurate. The Central Intelligence Agency and the Joint Chiefs of Staff actually gave President Johnson an even more precise prediction of what would happen on the battlefield than the Israeli intelligence gave President Eshkol.

In fact, the Joint Chiefs were convinced—as the Israeli Cabinet was not—that Israel would win in a few days even if the Arabs made the first major strike from the air. Whether or not this prediction was justified, the truth is that Mr. Johnson was left with enhanced confidence in his military advice.

THE POLITICAL ADVICE

Second, while there was a lot of hesitation about whether and where to meet Mr. Kosygin, Mr. Johnson's political advisers finally came around to a unanimous conclusion that he should, and their estimates of what the Soviet leader would say and do proved to be highly reliable.

Third, the President himself apparently handled the talks with considerable patience, skill and grace, and this has undoubtedly added to his own sense of assurance. He knew that the Russians had criticized President Eisenhower for always turning to John Foster Dulles at critical moments in the 1955 summit meeting. So he insisted that nobody else be present except the two leaders and their interpreters. He knew also that President Kennedy had allowed the last summit meeting with Khrushchev in 1961 to develop into a shouting match, so he turned the conversation away whenever there was the slightest drift toward threats or intimidation.

Finally, the President managed to make clear to Mr. Kosygin what he would and would not do in Vietnam and the Middle East, and while he did not move the chairman one millimeter off the rigid line laid down in Moscow, he left the Soviets some room for maneuver and undoubtedly improved the Johnson caricature in Kosygin's mind.

We will see later on whether this has any influence on Mr. Kosygin. He is a plain and practical man. He knows probably better than anybody else in the Council of Deputies how far his country has to travel to transform itself into a modern society, and his few glimpses of the power, energy, and progress of the United States cannot have left him with many of the old Khrushchev illusions about Soviet technical superiority.

WHO'S IN CHARGE?

The question is whether he is or can become the decisive voice in the Kremlin. The contrast between his personal affability and his political rigidity was striking. Certainly, he said nothing to indicate that he was putting the economic development of his own country ahead of the expansion of Soviet influence in the Middle East, Southeast Asia, or even Cuba.

In the private meetings with the President, and in a long talk with Secretary of Defense McNamara at lunch, it was suggested to Mr. Kosygin that another round of the cold war, another upward lunge of the arms race, an expensive and probably useless competition in antiballistic missiles, and a return to the belligerent *status quo* in the Middle East was an odd kind of "peaceful coexistence." And he came back, of course, not without some logic, to the idea that Vietnam was not a very good way to build peace and prosperity either.

Nevertheless, even if all this makes no impression in Moscow, it has made some impression here. Mr. Johnson is, of course, still muttering darkly about the "cussers and doubters" who keep complaining about Vietnam, but he has not come back here with much enthusiasm for sending those extra 100,000 men to Saigon. In fact, he seems more eager to avoid keeping his promise to give General Westmoreland what the general wants than to keep it.

THE POPULAR REACTION

Also, the reaction here and in the country to the President's cautions policy in the Middle East and his steady and patient demeanor with Kosygin may very well have made the President question his assumption that the country is hell-bent for tougher policies.

He moved at the start of the Middle Eastern crisis to renew his old friendly association with Senator Fulbright. He expressed to Kosygin his good impressions of the Soviet Ambassador in Washington, and Kosygin, in turn, spoke warmly of his confidence in the U.S. Ambassador in Moscow, Llewellyn Thompson.

There, of course, are the merest straws. All the ugly facts remain, but the mood is better and the Administration's feeling about itself is undoubtedly improved.

[From the Los Angeles (Calif.) Times, June 28, 1967]

JOHNSON-KOSYGIN TALKS: POSSIBLY A STEP FORWARD

(By Joseph Kraft)

People who thirst for miracles are now experiencing the morning after the Glassboro spree. But for those who view summit meetings as a part of a complicated political process there is no hangover.

On the contrary, the Glassboro meetings shape up as necessary steps in the long, slow business of nursing the Soviet Union along toward the more rational view of things which is essential for progress toward a more stable world.

This process is essential because of the special nature of the present Soviet leadership. Some of these leaders, like Premier Alexei Kosygin and President Nikolai Podgorny, have long experience as government production men.

They are believed to be keen on modernizing the economic plant of the Soviet Union, and sensitive to the need for more efficient use of resources. They thus have an interest in peaceful agreements with the United States which could spare Russia heavy expenses on military projects in far-away countries.

Another group of Soviet leaders, heading up in First Secretary Leonid Brezhnev, has risen to the top through the party hierarchy. They are interested in maintaining the keen ideological edge which favors tight party control over Russia and the rest of the Communist world—the more so, now that there is a challenge from Communist China. They are determined, particularly because it is the 50th anniversary year of the Soviet Revolution, to realize for Russia any gains that can be made against "American imperialism."

This divided leadership has wobbled along cautiously for more than two years, with the party faction prevailing more and more. Brezhnev has emerged as the undoubted No. 1 in Russia. The modernizers have had some success in pushing economic reform and a treaty against the spread of nuclear weapons. But they have been obliged to underwrite heavy expense for air defense and for military assistance to North Vietnam and the Arab states of the Middle East.

Israel's lightning victory over the Arab states apparently had a dramatic impact on the world of the Soviet leaders. It seems to have created a climate of shock, favorable to the party bosses with their elaborate suspicions and ready-made postures of ideological hostility. And their hand was further strengthened by bleats from the Chinese, and demands from the Near East and elsewhere for Soviet support of the Arab states.

This climate of shock found full expression at a meeting of the party's central committee in Moscow last week. The committee adopted a harsh resolution attacking Israel for "aggression in the Middle East." It also adopted a 50th anniversary statement emphasizing the struggle "against imperialism" as the "pivot of world politics."

At the same time the man from the party secretariat recently named to be head of the secret police, Yuri Andropov, was raised to be a candidate member of the ruling presidium—the first time the top cop has been in that body since the elimination of Lavrenti Beria back in 1950.

In this situation, the modernizers were obviously on the defensive. The best they could do was to play for time, trying to sort things out while putting off major decisions until a calmer period. Measured against that background, the Kosygin trip, and especially the visits with the President at Glassboro were not a failure.

To be sure, Kosygin's stance on the Middle East and Vietnam hardened between his opening statement to the General Assembly and his press conference last Sunday night. But that evolution seems only to have kept pace with the evolution of opinion in Moscow as expressed at the central committee meeting. Nothing that might have been gained was lost.

On the other hand, Kosygin's prestige has undoubtedly been increased. And he goes home better equipped to argue the case of the modernizers in many ways.

He has learned first-hand of the President's disposition to be conciliatory in Vietnam. He has also learned—and at his press conference he expressed the point with a clarity suggestive of sympathy—that the United States would not support withdrawal of Israeli troops until other issues in the Middle East had also been arranged. And he and the President have put new force behind the negotiations, now handed over to Secretary of State Dean Rusk and Soviet Foreign Minister Andrei Gromyko, for a non-proliferation treaty.

Eventual agreement on the treaty, as on Vietnam and the Middle East, still awaits future decision. But the door has been kept open. Would it be open if the President had rebuffed Kosygin and refused to see him? For my part, I doubt it.

PRIVACY—FOUNDATION OF FREEDOM

Mr. LONG of Missouri. Mr. President, the current—June 1967—edition of the magazine Agenda, published by the Industrial Union Department of the AFL–CIO, contains an excellent article entitled "Privacy: Foundation of Freedom," written by Attorney General Ramsey Clark.

I ask unanimous consent that the article be printed in the RECORD. It should encourage all of us who want to preserve what is left of our right to privacy.

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

PRIVACY—FOUNDATION OF FREEDOM

(By Attorney General Ramsey Clark)

From a people numbering fewer than four million—with its chief metropolis 33,000 and only one in 20 living in towns of 2,500

or greater—we have crossed a continent and filled the land.

As our century—the twentieth—began, we were 76 million strong and predominantly rural. Two-thirds through this century we approach 200 million Americans, three-fourths urban.

We are promised, or threatened, with 340 million by the year 2000, 33 years hence, when a person reaching his majority today will be at the height of his attainments.

The technological revolution, undreamt of in the philosophy of the Founding Fathers, hurdles onward at an accelerating speed, presently doubling our knowledge of the physical world each decade: A 16-fold increase in 40 years.

We experienced more fundamental change in the way people live in the first two-thirds of this century than in history theretofore. We appear destined to duplicate this feat in the final one-third.

The tests our system has weathered are only prologue. We remain a great experiment in the government of a free people; and only the beginning.

Against pressures unrivaled in history can we sustain the spirit of freedom, a spirit seeking to enlarge liberty, foster curiosity and tolerate doubt?

Under stress will we hold with Thoreau that: "If a man does not keep pace with his companions, perhaps it is because he hears a different drummer. . . . Let him step to the music which he hears, however measured or far away."

Will the immensity of our problems—population, world peace, poverty, discrimination, nuclear armaments, rising crime, racial strife, the decaying hearts of our great central cities, the sheer numbers in our environment—so strain our understanding that we may confuse essential liberties with the causes of our grief?

Will we come to fear the strength of diversity, the virtue of difference?

Will we see some nonexistent contest between liberty and security, between the rights of the individual and the protection of society?

Can complexity and anxiety cause us to doubt that fulfillment is the flower of freedom, borne by no other tree; that freedom is the child of courage?

Could we forget that nothing can so debilitate security as deprivation of liberty?

Reason and experience both show that even the immensity of our problems is exceeded by the dimension of our opportunity. The wealth of our numbers, our technology, our affluence enable us both to enlarge the rights of the individual and better protect our society simultaneously.

It is for us to proceed to do both. We have the capability. We need only the will.

This we are endeavoring to do. Let me give you several illustrations.

We cared enough for our privacy to prohibit unreasonable searches and seizures and unrestricted warrants in the Bill of Rights, for privacy is, after all, the foundation of freedom and the source of individualism and personality.

But as Justice Brandeis observed nearly four decades ago ". . . General warrants are but puny instruments of tyranny and oppression when compared to wiretapping." Still we permit the most insidious invasion of privacy—the electronic surveillance.

Privacy has always been a rare commodity, but never so rare as in our times. Never, therefore, has it been more important that we cherish privacy.

The sheer numbers in our lives, our urban living, and our immense and growing technological capacities burden and further threaten privacy. They compel us to seek ways of being alone and being let alone—of solitude—and the chance to be ourselves.

John Stuart Mill said: "The worth of a state, in the long run, is the worth of the individuals composing it."

When the state demeans its citizens or permits them to demean each other, however beneficient the particular purpose, it will only find that it has limited opportunities for individual fulfillment and for national accomplishment.

Public safety will not be found in wiretapping. Security is to be found in excellence in law enforcement, in courts and in corrections. That excellence has not been demonstrated to include wiretapping.

Nothing so mocks privacy as the wiretap and electronic surveillance. They are incompatible with a free society and justified only when that society must protect itself from those who seek to destroy it.

While enlarging freedom in such ways as restricting wiretapping, we seek to strengthen our institutions of criminal justice.

Police training and standards; research and development for crime prevention and detection, better pay, police-community relations. corrections, courts.

We enlarge our liberty by seeking legislation for open housing, to protect federal rights, to provide fair juries, to provide equal employment opportunity. These, too, are essential.

And while we do these things, we work relentlessly to correct those immense and stubborn forces pervading our environment which measure our character and find us wanting, which determine the quality of our lives. For these we seek economic opportunity, education, health, equality and justice, the great concern of man on earth.

The dogmas of the quiet past are inadequate to the stormy present. The occasion is periled high with difficulty . . . as our case is new, so we must think anew and act anew. We must disenthrall ourselves.

THE PROPOSED CONSTITUTIONAL CONVENTION

Mr. HATFIELD. Mr. President, 32 State legislatures have passed resolutions calling for a national constitutional convention. The purpose of the convention is to change the present constitutional requirement that representation of the voters in State legislatures must be based upon the principle of "one man, one vote."

The distinguished Senator from Maryland [Mr. TYDINGS] has forcefully and succinctly warned us of the grave dangers of this drive for a constitutional convention in an article which recently was published in the Saturday Evening Post. The article deserves wide and careful attention. I ask unanimous consent it be printed in the RECORD.

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

THEY WANT TO TAMPER WITH THE CONSTITUTION

(By Senator JOSEPH D. TYDINGS)

Unknown to the public and even to most members of Congress, powerful forces have been working for the past three years in state capitols across the country to lay the groundwork for a massive assault on the Constitution of the United States. Today these forces are dangerously close to success. It is time to wake up and stop this assault before it does serious damage to the most cherished principles of our democracy.

These strange circumstances are made possible by a portion of Article V of the Constitution itself, which provides that:

"The Congress . . . on the application of the Legislatures of two thirds of the several states shall call a convention for proposing amendments" (to the Constitution).

Most Americans have forgotten that this obscure provision even exists, for it has never been used throughout our history. Until now, constitutional amendments have been debated and passed in Congress in the full light of national attention, and then ratified by the states.

During the past few years, however, 32 state legislatures have passed resolutions calling for a national constitutional convention—and the ambition of the advocates is plain. They want to overturn the Supreme Court's decision that the state legislatures must be reformed according to the principle of one man, one vote. At this writing only two more legislative resolutions are needed before the proponents can claim 34 states—the necessary two thirds. They would then attempt to stampede Congress into summoning the first constitutional convention since the nation was founded.

Nobody should assume that this would be a modern replica of the meeting of the Founding Fathers in Philadelphia. This new body could claim as much authority, and yet no one knows how its members would be selected or who they would be, for the Constitution makes no provision on these points. Since no guidelines exist, I am not even certain who would attend from my own state of Maryland. But it is frequently the case in political movements that a meeting is dominated by the most active proponents. In this case, the Constitution-writing conclave could thus be dominated by narrow commercial and agricultural interests and by rottenborough politicians who want to turn back the clock. Interests of these kinds led the way in getting the resolution passed in Maryland. The idea of such men tampering with our Constitution is enough to make Franklin, Madison, Hamilton and Washington turn in their graves.

This drive must not be allowed to succeed. It would open a Pandora's box from which could emerge all manner of drastic changes in our Government, including the crackpot ideas of the extremists. It could put into jeopardy our basic liberties—even the Bill of Rights itself. Sen. Sam Ervin of North Carolina, one of the Senate's most respected conservative leaders and a distinguished constitutional lawyer, has described the prospect succinctly: "The specter of a new convention dabbling with the greatest document ever devised by the hand of man is unthinkable."

The spark which touched off all this was the 1964 decision of the U.S. Supreme Court that state legislatures must be reapportioned to represent the people of a state rather than its cows, trees and boulders. This one-man, one-vote ruling was long overdue, but it naturally aroused the antagonism of those whose power was to be eroded or even destroyed. These opponents included rural legislators whose jobs were to be eliminated by fair apportionment. They included the special-interest groups, which long had prospered by pulling strings in legislatures that were unfairly apportioned.

These groups initially sought passage of a constitutional amendment—the "Dirksen Amendment"—by the congressional route. This amendment would have exempted at least one house of each state legislature from the "one-man, one-vote" decision, and my first speech in the Senate was made in opposition to the proposal. In the next two years, the Senate was subjected to a high-powered campaign directed by the California-based political public-relations firm of Whitaker & Baxter. The Senate rejected the proposed amendment both in 1965 and 1966—and thought the issue was settled.

In the meantime, however, these advocates were quietly at work trying to circumvent Congress. In statehouse after statehouse, resolutions demanding a convention that

would prevent the one-man, one-vote rule were approved—but not in a manner that could be called, by any stretch of the imagination, democratic. Twenty-six of the 32 resolutions were passed by legislatures that were so malapportioned that they have since been reformed.

In almost very case, moreover, the resolution calling for the convention was passed hurriedly, without hearings or adequate debate. The public was not consulted and its voice was not heard as the legislation was hustled through.

In Colorado, for example, the resolution was not even printed, as bills normally are, nor was it screened by committee, another traditional step in the legislative process. What happened in Illinois is illustrative: The resolution was introduced in the House, a motion was made to suspend the rules, thus cutting off debate, and another resolution quickly followed, calling for the vote. When the resolution reached the Illinois Senate, a hearing was held—but with only 24 hours' public notice.

Such resolutions represent an incredible defiance of popular will. The people of New Hampshire actually voted 150,179 to 43,837 in November of 1964 in favor of reapportioning the state Senate. Yet seven months later—before reapportionment could be carried out—the New Hampshire legislature swiftly and almost casually passed a call for a national constitutional convention designed to block what the people had demanded. The resolution passed the New Hampshire House of Representatives by a voice vote and was hand-carried to the state Senate. There it was adopted within minutes, without any discussion.

I am confident that if the people of the 32 states had been given the right to vote on this issue, few of these resolutions would have passed. According to the Lou Harris poll of last November 14, Americans approve the "one-man, one-vote" decision by more than 3 to 1.

There are clear indications that many state lawmakers who voted for such resolutions, or failed to object, believed that a constitutional convention would be strictly limited to the job of undercutting the one-man, one-vote rule. This ambition is objectionable enough, but the legislators who call for the convention do not seem to realize what can happen if they succeed.

Nobody can guarantee that a new constitutional convention, once in session, would be limited by law or inclination from making whatever changes it should see fit in our national charter. Even Senator Dirksen of Illinois, the chief proponent of the convention, has said that "there is strong legal opinion that once the states have mandated a convention, the courts or the executive can control it, guide it or establish matters with which it would deal." Most scholars on the subject agree that a convention would be unlimited.

The only Constitution-writing session we have ever had turned out to be completely unlimited, despite all attempts to restrain it. That original Constitutional Convention was called into being by the Colonies' Continental Congress in February, 1787, "for the sole and express purpose of revising the Articles of Confederation." The Founding Fathers simply ignored this restriction, threw out the Articles of Confederation, and established a whole new system on the theory that the Constitutional Convention, as the preamble indicates, could speak for "We, the People of the United States." Some delegates in fact, violated their states' instructions by eliminating the one-state, one-vote rule of the Confederation in favor of the two-house Congress we have today.

At first glance it can be reassuring to suppose that any amendment conjured up by the modern would-be Washingtons and Madisons would be subject to still another constitutional provision. Our charter does say that such an amendment would have to be submitted for ratification by three fourths of the states. But even that is not certain to happen. What is to keep a convention, carried away by its own wisdom, from changing the portions of the Constitution which deal with amendment procedure? The sobering prospect is that once these men sit down, behind closed and locked doors if they so wish it, there is nothing to prevent them from perusing every sentence in the Constitution, and changing it to suit their taste.

Fortunately, it is not yet too late to act to prevent such a calamity.

First, those 32 state legislatures which have wittingly or unwittingly called for a constitutional convention can repeal their resolutions and notify Congress of that fact. These states are Alabama, Arizona, Arkansas, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, North Dakota, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Washington and Wyoming. Citizens in these states should demand that their legislators reconsider these resolutions and put them to the test of public debate. In my own state, when the alarm was sounded this year in the last weeks of the legislative session, a repeal measure overwhelmingly passed the Senate and was sponsored by more than half the members of the House—but died as the timetable of the session ran out. Given public exposure, I doubt these resolutions would survive in any state.

Second, citizens in states where convention resolutions are pending should speak out now to make sure they do not pass. At this writing, these states are Delaware, Iowa, Michigan, Ohio, Pennsylvania, Vermont and Wisconsin. Unless protest is made, two of these resolutions could slip by almost unnoticed—as has often been the case before.

Should an aroused citizenry fail to turn the tide against the proposed constitutional convention, there is one final safeguard: the Congress. In my view, Congress should simply refuse to permit this convention until confronted by 34 identical, valid petitions from state legislatures. So far 29 of the 32 resolutions call for throttling the "one-man, one-vote" principle in one way, while three others seek a totally different method. Congress should refuse action until confronted with 34 petitions which ask for the same thing.

Congress should reject as unlawful 26 of the petitions for another, more fundamental reason. Every first-year law student knows the basic principle of Equity Law that a claimant "must come into court with clean hands" before the court will hear his claims. In my judgment, no illegally apportioned legislature has "clean hands" in calling for a constitutional convention to legitimize its own illegality.

Of all the state legislatures that have asked for a convention, only six fairly represented their people at the time. The other 26 were apportioned for minority control. For example, when New Mexico's legislature asked for a convention in February, 1965, a majority in its Senate represented only 15 percent of that state's people and a majority of its House represented only 27 percent. In Florida, when the constitutional-convention resolution was passed in June of 1965, a majority of its Senate represented 12 percent of the population, and a majority of the House, 14 percent. All 26 of these legislatures have subsequently been replaced by legislatures apportioned on the one-man, one-vote principle.

It is absurd to say that these legislatures spoke for their people. Congress has no reason to act on such illegal petitions. I believe Congress has no right to permit a convention in flagrant violation of democratic procedures and against the will of most Americans.

The threat to our system of government posed by this drive for a constitutional convention is not a partisan issue. We all have a vital stake in protecting the commonweal against assault.

Our Constitution is a remarkably viable and durable instrument. Since its adoption and the approval of the Bill of Rights, we have amended it only 15 times, and each time only after reasonable debate and in orderly procedure. It has served us well as we grew from a coastal enclave of a few million people to the greatest and most powerful nation on earth, with a population of almost 200 million, a gross national product approaching a trillion dollars and the role of leader in a world our grandfathers would hardly recognize.

Our individual liberties—based squarely on our Constitution—are the pride and envy of the world. It is disgraceful that a last-gasp attempt to perpetuate malapportionment should threaten our fundamental charter. It is shocking that this stratagem has gone so far while most of us—including most of us in Congress—weren't looking. There is yet time for this to be halted and reversed. That time is now.

THE OMBUDSMAN

Mr. LONG of Missouri. Mr. President, interest in our country in the Scandinavian concept of ombudsman continues to increase.

Very recently, the Swedish Ombudsman, Dr. Alfred Bexelius, was in this country, and his visit caused considerable interest. I ask consent to have printed in the RECORD a brief account of his visit, which was contained in a New York Times article of June 20, 1967.

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

OMBUDSMAN FINDS MOST COMPLAINTS UNFOUNDED

(By Paul Hofmann)

Sweden's ombudsman, the public's guardian against arrogant or bumbling bureaucrats, said yesterday that 90 per cent of the complaints he received proved to be unfounded.

"However, it needs someone independent to explain to people they have no reason to complain," the ombudsman, Dr. Alfred Bexelius, who was once a judge, remarked.

In the remaining 10 per cent of his case load, the Parliament-appointed ombudsman said, he had broad powers not only to investigate, but also to prosecute to correct abuses of power by Government officials. Furthermore, he added, he submitted an annual report on his ombudsmanship to Parliament, "and all officials are very anxious not to have their name in it."

Dr. Bexelius, a trim, pink-cheeked man in his early sixties who is here on a private visit, discussed his office and, with restraint, the chances of setting up an American ombudsman system, at a news conference at the headquarters of the National Association for the Advancement of Colored People, 20 West 40th Street, yesterday afternoon.

JOINED BY O'CONNOR

Before meeting the press, the Swedish visitor had conferred for a half-hour with Roy Wilkins, executive secretary of the N.A.A.C.P. City Council President Frank D. O'Connor accompanied Dr. Bexelius.

Mr. O'Connor, a Democrat, on May 11 introduced a City Council bill that would create a New York version of an ombudsman—an Office of Public Complaints whose head would be paid $37,000 a year and who would

have the authority to detect and redress wrongs in administrative procedures.

The City Council president said that he had sought the Swedish ombudsman's advice during an earlier visit. Dr. Bexelius was here in February, 1966, when he reported on his office to the Association of the Bar of the City of New York. Recommendations by the association's Committee on Administrative Law formed the basis of Mr. O'Connor's bill.

Riding with Dr. Bexelius and Mr. Wilkins in an elevator at the N.A.A.C.P. headquarters yesterday, Mr. O'Connor told them that at least 28 state legislatures were considering proposals for some form of ombudsman system.

WILKINS FORESEES VALUE

Asked by newsmen what he thought about the concept, Mr. Wilkins said: "There are enough clashes between government and citizens if they are all of one race. If the ombudsman is helpful in Sweden, where the people are homogeneous, something like an ombudsman would certainly be useful in a multi-racial country like ours."

Dr. Bexelius said the ombudsman system had worked "very well" in Sweden for the last 158 years and was following democratic principles "on which the American Constitution is based." He stressed that political parties in the Swedish Parliament usually sought to choose the ombudsman for a four-year term on a nonpartisan basis, and recalled that Denmark, Norway and, recently, Guiana had adopted the ombudsman system.

New Zealand, too, has an ombudsman. Last year, Nassau County became the first local government in the United States to appoint a grievance officer on the Swedish pattern.

Mr. O'Connor voiced hope for passage of his bill, which is now in committee. He indicated, however, that it was meeting opposition.

A supporter of the ombudsman bill who didn't want to be identified said a source of strong opposition to the proposed system was the apparent fear of some elected officials that an ombudsman office would reduce their possibilities for earning votes by doing favors for potential voters.

A PLAN FOR BILINGUAL EDUCATION IS DESCRIBED BY THE BALTIMORE SUN

Mr. YARBOROUGH. Mr. President, Richard O'Mara of the Evening Sun of Baltimore, recently wrote an incisive analysis and review of current efforts to bring about a more sensible approach to the teaching of children whose mother tongue is Spanish. This is an issue of great importance today, as our society continues its efforts to afford to each of its members an opportunity to achieve his rightful place in the sun.

I ask unanimous consent that an informative article entitled "A Plan for Bilingual Education," written by Richard O'Mara, and published in the Baltimore Evening Sun of June 21, 1967, be printed in the RECORD.

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

A PLAN FOR BILINGUAL EDUCATION

(NOTE.—Proposals in Congress would permit children of non-English speaking homes to receive instruction in their mother tongue.)

(By Richard O'Mara)

An occasional fruit pickers' strike in Texas or California, a flash of violence along the Rio Grande, a pathetic uprising in New Mexico—that's about all most Americans ever hear about the Mexican-Americans of the Southwest.

Recently, the Senate Education Subcommittee heard something more, these lines by Edwin Markham:

How will you ever strengthen up this shape;/ Touch it again with immortality;/ Give back the upward looking and the light;/ Rebuild it in the music and the dream?

Dr. Faye Bumpass, a college Spanish teacher from Lubbock, Texas, was speaking of the "forgotten children" of this Mexican-American minority. She offered her brief reading to dramatize her testimony on behalf of Senator Yarborough's bilingual American education bill, a bill which would provide children who come from Spanish-speaking homes with academic instruction in their mother tongue, while teaching them English as a second language.

Dr. Bruce Gaarder, director of the modern foreign language section of the United States Office of Education, also testified in favor of the measure. In his more pragmatic approach he pointed out what he considered an absurdity of present education policy regarding foreign language learning:

"We spend perhaps a billion dollars a year to teach the languages—in the schools, the colleges and universities, the Foreign Service, the Department of Defense, AID, USIA, CIA, etc.—yet virtually no part of the effort goes to maintain and develop the competence of American children who speak the same languages natively."

On the contrary, according to the United States Office of Education, nearly all the states have some kind of law discouraging instruction in public schools in foreign languages. Some sternly forbid it.

The Yarborough bill was drafted to meet the problem faced by Spanish-speaking children in the Southwest, 2,000,000 in five states, 1,000,000 in Texas alone. Many of them enter public schools not knowing a word of English. The consequence is that three out of four Spanish speakers in Texas are functionally illiterate.

The few students who manage to get through high school rarely go to college, nor are they encouraged to do so. Because of their lack of facility with English, they often do badly on I.Q. tests, and are not considered college material.

The problem was put succinctly in a rhetorical question asked by a Washington supporter of the Yarborough bill:

"Could Albert Einstein, who grew up speaking German, have learned physics as a boy if his teacher had made him study it in Greek?"

And the answer: "Perhaps he could have, but he would first have had to learn a whole new language, and then catch up."

The problem is not restricted to the Southwest. Spanish-speaking children in New York are in the same predicament. And although Spanish-speakers form the largest minority-language group in the United States, there are French-speaking children in Louisiana and near the Canadian border with the same problem. This also applies to Oriental children, Ukranians, Czechs, and so on. Representative Edward R. Roybal, a California Democrat, and that State's only representative of Mexican ancestry, has introduced a more extensive bill in the House to cover all minority-language children.

One of the sources of the trouble is the rather negative attitude of many educators, mainly in the Southwest. They regard bilingualism in children as a handicap. The guiding syllogism goes as follows: children who speak a foreign language at home do not handle English well; because they do not speak fluent English they do not get good grades in school; ergo, their bilingualism is to blame.

There seems a reluctance to fault the educational system that demands that all instruction be in English.

As Dr. Gaarder puts it, it is "an ethnocentric illusion (to think) that English is not a foreign language for anyone in this country."

A bilingual education bill, if approved, would not only give children who speak a foreign language an equal break, it could possibly give Spanish-speaking children an advantage, and provide the extra boost this minority group needs to assume its proper role in American society.

In 1925 the International Institute of Teachers College, Columbia University, conducted a test to determine the effectiveness of learning through the two language media of Spanish and English. A group of children in Puerto Rico was tested, in Spanish, in reading, arithmetic, general information, language and spelling. A similar group was tested in the continental United States in their native English. The results were surprising:

"The Puerto Rican children's achievement through Spanish was, by and large, markedly superior to that of continental United States children, who were using their own mother tongue."

The reason given for the better performance by the Puerto Rican children was that Spanish is more easily learned; because it has a better writing system (the writing system matches the sound system) Spanish-speaking children can learn to read and write faster. They can, therefore, acquire information from books earlier.

The conclusion, then, is that the imposition of a bilingual education system in areas where it is needed would give the Spanish-speaking children "a decided advantage over their English-speaking schoolmates, at least in elementary school, because of the excellence of the Spanish writing system."

The Yarborough and Roybal bills both call for a first year appropriation of $5,000,000 to set up educational programs for children from non-English speaking homes. They also ask for $2,000,000 for teacher training and institutions. The second year's appropriation would be $12,000,000 and the third year's, $17,000,000.

The bilingual programs would be predicated on the axiom that "the best medium for teaching a child is his mother tongue." The child would receive English-language instructon from the start. However, his subjects, arithmetic, geography, and so on, would be taught in his native tongue, and his ability to learn would not be retarded by his imperfect knowledge of English.

DEATH OF DR. GEORGE Y. HARVEY

Mr. LONG of Missouri. Mr. President, the people of Missouri and the Nation have lost a great and stalwart friend.

Dr. George Y. Harvey for so many years chief clerk and staff director of the House Appropriations Committee under the chairmanship of Missouri's beloved Clarence Cannon, has passed away in Columbia, Mo.

George Harvey was in every way a public servant. In spite of several serious blows to his health, and in spite of family tragedy recently, he was to the last working in behalf of the people of Missouri. He has championed many a vital project for my State and has handled the detailed negotiations between the university and Federal agencies.

To so many of us here in Washington, and to many more in Missouri, George Harvey was a very warm and delightful friend. His experience and his wisdom were very great, and I always valued his advice. He was a scholar, a student, and

a professor. He was both a politician and an administrator.

In recent months he renewed his deep love for organ music. When he was not reading or meeting with students and visitors from all over our State, he would play the organ. He played beautifully, and for many of us it was a new dimension of his unique character of which we had not been fully aware.

I know that many in the Senate and House will want to join me in expressing to the George Harvey family our deepest sympathy. He was in many ways a great American. He has served us all. He will be long and deeply missed.

LABOR, MANAGEMENT, AND POLITICS

Mr. GRIFFIN. Mr. President, at a recent vote workshop in Detroit, sponsored by the American Heritage Foundation, articulate spokesmen for labor and management focused on a broad range of political problems.

In commenting on the workshop, the Detroit Free Press noted:

These talks forecast a new era of cooperation between business and labor in areas where they have been traditional antagonists.

Mr. President, I ask unanimous consent to have printed in the RECORD the remarks of Mr. Leonard Woodcock, vice president of the United Automobile Workers, and Mr. Creighton Holden, chairman of the board of the Michigan State Chamber of Commerce, on the subject "Business and Labor's Stake in American Politics."

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

BUSINESS AND LABOR'S STAKE IN AMERICAN POLITICS

(By Leonard Woodcock, vice president, International Union, UAW, May 19, 1967, before the Midwest Regional Vote Workshop, sponsored by the American Heritage Foundation, Detroit, Mich.)

I could begin this topic by saying: "Only in America . . ." could this be a sensible topic. In another society, the topic more likely would be "Business v. Labor in Politics."

In the large today, business and labor in this country are divided by interest but not by ideology. In other countries it seems to be the other way around, although they apparently do far less well for their interests because of their pursuit of ideological differences.

It was not always so in this country. In the early days of this century, there was a sharp ideological and class struggle ferment in the American labor movement. Then after World War I the thrust of ideology faded, but little took its place. There was no concern over a sharp pursuit of interest. It was the Republican sage of Baltimore, H. L. Mencken, who wrote of the American labor movement in the 1920's: "If Judge Gary sent less than ten hay wagons of roses to Sam Gompers' funeral in 1924, then he is a niggard indeed. For Sam got upon the back of the American labor movement when it was beginning to be dangerous, and rode it so magnificently that at the end of his life it was tame as a tabby cat."

The American labor movement was reborn in the 1930's. But it was reborn not on an ideological base, but on a solid base of American pragmatism. It was pledged to fight for the interest of the group within a context of acceptance of the system—but to insist that that system work.

Strangely enough, it was another Republican, John L. Lewis, who led that rebirth; after a temporary Democratic aberration in 1936, he returned to the Republican fold in 1940 and has stayed there since.

Labor's stake in American politics then, in simple, is to accept the system but to make the system work. There can be no free labor movement except in a viable democratic society; and, conversely, there can be no viable democratic society without a vital labor movement.

More than most sections of society, we in labor have an interest in reversing the tide of rising citizen cynicism toward politics. We should be more concerned than most at the growing fashion of politicians to use the issue to make the image and then to lose the issue in the image. We should also be more concerned at the increasing use of manipulative mechanisms which put the premium on the appearance and not on the substance.

In this day, at least in our country, when the economic issue is the equitable sharing of the abundance and not the atavistic clawing over scarcity, politics enters a new context. Now we need not fear the participation of *all* the people—we must have it. The more we engage the attention of people to political issues the more we sharpen the competitive factor which may on occasion be bad for a particular party but on balance is always good for the country.

A cultural lag, I believe, accounts for the low participation of American citizens in the fundamental act of voting, which is the citizens' most direct and most equal involvement.

Many of our registration and voting laws are geared to the age of the streetcar instead of the shopping center. Too many Americans today are compelled to run an obstacle course to get their names on the voting rolls.

Sixty-two percent of all eligible Americans—or 70.6 million people—voted in the 1964 presidential election when interest in the election was at the peak. Two years later, in the congressional offyear election of 1966, the turnout was even lower—only 48 percent or 56 million people voted out of a potential voting group of 116.4 million.

We make it easier to pay by mail, to bank from your automobile, to shop by telephone—but we put old-fashioned and grossly unfair obstructions in the way of people who ask no more than to be good citizens and vote on Election Day.

We have no trouble collecting federal income taxes and tracking down people to make sure they pay. Those forms come in the mail every year—and computers help you get them and help get you if you have erred. Why can't some of this computer genius get every American of voting age on the voter registration rolls in such a way that there can be no hint of fraud or duplication? I should think the computers could guarantee—in a way which no primitive system of record-keeping could—that every American of voting age could vote and only vote once.

Next, we have a duty to make sure that better sources of information on issues and candidates are made available to the American people. The daily press is all too prone to rely on what is sensational or controversial—and while these have a place in a democracy—they are by no means the total picture.

As some of you know, the state of Oregon has a unique system of mailing to every household a booklet printed at government expense which contains all the basic information a voter needs to make his choice. In some communities the League of Women Voters tries to fill the information gap—but the distribution is often quite restricted. What I am pleading for is a wider reach to fill the information gap. And this is where we need both labor and management to join in asking our states or possibly the federal government to make sure that voters get all the information needed on who's running, what they stand for, and so forth.

As campaign expenditures get larger and as our population grows—the whole problem of getting a message to the voters becomes a serious challenge to our form of government. I'm not trying to suggest any complete answer to this—but I think we ought to face this and come up with some practical solutions so that every voter can be equipped to make sound judgments on Election Day. I think some of the cynicism some Americans have about politics is that they get very skimpy information about the issues and candidates and they rebel against buying political parties and personalities like you might buy a bar of soap or a package of cornflakes. If that's the reason, I think they are justified in their skepticism about the political process, and as leaders of labor and business we have a duty to correct this deficiency.

Third—we ought to join together in pressing for enactment of the recommendations made in 1963 by the bipartisan blue-ribbon presidential commission on registration and voting participation. Very few states have done anything to modernize their laws along the lines the presidential commission suggested.

It is no secret that we in the UAW support a preponderance of Democrats. We do support some Republicans, but not too many. We like to think it's their fault. Likewise, most of the businessmen in America are by tradition Republicans, although the business community has an increasing number of strays. I say this only to get to my next point—there is no political advantage to either party in the reforms we are talking about. Both parties ought to work together and we all ought to be ashamed of the miserably low voter turnout we have in even our major presidential elections.

Let's talk about this question of political advantage. No state has done more recently than Iowa to reform its voter-registration laws—yet Iowa elected four new Republican Congressman last year. These reforms were pushed by Democrats, but they elected Republicans. From our standpoint in the UAW we lost four good, liberal Democrats in Iowa, but the fact that more people were able to vote ought to be put down as a net gain for both parties. Idaho and New Hampshire both have the most liberal voting and registration laws—and the two-party system is very much alive in those states.

You may ask what is so special about Iowa? For the first time in that state political parties had the right to deputize workers to canvass door to door and register voters. That's a far better way to reach the voter than some of the primitive methods many states, including Michigan, employ today.

Back in 1952, the city of Wausau, Wisconsin, won an American Heritage award for achieving 99.8 percent near-perfect voter registration—and that's a pretty Republican part of America. If you remember, 1952 was a banner Republican year.

So I strongly dispute those who may think that maximum voter registration is going to help Democrats or Republicans. The results on Election Day will depend on the issues of the times—not how many people vote.

Finally, I'd like to say a word about campaign financing. This is something which is getting more troublesome every year, and it's going to get more so unless we in the labor and business community join hands to get something practical worked out. As our population grows and as campaign costs sky-rocket year after year—there is no end in sight for rising campaign costs. The recent seven-weeks' debate in the Senate raised the question of financing presidential campaigns, and, as many of you know, the

Senate must now work out some ground rules to decide how that fund will work. If the Senate doesn't agree, then we'll be back where we started from—and there will be no federal financing of presidential campaigns or any other campaigns.

I don't have any blueprint to give you on this—but we ought to all take a hard look at the problem and stop kidding ourselves into thinking it will go away if we ignore it. It's been estimated that we spent $200 million at all levels of government in 1964 for political campaigns of that year. And this figure is going to rise—because nobody has devised a way to roll back campaign costs, they get bigger every year.

Some years ago, we in the UAW came up with a tax credit idea which still has a great deal of merit. There is no magic to it—and it would spread the costs of campaign financing among many people. Here's how it would work. Anybody who gave $5 to a political party, to a labor and business political fund-raising group, or what have you—could give the receipt to his employer and his federal income tax would be $5 less during the next pay period.

We think this has built-in incentives. You wouldn't have to wait until April 15th, and it would give a multiplicity of political groups an opportunity to encourage contributions. You would not have the danger of building up an enormous political kitty which might be abused—the money would be spread around. It would increase the competition.

We are not suggesting this is the only way to tackle the problem of campaign financing—but it's certainly a practical approach which would reach a broad cross section of the American people.

Certainly we ought to be able to do more to set aside free public service time at prime hours on radio and television for major political candidates. Radio and TV are the creatures of the American people. The airwaves were not invented by RCA or CBS—they were a public gift to private groups—a bonanza, if ever there was one—justified in that they will operate in the public interest. Since the expenditures for radio and TV are major hunks of the money which candidates and parties spend—then there ought to be more free time on radio and TV to cut down on campaign spending in the public interest.

We are the world's oldest free government, and while we have our imperfections our system of government has been amazingly sturdy and sound.

Those of us here who represent the business and labor community have learned to debate, to argue, to bargain, to withhold our labor—we tug and pull in the game of democracy and representative government. A European accustomed to the neat "isms" is often baffled at the way we do things. How we do them doesn't fit any narrowly-construed rules—but we manage to get things done. Our standard of living is the marvel of the whole world. Our productive capacity is fantastic. We have gigantic social problems—some getting worse. But we have taken the first necessary step by collectively recognizing those problems. The debate now is how to solve them.

One of the reasons we Americans have gotten so much done in our span of history is our practical approach to problems. And that's precisely what we need in dealing with government. Not to make it more efficient so it loses any of its zest or vitality. A seven-weeks Senate debate over a presidential campaign fund may be inefficient from a strictly business standpoint—but it was a healthy thing to have that issue aired thoroughly in the public eye.

By practical, I mean using human ingenuity to try our best to solve problems when they reach a point where they cry out for solution. I have suggested some of those problems and hinted at some of the solutions. We have the problem of low voter turnout—we ought to put our best brains at work to do something about that. We have the problem of getting political messages of the day to the people of this country—and this is tied in with the problem of campaign financing. Here's where labor and management ought to work jointly in making proposals that will deal with these increasingly serious problems. And we ought to renew our determination on a bipartisan basis to seek enactment of some or most of the 21 reforms which the presidential commission on registration-voting participation made back in 1963. A genuine thrust forward by labor and management in Michigan or the United States would do wonders to modernize our voting laws.

We will continue to differ on public issues and on candidates—but there are critical and pertinent issues which affect the workings of our government where we can join hands and work together.

The American Heritage Foundation is an institution which reaches into both labor and management for the best talents and draws upon the finest traditions and impulses of both.

I am sure that the political leaders of our times in both parties will welcome anything we do on a joint basis as a way to tackle problems which have often defied the usual political solution.

A labor-management team to improve the workings of our democracy might be a way to get some of our political people off the hook. The Supreme Court has moved in where Congress feared to tread. Why shouldn't the responsible leaders of labor and industry take the initiative in these great unsolved problems of government.

EXCERPTS FROM STATEMENT MADE BY CREIGHTON HOLDEN, CHAIRMAN OF THE BOARD, MICHIGAN STATE CHAMBER OF COMMERCE, AT THE MIDWEST REGIONAL VOTE WORKSHOP OF THE AMERICAN HERITAGE FOUNDATION, DETROIT, MICH., MAY 18–19, 1967

This conference of Republicans and Democrats, industry and labor, and a wide variety of interested groups, represents many shadings of political opinion. These differences are inherent in the very nature of a free society. But we are not gathered here to exacerbate our differences.

Today, the accent is on the positive, on the things which unite us, on aspirations which all Americans share for our country's welfare. And it is in this spirit that I approach the subject of this luncheon.

"Business and labor's stake in American politics" offers a particularly inviting area in which to build some bridges of understanding and suggest some common goals to pursue.

Our economic system is indivisible and all its component parts are mutually dependent. It is axiomatic that profits make jobs and jobs make profits. This is a simple economic fact of life.

Business—individual enterprise, management and risk capital—furnishes the creative, sustaining growth force in our economic system. Labor provides an indispensible function in the production of goods and the furnishing of services: and its purchasing power is essential to the economy.

Both business and labor, therefore, have a vital interest in the healthy functioning and growth of our economy. Here is a common goal dictated by enlightened self-interest—one which certainly can be advanced in the national interest. Here is where business and labor have a common stake in American politics.

Government is the framework in which our economy must operate. Mr. Reuther and I may not agree on how much government is required on these matters for the public good. But since this is "unity day" in Detroit, let us focus on our broad base of mutual interest.

Yet in the field of government—politics, if you will—business and labor find themselves more frequently as antagonists than as proponents of a common cause. Publicity, the dramatic manifestations of industrial conflict dominate the scene, obscuring our underlying community of interest. And the compelling need of business to produce profits for its investors, and labor to produce results for its membership, has developed into a constantly escalating tug-of-war which could threaten the well-being of our economy.

You know the story. It's been headlined again and again in the nation's press. This is a situation that makes no sense in terms of the legitimate interests of business and labor—or the more basic considerations of public interest. As citizens of the leader of the free world, we all carry a special responsibility in changing our industrial cat and dog image. This cannot be done by public relations gimmicks: It can only be done by demonstrating that our system works.

I therefore, welcome this opportunity—in this unique gathering—to speak out frankly and, I hope, constructively. The time has come for some industrial statesmanship, to make some beginnings in the right direction, and then to tackle the formidable tasks that are the joint responsibilities of both industry and labor. Let's open the doors which have been closed for too long and let in the fresh air of reason.

I would like to see business and labor begin a dialogue to determine areas of common interest—especially in relation to government—and then do something about them together!

There is no need for formalities, or any form of organizational structure. All that is required is a willingness to get together periodically and talk—informally, off-the-record and, hopefully, in a spirit that measures up to the challenge.

Let us concentrate on those areas which would seem to require joint consideration, and let us avoid the pitfalls of the obviously controversial. But let us begin now!

I speak as an individual, but I am confident that responsible business men will welcome this opportunity. And I am equally confident that the responsible leaders of organized labor will also respond to the challenge. I say this because I have faith in the good sense of the American people. I know it may take a little time—and we may develop a few ulcers in the process—but we've everything to gain and nothing to lose by making a beginning. And Michigan is the place to begin! Why is Michigan the place to begin? Simply because the world looks to us for leadership in the fields of industry and labor.

This is also an appropriate forum to state some things which need to be said about the special responsibilities of business in public affairs.

Business must continue its traditional role in safeguarding and expanding its contribution to the national welfare—and do so vigorously. But it's not enough to concentrate on business problems alone. We are corporate citizens of the American community. We have a vital stake in good government, schools, roads, air pollution, urban development, and the other issues confronting our county. And we must let our voice be heard.

Labor has played an active and influential role in American politics. It's just a mark of my good character that I refrain from saying "too active and too influential." But, labor does not hold any proprietary rights to social progress. Progress is everybody's job and business has made an incalculable contribution to the nation's progress in raising our standard of living. Providing jobs at unprecedented levels, and managing the

greatest economy in the history of civilization. Nevertheless, there is much more that we can do, namely, by getting involved in our political process and providing fresh, strong leadership to public affairs.

One of the most heartening developments in American business has been its expanding activities in public affairs. This must be intensified as a major responsibility to the society in which we live and in which we are an integral part. We must work with all elements of the community, especially with labor. Fortunately, the areas of business and labor's common interest in politics far exceeds the areas of disagreement.

Both business and labor are interested in good government.

Both want efficiency in government.

Both want honest and competent public officials.

Both are interested in greater citizen involvement in politics.

Both have a common interest in developing an informed electorate.

Both want to see qualified candidates stand for public office.

Both have a vital stake in the methods and procedures by which candidates are selected.

Both have an interest in housing, education, health, highways, clean air, clean water, war and peace, taxes, spending, and other issues of the day.

We may differ at times as to the best method for achieving these goals, and as to the nature and extent of the role of government in attaining them, but we should agree on basic objectives.

The trend for three decades now, has been to look to government for the solutions to our great problems. So let's just be reasonable. You and I are not going to change this. But, by participation in public affairs and all-out involvement in the politics of this great land, you and I can insure that the solutions will come *through* government and not *by* government.

If we work together—wherever the circumstances permit—our potential service to the nation can be of historic significance. With all my heart, I say to you: let's try it—and let's keep working at it—until we make it work!

HUMAN RIGHTS CONVENTIONS DO NOT INTERFERE WITH STATES' RIGHTS—XCVII

Mr. PROXMIRE. Mr. President, some of the most fervent supporters of States' rights claim that the Federal Government in becoming a party to human rights conventions would usurp responsibility for matters now within the jurisdiction of the States. Concern has been expressed that our adherence to these conventions would result in a substantial dislocation of the Federal-State balance. Those favoring United States signing and ratifying them contend that our national interest would be promoted greatly and that any alteration of the State-Federal balance would be infinitesimal.

The 10th amendment to our Constitution reads:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.

In the famous Supreme Court case of *Missouri* v. *Holland*, 252 U.S. 416 (1920), the Court upheld a treaty with Canada for the protection of migratory birds which fly over Canada and the United States as a proper exercise of the treaty-making power.

It would be ludicrous, if it were not tragic, to maintain that the lives of migratory birds can be protected by treaty, but not the lives of human beings.

In *Reid* v. *Covert*, 354 U.S. 1, 17 (1957), the Court added:

> To the extent that the United States can validly make treaties, the people and the States have delegated their power to the National Government and the 10th Amendment is no barrier.

Mr. Sidney Liskofsky, an able and articulate attorney for the American Jewish Committee in New York, has criticized those who claim that the Federal-State balance would be unduly upset by stating that their argument: "reflects no awareness of the civil rights and other economic and social developments that have taken place in this country since the period of the Bricker commotion which led to the Dulles policy of 1953. It does not mention at all the considerable expansion of Federal jurisdiction as a result of the civil rights and other legislation of recent years, which have rendered moot much of the concern about the effect of treaties on Federal-State relations."

Mr. President, I am in total agreement with Mr. Liskofsky's view of the so-called Federal-State problem. There is no provision in any of the five conventions presently before the Foreign Relations Committee which conflicts with express limitations in the Constitution of the United States. Let us so affirm by consenting to ratify these conventions on forced labor, freedom of association, genocide, and political rights of women and slavery.

PRAISE FOR AMERICAN FOREIGN SERVICE PERSONNEL

Mr. MOSS. Mr. President, behind the headlines of every war there are always thousands of stories of individual courage and fortitude which are never told.

I have recently heard of one such story in the Middle East and would like to make it public because I am sure it typifies the actions taken by American Foreign Service personnel in many areas of the war zone.

The story comes to me in the form of a letter from two of my constituents, Mr. and Mrs. Frederick Stugard, who were caught in Alexandria, United Arab Republic, when hostilities broke out, and who feel they owe their escape from Egypt and their safe arrival in Greece to the "heroism" and "day to night labor" of the personnel of our U.S. consulate in Alexandria.

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

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

THE ATHENS HILTON,
June 19, 1967.

Senator FRANK E. MOSS,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR MOSS: My wife and I are among your constituents from Salt Lake City. We have lived two years in Alexandria, United Arab Republic (Egypt) during my assignment there with Phillips Petroleum Company.

I want to tell you of the commendable performance and heroic behavior of the personnel in our Alexandria Consulate.

At the beginning of June, I watched from the Phillips office in a nearby apartment the Egyptian mob smashing and burning the United States Consulate building. During that ordeal, with the help of several loyal Egyptian employees, the Americans coolly destroyed confidential documents and kept themselves from harm by clever precautions. After that for several days, consular business was transacted from the home of one Consul. Finally, during the height of mob violence against us, the Consulate staff offered us asylum for two days in a hotel near the Montazah Palace, guarded by U.A.R. secret policemen. Finally, they took us in guarded busses to the port enclosure, where we loaded with our own hands all baggage aboard a vessel chartered by the Consulate. We sailed on Saturday 10th June, and arrived alive and safe in Piraeus on 12th June. We each contributed $78.20 to defray government costs in chartering the vessel, together with a $26,000 premium war-risk insurance. We owe our safety to the day-and-night labour of these Department of State employees, who include: David Fritzlan, Chief American Consul, Jack Bowie, Consul, Hugh McMillan, Consul, George Ford, Consul, and a couple of Egyptians.

These officials evacuated not only the remaining Americans from Alex, but from Cairo and all Egypt. Their performance deserves public praise.

Sincerely yours,

FREDERICK STUGARD, Jr.

AIR POLLUTION CONTROL

Mr. MUSKIE. Mr. President, on June 19, the distinguished Senator from New York [Mr. KENNEDY] made an excellent statement to the Citizens for Clean Air in New York on the need for air pollution control.

Senator KENNEDY has made a valuable contribution to this subject, especially at a time when the members of the Subcommittee on Air and Water Pollution are considering major Federal air pollution legislation.

I was particularly impressed by Senator KENNEDY's emphasis on the expanded role which all three levels of government must play if we are to succeed in insuring the Nation a bountiful supply of healthful air.

I ask unanimous consent that Senator KENNEDY's remarks be printed in the RECORD. I assure him that the subcommittee is looking forward to the proposals he will make in the form of legislation this year.

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

STATEMENT OF SENATOR ROBERT F. KENNEDY TO THE CITIZENS FOR CLEAN AIR

Last January, Secretary Gardner of the Department of Health, Education and Welfare convened an Interstate Air Pollution Abatement Conference to consider methods of reducing pollution in the atmosphere of the New York-New Jersey metropolitan region. That first session of the Conference was held in the wake of New York's Thanksgiving pollution crisis, the first time that contamination reached a level requiring a first stage alert. The memory of that throat choking, eye watering alert was still very real to all those who experienced it. And the severe pollution of the winter months was still with us. In addressing the Conference, I said, "the time for studies is past, the time

to apply what we already know is here. We all know that action is imperative and this Conference, therefore, must be an action conference."

It is now summer. Almost a half year has passed since the Conference was first convened. So I would like to take this opportunity in addressing the June Technical workshop of the Citizens for Clean Air to assess the results of the first sessions of this Conference, and to discuss various aspects of our pollution problem which require further action.

It is my impression that, with a few notable exceptions, we are just as close to an air pollution disaster as we were last Thanksgiving. Our pace is still one of business-as-usual and does not reflect a sense of urgency equal to a problem that now injures thousands, kills some, and could kill thousands. I find this complacency difficult to understand. Is it because responsibility is fragmented between governments at all levels? Or is it because we are unable to grasp the seriousness of the threat?

First. The first source of pollution I would like to discuss is sulfur dioxide. As I pointed out in January, sulfur dioxide is the major and most dangerous pollutant in New York's air today. Sulfur dioxide and the trioxide it forms are produced by the burning of coal and oil containing sulfur. (And as Dr. Cassell of Mount Sinai School of Medicine pointed out to a Congressional Committee recently, sulfur dioxide and trioxide combined with a dust particle and moisture may become a tiny sulfuric acid manufacturing plant. This plant can be inhaled into our lungs. There can be no question that excessive sulfur dioxide in city air is a health hazard.)

New York's houses, industry, electric generating stations, and apartment buildings are powered by oil and coal that contain sulfur. As a result, more than 1,600,000 tons of sulfur oxides pour into New York's atmosphere each year. It was the rising level of sulfur dioxide that triggered last fall's alert.

The need to reduce the amount of sulfur dioxide was recognized at the first session of the Conference. As a result, some regulations dealing with the larger sources of the pollutant were adopted. Adoption of these regulations presumably means that the Departments of Health of the States of New York and New Jersey have agreed to enforce them. But what in fact has happened?

Some utilities and some municipalities have made plans to reduce the amount of sulfur they emit. Con Ed, the region's largest polluter, has agreed to shift to oil with 1% or less sulfur content by October of this year. This change will reduce Con Ed's sulfur oxide emissions—currently 789 tons per day—by 40%. Public Service has announced its intention to convert many of its older coal burning stations, with inefficient pollution control devices, to burn low sulfur oil. The City of Newark, under the aggressive leadership of Mayor Hugh Addonizio, has announced its intention to purchase low sulfur oil for its public facilities. The Humble Oil and Refining Company has stated it would convert its Bayway Refinery to the use of low sulfur oil and build a large blending plant to produce 1% sulfur oil for Con Ed. And all Federal installations will meet the standard by October of this year. I commend these positive steps by both industry and government to meet the need for action.

But these steps are not enough—not nearly enough. As I pointed out last January, Con Ed could reduce the amount of sulfur dioxide it introduces into our atmosphere by 80% rather than the 40% it currently plans if it were to substitute Number 2 oil for the cheap Number 6 oil and high sulfur coal it now burns. And the cost of this step would be under $10 per household per year.

Similarly, by this October, Public Service of New Jersey will only have achieved 65% of the levels required by the Conference. And Public Service could further reduce its pollution by one-half if it shifted to low sulfur Number 2 oil.

We also find that only a few of the 1,400 municipal governments in the metropolitan area covered by the Abatement Conference have taken steps to adopt and enforce the sulfur restrictions adopted by the Conference. No New Jersey community has adopted regulations governing the amount of sulfur in fuel burned in apartment buildings and commercial or industrial establishments. And even New York City's Local Law 14 will not achieve the sulfur reduction required for industry and housing until 1971.

It is particularly galling to find public agencies themselves violating their own air pollution regulations. Only this May, the Mayor's Task Force on Air Pollution said of New York City, "the City continues to be the greatest single producer of air pollution. Whether with respect to its incinerators, the operation of its schools, hospitals, housing projects, and public buildings, its fleets of buses, sanitation trucks, fire trucks, emergency wagons, police cars, the City is still the worst violator of its own anti-pollution laws." It is hypocritical for New York City to enforce pollution regulations against industry and real estate owners when it has not cleaned its own house. We can and must insist that the City lead, rather than follow, in reducing the air pollution threat.

Second. The second major source of pollution is carbon monoxide. Carbon monoxide from cars and trucks comprises roughly one-third of the pollution in New York City's air. Although it currently is less of a threat to our health than sulfur oxides, the Public Health Service found that carbon monoxide reached dangerous concentrations in a number of areas in the City, such as tunnels or heavily traveled streets and highways. One area is in the vicinity of the George Washington Bridge Apartments which I visited this morning. These apartments are located directly over the Manhattan approaches to the George Washington Bridge where clouds of carbon monoxide and other car exhausts constantly billow up to poison the surrounding air. Residents of these buildings are continuously exposed to excessive levels of carbon monoxide, an exposure that can lead to decrease in mental acuity, creates cardiac symptoms in patients with heart disease, promotes fatigue, headaches, dizziness, nausea, vomiting, and can cause death.

The choice of this location for these apartments, astride one of the most heavily traveled highways in New York City, shows a total disregard for environmental factors on the part of our City planners. Immediate relief is needed for the residents of these apartments. I urge that Federal, State and City funds be used on a crash basis to build a vapor-proof barrier over the sections of this interstate highway that pass underneath these apartments.

But more than temporary measures are needed to deal with the threat of carbon monoxide. Present Federal law requires that new cars, starting with the 1968 model year, be equipped with devices to substantially reduce the carbon monoxide in their exhaust. Tests in California show that unless these devices are maintained and inspected regularly, they rapidly become ineffective. Regular inspection is needed if these devices are to work. The 1967 Air Pollution Control bill now before the Senate would provide funds to the States to finance effective inspection and maintenance stations. It is imperative that we pass this bill if automobile pollution is to be controlled.

However, even an effective device to control car pollution on new cars coupled with regular inspection will only allow us to hold carbon monoxide pollution to its current levels. For it will take ten years or more to replace our existing stock of cars and by that time, there will be twice as many cars on the road as today. In addition, California air pollution officials have found that the devices designed to decrease the quantity of carbon monoxide and hydrocarbons exhausted by cars actually increase the amount of nitric oxides in the exhausts, an equally dangerous pollutant. It is no wonder that California pollution official Frank Snead has suggested that all gasoline-powered cars be banned from California highways by 1980.

We need a strong Federal research and development program leading to the marketing of exhaust-free fuel cells and battery packs for automobiles. I, for one, do not believe that we can expect an automobile industry heavily committed to the gasoline engine to devote the necessary energy to the rapid development of an electrically or fuel-cell powered car unless there are strong pressures to do so. A Federally sponsored research and development program of the type proposed in Senator Magnuson's bill, would provide that incentive. Passage of that bill is urgently needed if we are to effectively cope with the nation's largest source of pollution. There also is no excuse for not constructing a Federal air pollution laboratory so that research in this field can receive the attention it needs.

We must take certain steps that will minimize the effects of car pollution on our cities. There is no better reason to vastly improve our urban mass transportation systems than pollution.

I suggested to Secretary Gardner in March that the air pollution Conference for the New York-New Jersey metropolitan area adopt a recommendation requiring the development of a regional transportation plan to reduce the amount of air pollution coming from automobiles. Such a plan might require that every auto entering the City pay a toll which reflects its contribution to the air pollution problem. And the plan could also identify those mass transportation efforts which should receive the highest priority in terms of their pollution potential. I again urge that the Conference consider such a recommendation.

I also believe that every relevant Executive Department must explore in detail the relation between their programs and air pollution. Can the Bureau of Roads evaluate the amount of air pollution from a new Federal highway in an urban area? Would the costs of air pollution control be significantly reduced by a greater use of mass transit? And should our cities have the choice of using Federal highway funds either for mass transportation or highways? The right answers to these questions, which are paramount to the quality of our environment will not come from bureaus and agencies focused on different problems and different constituencies. I, therefore, urge the creation at the Executive Office level, of an Office of Environmental Protection. This office would oversee all Federal efforts in the area of air pollution, solid waste disposal, water pollution, other contaminants, and related science and technology. Without this coordination and emphasis at the top level of government, we cannot attack environmental problems in a comprehensive and cost-effective manner.

Third. The third source of pollution we must consider is particulate matter—the soot that befouls our windowsills, defaces our buildings, and darkens our skies. This soot comes from burning coal and oil, solid wastes, and uncontrolled open burning. In January, I urged the installation of electrostatic precipitators on New York City's eleven municipal incinerators. Each one of these incinerators violates the City's Air Pollution Code on stack emissions of dust, fly ash and other particulates. There has been some progress. The Department of Sanitation intends to improve two of its existing incinerators in the near future and will shortly close down one of its oldest plants, the West 56th Street plant in Manhattan which we saw today.

But the City has not yet taken steps to correct the deficiencies in the other eight plants. There is no excuse for that delay.

In May, New York City began to enforce—in a hesitant and haphazard fashion—the provisions of Local Law 14 which requires that pollution controls be placed on the 17,000 apartment house incinerators. The City has offered to haul away trash from those apartments that cannot meet the necessary standards. But the City has not yet started the new South Bronx incinerator needed to handle the increased trash load. As a result, this trash is being used as landfill in valuable wetlands and parklands, such as Split Rock Park in the Bronx and Jamaica Bay in Queens. This is a shortsighted way to deal with our solid waste problems, especially when Federal funds are available to plan and construct incinerators.

New Jersey's cities by and large use their solid wastes for needed land-fill and do not burn them in incinerators. But increasing population will soon cause them to turn to other methods of waste disposal. Every effort should be made to dispose of this waste in modern ways that do not produce pollution.

Industry is another major source of particulate pollution. A few plants in the New York-New Jersey region have installed precipitators and changed fuels in the last six months. But during our tour today, we saw countless belching stacks in the industrial complex stretching from the Jersey Meadows to the Arthur Kill. The time is past when industry can claim that controls are unreasonable and uneconomic. We look to industry for leadership, not foot dragging; for action, not reaction.

New York City's Local Law 14 requires the licensing of manufacturing plants that emit air pollution, but similar controls have not been enacted in New Jersey or the other counties in the metropolitan region. Industry-wide emission control standards are needed not only in the New York-New Jersey metropolitan area but across the nation. An incentive of this kind would assure a minimum uniform improvement in controlling the noxious by-products of manufacture. And it would prevent air pollution regulations from causing flight of industry from one region to another. The Air Quality Act of 1967 now before the Senate would authorize the Secretary of Health, Education and Welfare to establish such industry-wide standards. This legislation must be passed if we are to eliminate industrial air pollution.

And it is particularly discouraging to note that a Federal agency, the Corps of Engineers, is violating the ban on open burning by continuing to burn flotsam in the lower Bay. A Corps of Engineers barge was even found burning flotsam last Thanksgiving Day during the height of the pollution alert. Surely this flagrant abuse can be corrected by the Federal government.

Fourth. Another major barrier to controlling pollution lies in the area of manpower and training. The rapid expansion of air pollution controls has led to a shortage of adequately trained men. If we want personnel to implement our plans, we need to educate more young men and women in environmental studies. I propose that the Federal government establish a comprehensive recruitment and training program for pollution control officers. Such a program should include four-year scholarships for undergraduate work on environmental studies. And it would offer fellowships in advanced study for personnel already engaged in environmental control agencies. Such a program, similar to the Holloway Plan for naval officers, would cover tuition, room and board, and fees, and would require in return three years of service with local, state, or federal environmental protection agencies.

Graduate fellowships would enable personnel to increase their knowledge and skills with no loss of pay. Without a program of this type, we will not have the personnel to accomplish our goals, and I shall introduce legislation authorizing such a program in this Session of Congress.

Fifth. The fifth aspect of the pollution problem I would like to discuss, is the proposed regional commission. I urged last January that New York and New Jersey establish an air pollution control district for the region. The Conference adopted this suggestion as a recommendation and both the New York and New Jersey State Legislatures have passed bills authorizing state participation in a Regional Air Quality Commission. I shall shortly join other members of the New York and New Jersey Congressional delegations in introducing legislation in Congress to authorize this interstate compact. And I shall urge my colleagues to approve it as quickly as possible.

However, I have some reservations about this compact. Interstate organizations tend to be log-rolling devices, only as strong as the weakest member. We can legitimately ask whether this organization will be willing to enforce in Jersey City, Passaic or White Plains, the same standards enforced in New York City. Our air pollution crisis will not tolerate delay in enforcement. For that reason, I urge Secretary Gardner to keep the Conference in session and to undertake any necessary enforcement actions that may be required until the Regional Air Quality Commission has clearly demonstrated that it can control air pollution in the 23 counties of the metropolitan area.

Sixth. The final issue I would like to discuss concerns the need for a Federal alert system. All of the air pollution control measures that I have been discussing take time—perhaps more time than we can afford. We have no assurance that New York, Philadelphia, or Chicago won't experience an air pollution disaster this fall. In many cities we do not have the equipment necessary to know when disaster conditions are reached. And in those that do, public officials hesitate to respond to the all too apparent alert conditions. In New York last Thanksgiving, for example, the alert was not called until severe conditions had existed for several days. While at St. Vincent's Hospital today, I saw quite clearly the dramatic effect of this negligence in the record of significant increase of respiratory illnesses during the period of high air pollution.

I suggest that the Secretary of Health, Education, and Welfare establish air pollution alert stations in those major cities threatened by severe air pollution. Such a system would guarantee that adequate notice would be given when pollution begins to reach dangerous levels.

CONCLUSION

What is clearly needed in our attack on air pollution in the New York-New Jersey region, is redoubled efforts on the part of every local, state, and federal official. And they can be assisted by the active involvement of individuals and groups such as Citizens for Clean Air and the New York Business Council for Clean Air. For we have a choice. Do we want our cities to resemble the scene vividly described by F. Scott Fitzgerald after viewing the Flushing land fill:

"This is a valley of ashes, a fantastic farm where ashes grow like wheat into ridges and hills and grotesque gardens; where ashes take the form of houses and chimneys and rising smoke and, finally, with a transcendent effort, of men who move dimly and already crumbling through the powdery air."

Or do we want an urban society that can preserve the quality of its environment. We owe it to ourselves and to those who follow to make that choice with urgency and determination.

HEROISM IN VIETNAM

Mr. BREWSTER. Mr. President, I would like to bring before your attention and that of Congress an article reported in the May 1 Washington Post which describes an extraordinary act of heroism by an 18-year-old Marine in Vietnam. This boy, despite being wounded four times, continued to direct an air and artillery attack on the North Vietnamese.

It is indeed important for us to recognize the contributions of our boys and give them our full support in their endeavors on the battlefields of Vietnam.

I ask unanimous consent that this article entitled "Silver Spring Marine Called Fantastic Hero" be inserted at this point in the RECORD.

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

SILVER SPRING MARINE CALLED FANTASTIC HERO

DANANG, SOUTH VIETNAM, May 10.—"This kid was fantastic. He was the coolest individual I've ever seen."

The Marine company commander was talking about 18-year-old Steve Lopez, the kid who finished Springbrook High School in Silver Spring, Md., last year and who on Tuesday with four bullet wounds directed artillery on North Vietnamese troop positions.

"Lopez was unbelievable," said a helicopter pilot. "The whole mission would have been impossible without him."

Pfc. Lopez was out with a patrol yesterday just north of the slopes of Hill 881, where about 2,000 enemy and Allied troops were either killed or wounded last week.

Shortly after midnight his patrol was hit. Enemy fire poured in from both sides. Four of his buddies fell dead and a bullet grazed his skull.

Then it became Steve's story.

"I received wounds in the chest, leg and head again. The enemy was about two feet from us at the time," he said.

"I shot the first Commie and the last one. One I shot looked very young, like in his teens. He walked right up to me. I looked at him and knew if I didn't shoot, he would shoot me."

Despite his wounds, Lopez maintained radio contact and directed air and artillery strikes.

In the darkness, his superiors said, Lopez kept calling for artillery: "Drop it closer, drop it closer."

"Back here they were actually scared to drop them closer," said his commander, Capt. A. B. Crosby, of Annapolis. "Throughout the fight, Lopez never once mentioned that he had been hit. He kept saying 'I'm alright'."

The fire was so intense that a rescue helicopter could not get in to pick up Lopez. One pilot was killed and two of his crew were wounded trying to make the rescue.

A helicopter finally got in—12 hours after the fight began—and lifted Lopez and his buddies out.

"The first thing he said when he arrived back here was 'Check my camera. I took some good flicks out there and I want to get them developed.' It was amazing," Crosby said.

Steve is the son of Mr. and Mrs. Louis A. Lopez Jr., listed at 9802 New Hampshire ave. His brother, Barry, 23, also is a Marine and is now a patient at Bethesda Naval Hospital from a shoulder injury suffered in Okinawa.

Barry's wife, Victoria, said Steve really wanted to be a frogman. Asked if he had a girl back home, she said "Yes, Sandy Temple. She lives in the neighborhood.

PROMPT AND FAVORABLE ACTION NEEDED ON TEACHERS CORPS

Mr. HART. Mr. President, I have been concerned at the hazardous legislative situation confronting the Teachers Corps. The "Perils of Pauline"—those hair-raising escapes from extinction that threatened our movie heroine of earlier years—are as nothing compared to the shaky existence that we are doling out to this group of committed men and women.

The delays in funding the program have already cost the Corps a great deal in attrition, and the irony of Congress attitude toward this small and relatively inexpensive teacher-training program is that it has won virtually unanimous acclaim across the country. Success stories abound wherever there is a Teachers Corps team.

Consider Michigan. At the Spain Junior High School, in Detroit, 42 problem students—all potential dropouts—were singled out by the teaching staff. They were turned over to Teacher Corpsmen for the first half of each school day. The corpsmen were able to devote the special attention so desperately needed by these kids—and it paid off. Except for a handful of "hard core" problem youngsters, the professionals noted marked improvement in attitudes and scholastic achievements. Many of the students were even sad to see the school year end.

In Pontiac, a corpsman developed a fresh solution to students' reading problems. She had the slow readers in junior high coach slow readers in elementary school. The older children proudly showed their juniors how to recognize words and pronounce them. The youngsters learn to read and the older students gain confidence.

Additional activities of the National Teachers Corps at Pontiac's Jefferson High School are as follows—

A tutorial or small group instructional program in reading, social studies, mathematics, and language.

An after-school tutorial study period set up for students on voluntary basis.

The NTC group conducts a share-a-ride project to help increase PTA attendance.

The team assists with the parent visitation day. Once a month, parents are invited to come to school and sit in on their children's classes.

A panel discussion was planned, using parents and teachers as panelists, to discuss the problems of our school and community.

Members of the team served as resource people and counselors during the school's camping program, April 9–14, 1967, at Sleeper State Park.

The team prepared exhibits of its activities and involvements and displayed them during the school community action program.

Teachers are released from their classes for 1 hour twice a month, to enlighten themselves in their subject area. Team members may sit in on these teachers' classes as substitutes. Plans are being made to allow regular classroom teachers to make home visits.

A home community visitation project allows each team member to visit homes in the community and attend community organization meetings.

At Bagley School, also in Pontiac, the Teachers Corps team has been first, working on a one-to-one basis with teacher-intern and pupil in a tutorial program; second, writing and presenting a United Nations play; third, attacking the problems of vandalism and truancy by talking with pupils and making home visits; and fourth, setting up a parent group that meets twice monthly.

The Bethune School team has organized an active student council and has joined with the principal each Sunday for a Dad's Club.

It is just such activities and others which I could describe such as those in the Carver School District in Royal Oak Township—strongly supported by the PTA's and other concerned groups—that we will lose if we do not provide a continued existence for the Corps.

It is my hope that we will support this innovative program and immediately furnish the funds so desperately needed in my own State of Michigan and in the 275 poverty schools—the schools that need help the most—in this country.

TRIBUTE TO SENATOR INOUYE

Mr. JACKSON. Mr. President, the headline over an article in the Washington Star, June 19, was "The Fabulous Inouye Story." It was a book review by Cecil Holland, the Star's veteran Capitol Hill correspondent, and it dealt with Senator DANIEL K. INOUYE's new autobiography, Journey to Washington.

I heartily recommend Senator INOUYE's book to my colleagues in the Senate and to those in the House who enjoyed the opportunity of serving with him before.

History books are replete with success stories of immigrant families of occidental origin, moving to America and producing national leaders. The Orient produced the Inouye family. His success story is unique in that it is of the East. It is a dramatic illustration of the opportunities that exist in this country. His ancestors moved from a tiny village in Japan to a meager existence in Hawaii. Industrious and frugal, immigrant Japanese developed a foothold on American soil and became some of our country's finest and most loyal citizens.

We have long been aware of Senator INOUYE's great heroism with the "Go for Broke" 442d Regimental Combat Team in World War II. It cost him his arm. Any misplaced questions of the loyalty of these Japanese Americans were answered sharply in that conflict.

We in the Senate greatly admire our colleague from Hawaii as an excellent legislator, a wonderful family man, and a good friend. Star editors need not remind us he is the "Fabulous Inouye."

President Johnson, in his foreword to the book, wrote:

> Dan Inouye has lived by the code of personal courage on the battlefield and in the political arena. He has faced the aggressor's bullets, and the bigot's contemptuous stare. He has gained the admiration and respect of his fellow men. Even more important, he has, by his example and witness, helped to make the hearts of his fellow men more tolerant, more free of the awful burden of racism.

I submit for the RECORD Cecil Holland's review of the book coauthored by Senator INOUYE and Lawrence Elliott, entitled Journey to Washington.

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

THE FABULOUS INOUYE STORY

(By Cecil Holland)

If Daniel K. Inouye were not to be seen on the Senate floor, occasionally at the leadership seat opening the day's session, it could be imagined that "Journey to Washington" was so improbable as to be fictional. But Inouye is there, a slight figure of quiet dignity, and one of the assistant Democratic leaders, and we have this fabulous story of how it all came about. It is a story, in many respects, unequalled in the Nation's history.

At the age of 42, completing his first term in the Senate after service in the House, Inouye already has attained a high mark in the political world. If indications mean anything, even greater success politically is in his future. But it would be missing the major point of this excellent autobiography if one dwelled on the political achievements alone. For the Japanese-American Senator these achievements, remarkable as they are, are merely the culminating expression of a book with a much deeper meaning.

Inouye's story begins in the Japanese village of Yokoyama where his ancestors lived and toiled for generations. A fire in the thatched house of his great grandfather, Wassaboro Inouye, in the distant years, was the first step in the chain of events leading to Inouye's place in the Senate. The fire spread to other houses and destroyed them. Under the code in which the village operated the blame for the fire was placed on Inouye and he was assessed what was to the Inouye family the staggering sum of $400 to pay for the damage.

To help earn the money to meet the assessment on Inouye's grandfather, Asakichi, the eldest son, had to leave and go to Hawaii to work in the sugarcane fields. He hoped in time to return to his native village but in life he never did. It took 25 years to pay off the obligation and that is why Daniel K. Inouye grew up in Hawaii, one of thousands of Japanese-Americans.

His life was little different from the other Nisei boys. He was subjected to the same segregation, lived in the humblest of circumstances, attended McKinley High in Honolulu, or Tokyo High as it was called for obvious reasons, and, one gathers, thoroughly enjoyed his youthful days. Inouye's account of his earlier years is marked with gladsomeness and a moving tribute to his mother Kame and the influence she exerted over his life.

Inouye was 17 years old when the Japanese bombs fell on Pearl Harbor. Out of the turmoil of that day and succeeding days came the tragedy of this Government's treatment of the Japanese-Americans and at last, on President Roosevelt's orders the opportunity to serve their country. Immediately 10,000 Nisei young men volunteered for military service, 80 percent of all those eligible. One of these was Inouye.

The story of the famed "Go for Broke" 442nd Regimental Combat Team has been told before. But here one gets a first-hand account for Inouye was one of those who contributed mightily to its lustre. He won a battlefield commission as a lieutenant, was recommended for the Congressional Medal of Honor and received the Distinguished Service Cross. An empty right sleeve is mute evidence of this devotion and heroism.

Before the war Inouye intended to become a doctor. With the loss of his arm he turned to law and then to politics—and the road that led to the United States Senate. Not the least dramatic part of this story by any means is the battle he recounts against Hawaii's solidly entrenched political establishment.

The esteem in which Inouye is held is reflected in forewords by President Johnson, whom Inouye supported for the presidential nomination in 1960; by Vice President Hubert H. Humphrey, and by Senate Majority Leader Mike Mansfield of Montana. The President describes him as "egalitarian," the Vice President calls it "an American story," and, for Mansfield, the "story of Daniel Ken Inouye, American, is, in truth, an enduring chapter in the story of America."

PRESIDENT JOHNSON AND PREMIER KOSYGIN—EYE TO EYE IN THE SEARCH FOR PEACE

Mr. PROXMIRE. Mr. President, a momentous meeting between two of the most powerful heads of state is now history.

President Johnson and Premier Kosygin have met, talked, discussed, and made clear their positions to each other on a host of international problems.

To quote the New York Times of June 25:

Whatever the substantive results of the . . . Holly Bush meeting, the talks can hardly help exert a salutary influence upon the Middle East situation. The example of these two world leaders—heads of nations that are divided on many major issues—meeting calmly to discuss their differences in a friendly, businesslike manner sets a model that the leaders of the Arab nations and of Israel could emulate with mutual profit.

There were no dramatic agreements at Holly Bush. But there were no dramatic charges or countercharges.

Indeed, as the President said, there is great advantage in talking with a man, looking him deep in the eye, and trying to reason together with him.

This President Johnson did. He did it well. His country is very proud of his peace initiative. Congress is proud that he emerged as a peacemaker and not a saber rattler.

There may be many more meetings of this kind. Certainly they are preferable to meetings on a battlefield.

President Johnson stated the American position firmly but reasonably from the Middle East to Vietnam, from antiballistic missile control to a nuclear nonproliferation treaty.

The American people are obviously behind our President, and so are many newspapers around the Nation.

I ask unanimous consent to have printed in the RECORD editorials published in the New York Times and the Chicago Sun-Times, strongly commending President Johnson for his recent summit meeting with Premier Kosygin.

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

[From the New York Times, June 25, 1967]

THE SPIRIT OF HOLLY BUSH

Coming after days of bitter United Nations debate on the Middle East, the emergence at week's end of what President Johnson has already called "the spirit of Holly Bush" has undoubtedly astonished and heartened millions everywhere. The atmosphere of Soviet-American relations has improved, at least temporarily, even though the hard problems remain, still unsolved.

A key immediate result of the meeting in Glassboro is the transformation of Premier Kosygin's mission to the United States. His speech at the United Nations and his early seeming reluctance to meet President Johnson had strongly suggested that his preoccupation here was to repair the battered Soviet image among the Arabs still smarting over their military defeat.

This morning, as the world awaits the second Glassboro meeting, Premier Kosygin appears concerned, in statesmanlike fashion, with resolving all the key problems creating international tensions, not merely with applying unguent to a particular regional embarrassment for the Soviet Union.

Whatever the substantive results of today's second Holly Bush meeting, the Kosygin-Johnson talks can hardly help exert a salutary influence upon the Middle East situation. The example of these two world leaders—heads of nations that are divided on many major issues—meeting calmly to discuss their differences in a friendly, businesslike manner sets a model that the leaders of the Arab nations and of Israel could emulate with mutual profit.

Many lives could have been saved and much international danger avoided if the Arab leaders had shown in the past a willingness to come halfway toward Israel's desire for negotiation as Premier Kosygin went halfway to accede to President Johnson's suggestion for a meeting.

Rumanian Premier Maurer, in his constructive address to the General Assembly, stated the core of the Middle East problem when he called for a "real settlement adopted by the countries of the region themselves." He urged the international community to create a climate in which "direct contacts between the parties . . . can one day take place." The Holly Bush meeting, by its example, is a major contribution to creating this needed climate.

Behind the Arab nations' reluctance to meet with and negotiate with Israel is, of course, their refusal to accept either the legitimacy or permanence of Israel as a state. But Arab policymakers would be blind not to see that the leaders of the United States and the Soviet Union have both made plain at the U.N. their recognition of that legitimacy and permanence. Premier Kosygin, in fact, went so far as to remind the Arabs that Russia voted in 1947 for the partition of Palestine into Jewish and Arab states. He gave plain notice that Moscow has no intention of repudiating that historic decision.

And all directly involved in the Middle East crisis must recognize that the great powers are determined to avoid nuclear destruction of this planet because of one region's still unabated tensions. That was the point implicit in the Soviet-American cooperation that produced the cease-fire earlier this month, and it was a key factor in making possible the Holly Bush meetings and the new cautious optimism that has now emerged on the world scene.

[From the Chicago Sun-Times, June 25, 1967]

SUMMIT RAISES HOPES

The five-hour meeting between President Johnson and Premier Kosygin on Friday did not resolve any of the major differences that exist between the United States and Russia. The problems that face both nations are too complex to be resolved on short notice. But the meeting between the two, the first time they have come face to face, was sufficiently productive to schedule another meeting for today. If it goes well perhaps the groundwork can be laid for a summit conference of the major world powers later this year.

There was a symbolism about the meeting between the leaders of the world's two great nuclear powers. They met at a point about halfway between Washington and the United Nations. Despite the deep differences that divide the United States and Russia—Vietnam, the Middle East, West Germany and all the others—the two men each moved toward the other. That each was willing to meet, to talk, is important to the world.

That willingness should not be lost on the Middle East: Israel has won its war there. It says it wants to meet the leaders of the Arab states halfway, to sit down in friendship and talk about a permanent peace that would settle the state of war that has existed between Israel and the Arab states since 1948.

President Nasser of the United Arab Republic has refused Israel's offer. He says he will not talk with Israel. Nasser's intransigence has doubtless been reinforced by Kosygin's statements in the United Nations. Russia has demanded that Israel be censured for winning a war and that it give up not only the lands it has won in this latest outbreak, but also the territory it won in 1948 and 1956.

The argument, as Kosygin well knows, is both fallacious and dangerous. To restore the borders laid down by the UN in 1947, when it partitioned British Palestine, would be to restore the frictions that led to three Middle East wars in the past 20 years.

Russia knows this, but Russia, more often than not, prefers to operate at two dissimilar diplomatic levels. It hurls bombast and irrationality in the face of reason at one table, while at another it may talk quietly about how to solve the problems it so noisily creates.

Russia knows who won the war in the Middle East. It knows, too, how important it was that the Middle East crisis did not get out of hand. It demonstrated this by urging Nasser on with one hand and with the other withholding the aid Nasser begged for when Israel's armies were crunching over him.

The world cannot risk confrontation between the major nuclear powers. The only way the tensions that lead to such confrontations can be eased is by talking the problems out. The meeting between President Johnson and Premier Kosygin could be an indication that the United States and Russia are moving toward that stage. President Nasser would do well to follow suit by accepting Israel's offer to talk out the problems of the Middle East, rather than make them worse.

WE SHOULD PROTECT THE CONSUMING PUBLIC BY REQUIRING TRUTH IN LENDING

Mr. YOUNG of Ohio. Mr. President, the action of the Committee on Banking and Currency in favorably reporting the truth-in-lending bill was a great victory in the battle to protect millions of Americans from unscrupulous lenders and creditors. I especially commend the distinguished senior Senator from Wisconsin [Mr. PROXMIRE] for his leadership, hard work, and perseverance in behalf of this beneficent legislation. I am proud to be a cosponsor with him of this important legislative proposal.

Basically the bill provides simply that the consumer be informed in terms of both actual annual interest and in dollars and cents of how much he is paying for a loan or for credit. It does not provide for any Federal regulation of the amount of interest that can be charged by lenders. It will permit the cost of credit to be freely determined by informed borrowers and responsible lenders. The bill will

strengthen the efficiency of our credit markets without restraining them. It will in no way affect businessmen or lenders who are presently being entirely fair and candid with purchasers and borrowers.

Today, consumers are often unaware of the amount they are paying in interest charges which are frequently stated in confusing or misleading terms. For example, a customer may be told that the finance rate is 1½ percent per month when the actual yearly rate of interest may be as high as 36 percent. In many instances, buyers involved in long-term installment plans end up paying more in accumulated interest charges than the original price of the product itself. Too often consumers are at the mercy of financial sharp operators who have spent many years in devising means of confusing them as to the actual rates of interest they are being charged. Consumers should not find it necessary to be actuaries or mathematicians in order to understand the full price they will be paying for a product or for a loan. Frequently, it is saddening to learn the fantastic total price an installment purchaser has been compelled to pay for a television set, washing machine, or other household appliance, or overpriced used automobile.

Mr. President, businessmen are protected by antitrust laws and laws against unfair competition. Working men and women are protected against unfair labor practices. It is high time that the consumer also receive a break. President Johnson has said:

The success of our competitive economic system depends on the furtherance of the consumer interest, and it is our free marketplace, working for the benefit of the individual, that has given to the American consumer the highest standard of living the world has ever known.

The truth-in-lending bill represents a significant advance in furthering the interests of consumers. It will cover nearly 95 percent of all consumer credit transactions which have grown to a spectacular total of $312 billion. Some observers predict that by 1970 this figure will surpass $375 billion.

Mr. President, 8 years ago the first truth-in-lending bill was introduced in the Senate by one of the great Senators of all time, former Senator Paul Douglas, of Illinois, who introduced it in every succeeding Congress. In his testimony earlier this year before the Senate Committee on Banking and Currency, Senator Douglas, in his usual concise manner, summarized the need for this legislation when he said:

The basic philosophy behind truth-in-lending is a belief in free enterprise and in the price system. But if markets are to function properly, there must be a free flow of information. Perfect competition requires perfect information. Of course, perfect competition does not exist anywhere in our economy. Nevertheless, it is an ideal towards which public policy should work. By removing imperfections and frictions we permit free markets to achieve their maximum effect. By increasing the amount of information on consumer credit, we will remove a major imperfection in the market place.

Mr. President, for 8 years this legislative proposal has been languishing in Congress. I urge that the bill be considered by the Senate as soon as possible and am hopeful that it will be enacted without delay.

SUMMIT MEETING AT GLASSBORO

Mr. McGEE. Mr. President, assessments and analyses of the recent summit meeting at Glassboro are carrying on in the press, where the overall tone is what we might call hopeful optimism, tempered by the realization that any gains of substantive nature are yet to come, if indeed they do come. The immediate, critical test is the Russian reaction to the Middle East crisis, as is pointed up in several offerings by distinguished writers. Mr. President, I ask unanimous consent that three of these columns, written by columnists Roscoe Drummond, William S. White, and Joseph Alsop, and published in today's Washington Post, be printed in the RECORD.

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

[From the Washington Post, June 28, 1967]

PRESIDENT AND PREMIER—CONFERENCE MOST USEFUL EVER

(By Roscoe Drummond)

There is no reason to feel let down by the lack of agreement at the Glassboro summit.

Here is what happened:

On the first day Premier Kosygin and President Johnson found themselves getting acquainted so cordially that they decided to have another go at it in the interests of understanding each other better.

On the second day they found that the better they understood each other, the farther apart they were and the deeper their disagreements.

This was no smashing success, but it adds up to the most useful and productive U.S.-Soviet summit ever.

The record of past summits made it reasonably easy for the Johnson-Kosygin meeting to do better.

The Eisenhower-Bulganin summit at Geneva in 1955 ended in a meaningless agreement of words on German unification which soon proved empty.

The Kennedy-Khrushchev summit at Vienna in 1961 ended in raucous disagreement of everything, a calamitous clash of personality by the two men and Khrushchev's perilous misreading of the fibre and firmness of JFK.

Premier Kosygin and President Johnson avoided the mistakes of the two past summits and registered some modest but welcome gains.

They did not try to cover up disagreements with deceptive words.

They did not cry "peace, peace" when there is no peace, nor "accord, accord" when there was no accord.

It was never open for Kosygin to reach any significant agreement with the President. Kosygin did not have the authority. It was not a conference for which there was adequate preparation. It was hurried. We didn't know that the Premier was coming to the U.N. until the last minute and at first he made it evident that he did not want a summit. In the end both decided it was better to meet and talk than not to meet at all.

But, short of agreement, there was more than talk.

At first hand Kosygin and Johnson were able to dissipate some of the propaganda image each had of the other, the President found Kosygin intelligent, disciplined and experienced.

The Premier found Mr. Johnson reasonable and tough, perceptive and deeply desirous of peace.

With the help of Israel's swift victory, Kosygin and Johnson avoided the worst in the Middle East without knowing each other at all. In the future they should be able to avoid the worst elsewhere now that they have come to know each other better.

But on the issues of substance the "deeply different positions" of the two countries, to use Mr. Johnson's phrase, remain unchanged. Mr. Kosygin was equally frank and the candor at Glassboro was better than the short-lived cover-up at Geneva.

Glassboro was a beginning. There is a long but slightly safer and slightly more promising road ahead.

[From the Washington Post, June 28, 1967]

SUMMIT ASSESSMENT—BELOW SURFACE PROGRESS NOTED

(By William S. White)

The net of it in the afterlight of the Johnson-Kosygin summit conference is not that this is now the best of all conceivable worlds, but rather the best world possible in all the circumstances.

The Soviet Premier has departed, publicly brandishing a hard line over Vietnam and the Middle East and in no way is the cold war visibly much abated.

All the same, if everything in life is relative, everything in cold war negotiation is more so. By this standard, the only rational standard in a state of realism, the atmosphere is considerably easier than when Kosygin came here. Some progress has been made below the surface.

In this business it is impossible sensibly to fling about large and absolute capsule terms like total success or utter failure. But if these meetings between Lyndon Johnson and Alexei Kosygin have cut no chasm in the icecap they have certainly driven several cracks in it.

Though Kosygin showed no disposition openly to retreat from the Soviet Union's tough position on Vietnam and the Middle East, he also did little to inflame either issue. No one need have expected that he would offer any "give" here—under the kleig lights. He is after all only one of a three-headed Soviet directorate; he also has his own constituents in the Soviet satellites to worry about and he could never have safely left off the opportunity to say that he could be as tough as the next fellow.

And though he turned on some characteristic Communist cold war rhetoric at the United Nations, even there he kept the epithets well below boiling heat. More importantly, in his private conversations with President Johnson—and these were the only conversations that really counted—his attitude was sober and restrained and to a degree even carefully conciliatory.

From the American and general western point of view, the most important gain of all was the clear demonstration that the West's main spokesman, Mr. Johnson, could negotiate with a super-power's leader with no less skill than he uses in domestic matters.

Allied diplomats, indeed, are most of all impressed by this point. They had been concerned that the summit might produce not some impossible miracle but instead a possible blow-up; and the fact that no blow-up came is to them quite enough to be going on with.

Still this was only a curtain-raiser and only the future can tell whether Western gains are to be seen objectively as anything beyond quite small.

Specifically, what the Russians now do about the Middle East is the immediately critical key. The beating given by Israel to the Soviet stooges, Egypt and Syria, puts the

Russians in a box. Three courses are now open to them.

The first would be in substance quietly to end military aid to the Arabs, no doubt continuing to proclaim all "solidarity" with Nasser-Egypt and Company.

The second would be loudly to put in a little more military hardware—but not much. The third would be to go all-out in Egypt and Syria; to send massive new military equipment and to accompany it with Soviet "technicians" and covert Soviet military.

The best, if gingerly, opinion here is that the Russians will take either course No. 1 or course No. 2. For No. 3 would first of all alienate all but the hard-core Communist groups in the Middle East and would surely cost the Rusians whatever aid and comfort they have thus far been given by such nations as India and France.

[From the Washington Post, June 28, 1967]

AFTER GLASSBORO

(By Joseph Alsop)

The wisest analysts of Soviet behavior are warning that it is far too early to attempt a judgment of the remarkable meeting at Glassboro. They say we must wait and see whether a lot or a little, or less than nothing at all was accomplished there.

This is because Premier Kosygin quite clearly went to his meeting with President Johnson with strict instructions to stick to the Soviet official line in everything he said, but to listen with utmost care to everything the President might have to say. In view of the sheer length of the two meetings, it is also clear that Kosygin listened long and well.

At this very moment, the transcripts of the Johnson-Kosygin talks are no doubt being reviewed on the highest level in the Kremlin, in the light of Premier Kosygin's personal impressions.

Simultaneously, the Kremlin collective must also be reviewing the facts and impressions brought back from Cairo by the Soviet Chief of State, Nikolai Podgorny.

Two critically important reconnaissances have in truth been conducted; and now the Soviet leaders must decide together what to do about the results of these reconnaissances. Furthermore, it is very premature to conclude that their decisions will be wholly unconstructive, on the basis of such evidence as Kosygin's tough public attitude towards Israel and the 200 planes and four shiploads of arms that Moscow has already dispatched to Cairo.

Thus far, at any rate, while talking very tough in public, the Soviets have clearly been keeping open the options that might eventually produce a sane Middle Eastern settlement—or at any rate, the nearest you can get to sanity in that part of the world. To begin with, they have made it clear they want no part of a naked confrontation with the United States.

It is now known, for instance, that the Kremlin reacted with extreme anger to Gamal Abdel Nasser's vicious lie about Anglo-American air intervention in the Arab-Israeli fighting. One purpose of the lie was to promote Soviet military intervention on the Arab side. The Egyptian and other Arab Ambassadors in Moscow were therefore called in, to be told that Nasser's claim was a complete fabrication, in which the Soviets wanted no share.

Thus a confrontation was flatly rejected at the height of the crisis. Yet a future confrontation can hardly be avoided, if Nasser and the other Arab extremists are built up again to the point of again threatening Israel with war. That means, in turn, just enough arms deliveries to keep Nasser's regime in being, but no more than that. Logically, it also means working for an eventual settlement, though working behind the scenes.

There are certain reasons to believe that this is what the Soviets have been doing to date—although, God knows, they can change their course tomorrow. After the Podgorny visit to Belgrade en route to Cairo, for instance, the official Yugoslav Communist Party paper, "Borba," published a highly significant dispatch, ostensibly from Cairo.

The "Borba" dispatch stated that the Soviets had concluded "there was no way of liquidating" Israel's huge territorial gains unless the Arabs could be induced to negotiate, to recognize the fact of Israel's existence, and make certain concessions with respect to Israel's navigation rights and the like. The extremely muted conclusion of Podgorny's stay in Cairo in turn suggested that there was a lot of truth in the "Borba" dispatch.

If Podgorny had given Nasser and his cronies anything to crow about, they could hardly have resisted a shrill "cock-a-doodle-doo." There was nothing of the sort. Instead, if you can believe it, discreet Egyptian overtures for renewed American aid are already beginning, with the usual argument "that you must help us or we shall have to throw ourselves entirely into the arms of Moscow."

Careful study of Kosygin's farewell press conference also reveals that behind the facade of ultra-tough talk about immediate Israeli "withdrawal to the truce lines," several very meaningful loopholes were left open. About navigation rights, about arms, about Israel's future, Kosygin was in fact sufficiently noncommittal to suggest a concealed line like that traced in "Borba."

Thus the optimistic assessment is that the Soviets, while continuing to prop up Nasser and the other Arab extremists, will also go forward, in parallel though not in tandem with the United States, towards new arrangements in the Middle East that will reduce the intense explosiveness of the present situation.

As anyone can see, this may be a wholly wrong assessment. It may even be that in the Podgorny-Nasser talks, the Egyptian dictator was secretly encouraged to attempt to recoup his ruined situation in highly dangerous ways, such as making a grab for oil-rich Libya.

It can also be that having kept the peace options open to date, the hardliners in the Kremlin will win the day in the discussions that must now be going on.

Only one thing is sure, in truth. There is no longer much room for compromise between the Kremlin's hardliners and peaceful-coexisters.

VIRGIN ISLANDS ELECTIVE GOVERNOR BILL

Mr. DOMINICK. Mr. President, earlier this month the Senate began the consideration of the Virgin Islands Elective Governor bill, S. 450. Debate on this measure was temporarily suspended as a consequence of the press of other matters. I am now informed that deliberations may be resumed shortly after the Fourth of July recess.

Serious misgivings arise in my mind as to the existing political situation in these islands.

Numerous allegations of irregularities in the governmental system are again being made, including—and I would emphasize this in particular because of cogency to the pending bill—voting irregularities in the 1966 elections.

Some of these allegations are new; others are similar to those I encountered during the time I was privileged to sit as a member of the Senate Committee on Interior and Insular Affairs. I have some familiarity with these problems having served on the Territories and Insular Affairs Subcommittees both in the House and the Senate. You may recall we were able to straighten out the proposed cancellation of hotel and private business leases once full disclosure was achieved in hearings.

I wish today to refer to only one questionable area—the Civil Service and unclassified employees.

It is my understanding that while there were less than 100 unclassified employees on the Virgin Islands government payroll in 1961, there were as of last month approximately 773. Of this number 150 work in Governor Paiewonsky's office. His office staff includes six special or administrative assistants, four lifeguards, four photographers, five maids, and six chauffeurs, all unclassified.

Several weeks ago Governor Paiewonsky announced he was moving to have classification procedures initiated. Small wonder.

The Virgin Islands Times of June 4, 1967, published two articles dealing with the Governor's announcement: "Policy Decision Will Affect Virgin Islands Government Employees" and "DeLugo Lauds New Proposal." I ask unanimous consent that these be included in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. DOMINICK. Mr. President, this belated action by the Governor does not bring to a close the controversy surrounding civil service abuses in the Virgin Islands.

On June 14, 1967, the Virgin Lslands Daily News printed an editorial entitled "Sir Galahad or Plain Ineptitude?" The editorial serves to dispel the apparent whitewashing of a very serious problem. I ask unanimous consent that it be printed in the RECORD.

Mr. President, this is a good example of why the Senate should not act with haste in approving S. 450. The Constitution invests Congress with the authority to make "all needful rules and regulations" respecting territory belonging to the United States. Companion to that authority is responsibility. The time for exercising that responsibility is now.

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

EXHIBIT 1

[From the Daily News of the Virgin Islands, June 14, 1967]

SIR GALAHAD OR PLAIN INEPTITUDE?

Governor Paiewonsky recently issued a statement that he was moving immediately to return all except Deputy and Assistant Commissioners and a few other top echelon positions to the classified service where they rightfully belong. The way he said it, however, would lead the innocent reader to believe that his proposed action makes him look like Sir Galahad riding forth in shining armor to right this grievous wrong which has been wrought by former governors.

His subsequent utterances also tend to create the same impression, or else blame the abuse of the "unclassified service" gimmick on recruitment difficulties. An impartial look at the record, however, will deter such attempts to polish his image; and thereby place

the blame right where it belongs—squarely on his shoulders.

First, let us dispel the "Sir Galahad" image. When present incumbent took office from Governor John Merwin, there were fewer than 50 positions in the unclassified service. Within six months after he was in office, the number of unclassified service positions had doubled. Today, six years after he became Governor, the number of such positions stands somewhere between 700 and 800.

What about his obviously beguiling excuse that "recruitment demands" force him to put certain positions in the unclassified service in order to attract qualified candidates? A dozen positions or so may legitimately fall under this explanation. But how does he explain the hundreds of clerical, janitorial, custodial positions whose salaries are fixed by unclassified methods? Political favorites occupying them receive more than the many other employees in identical positions who must "live with" the legal provisions applying to the classified service.

Examples? What about the obviously punitive case where a single appraiser in St. Croix, Government Secretary's office, is being penalized by the unclassified status which fixes his salary in the budget, while other appraisers receive salary upgradings and annual increments because they are under the civil service system? Or what about the many types of inspector positions e.g., building, weights and measures, which receive high salaries by unclassified service status, while the sanitation inspectors are "stuck" with status in the classified service? And finally, how does he know whether recruitment will be difficult or not, when the qualifications for the various unclassified positions exist nowhere in writing? In fact, more often then not it is the Legislature which adds the titles of various unclassified positions to each budget, and gets "the word" to the various departments that "John Doe," a political favorite, must be appointed to the position. The Governor then signs the budget approving all such positions, and follows up by having his "patronage" ensure that "John Doe" actually receives the appointment.

We can deflate the Governor's recruitment difficulty excuse once and for all by saying that just as recruitment difficulties brought about upgrading of teachers and social workers, the same appropriate and legal technique can be used to revise the civil service pay plan for other groups of positions. But it is obvious that the unclassified gimmick has proven to be too convenient a tool for rewarding party faithfuls and punishing those who "bite the hand that feeds them" by objecting to the heavyhandedness which has gone on.

No, we cannot accept his explanation for the fact that under his administration the civil service, which is the bulwark of any stable democratic society, has become a laughing stock on one hand, and, on the other hand, a heavy millstone around the necks of those whose positions are stuck thereunder. Rather, the facts seem to indicate that this is only one more instance of the Governor's classic excuse like the famous one uttered to explain the Altona Housing mess—"If I knew then what I know now" . . . A clear indication that he is not at all like Sir Gallahad, but is rather an inept administrator with sparse, if any, sound concepts of efficient public administration.

Yes, now it is obvious that even the Department of Interior has ridden him about reversing the trend. Furthermore, the government employes whose votes he so assiduously cultivates, are becoming increasingly dissatisfied. Those who receive "hand-out" unclassified positions are clamoring for higher pay; those who are well paid are wondering how it is that other unclassified and overpaid positions are approaching so close to their salaries; and throngs are seeking more unclassified service positions.

Unfortunately for the Governor, and fortunately for us, all such bad things must come to an end. We agree that his recent expressed intentions are good, although we are sure that it is only outside pressure which is forcing him to give in, for he certainly "had a good thing going." We anxiously await his reversal of the erosive trend, and we expect that he will now have to do just that. We will be on the sidelines watching to see (1) if he does what he promises, and (2) how long the corrective action will last before he reverts to starting the cycle all over again.

[From the Virgin Island Times, June 4, 1967]

DE LUGO LAUDS NEW PROPOSAL

Ron de Lugo, Chairman of the Donkey Wing of the Democratic Party, said this week that the Donkeycrats applaud the Governor's announcement earlier this week that he would seek legislation moving unclassified government employees into the classified service.

The Donkey Democratic leader said that while the Donkeycrats considered the Governor's action a long overdue one, they saw it as a major reform.

The former V.I. Senator said he agreed wholeheartedly with the Governor's statement. Governor Paiewonsky is reported as having stated,

"It is essential to the preservation of the principle of the personnel merit system that all positions in the government service be covered into the Classified Service, except in those instances when the nature of the position is such that its exclusion from such service is consistent with sound personnel policy".

[From the Virgin Island Times, June 4, 1967]

POLICY DECISION WILL AFFECT VI GOVT. EMPLOYEES

During the past week, Governor Ralph Paiewonsky made a policy decision which could possibly affect officials in the Virgin Islands.

At the next special session of the Legislature, the Governor plans to ask to bring into classified service most of the employees that are now listed as unclassified.

Not included in this change would be unclassified personnel such as commissioners, their deputies and assistants, heads of agencies and confidential aides.

At the present time, the government plans to hire consultants for a study of the entire governmental organization.

SHOULD THE VOTING AGE BE LOWERED TO 18?—McGEE SENATE INTERNSHIP CONTEST

Mr. McGEE. Mr. President, for several years it has been my good fortune to be able to conduct for high school students in my State of Wyoming the McGee Senate internship contest, which brings back to Washington one boy and one girl for a week of observing democracy in action—here in the Senate and in Washington.

As a part of the contest each student was required to complete an essay on "Should the Voting Age in the United States Be Lowered to 18?" and each year I am impressed with the depth of understanding and the dedication to our democratic principles displayed by these young people in their essays. This topic is one of vital interest to this age group, and their essays reflect sound reasoning which should be of interest to us all.

Of course, it would be impossible for everyone to read all these essays, but I think some of the most outstanding ones selected by an impartial panel of three judges should receive wider circulation. I ask unanimous consent that two of these essays, written by Mary A. Cor, of Laramie, Wyo., and Tom Mast, also of Laramie, Wyo., which received honorable mention in the McGee Senate internship contest, be printed in the RECORD.

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

SHOULD THE VOTING AGE BE LOWERED TO 18?

(By Mary A. Cor, Laramie, Wyo.)

There are many so-called arguments against letting youngsters vote. Some people say that teenagers are too young and inexperienced; they have not the mature judgement that is needed for responsible voting. Others say that teenagers are not interested enough in government and have not enough general knowledge to be able to understand the issues and the policies of the different candidates. There are still others who wonder if airplane glue sniffers, marijuana addicts, protest marchers, hubcap-stealers and others like them should determine who is to govern us.

These are all-too-common opinions, and if teenagers were, for the most part, as bad as they are portrayed in the newspaper headlines, I would be as against letting the teenagers vote as anyone could possibly be. But the headlines show only one side of the coin. I believe that teenagers as a whole are more experienced and mature than their counterparts of fifty years ago.

To say that eighteen year olds are too immature and inexperienced is to forget that by the time most youngsters are eighteen they have had considerable voting experience. Most high schools and junior high schools have student councils, elected by the student body, that formulate school policies in regard to social activities, draw up and enforce a school constitution, and regulate student behavior. Many colleges have elected student senates that perform similar duties. So, it is clear, by the time a person enters college he or she usually has a knowledge, rudimentary perhaps, but still a knowledge of how politics works.

Eighteen year olds also have a good acquaintance with governmental procedure. Many cities let Boy Scout troops "take over" the administration once a year and thus are given valuable experience in civic problems. Also, many civics classes are taken on trips to see how the city hall and the state legislature work.

Let us not forget that the teenagers of today have a more sophisticated political background than did those of fifty years ago. Today every person who graduates from high school has had several years of history and civics. His grandparents, or even his parents, did not have such an opportunity. There are class discussions, reports, and many other activities to add to the information on the political history of the United States. In fact, I would not be surprised if the average eighteen year old of today was proven to have a better idea of the workings of our government than the fifty year old citizen who has always voted for the same political party because his father voted that way, and his grandfather before that. Besides, with newspapers, television, and radio informing us night and day, it would be extremely difficult not to know what the different candidates in an election stand for and are.

Those who say that teenagers do not really care about governmental policies are seriously mistaken. Every boy in high school is

living in expectancy of the day when the draft board is going to send him an invitation for an interview. To me it seems only fair and just that boys who are going to fight in Viet Nam be given a chance to have a voice in the election of their country's leaders. Girls also, who may have husbands, boy friends, or brothers in the thick of the danger, are, to say the least, interested in the government's policies in regard to Viet Nam.

I think, however, that even without Viet Nam the teenagers of today would be interested in the decisions of our government. President Kennedy, a young man himself, who knew that our country's future lies with the young, was able to fire our youth with an interest in political participation. Young people everywhere are indicating their concern about the conditions in our country by taking part in marches protesting the social and economic injustices which too many of our people have undergone. These marches, sit-ins, stand-ins show that the young people of today *care* about the American way of life.

It is true that many of our high school youth carry on questionable activities, too familiar to mention. But this is no reason to bar *all* the young from the privilege of voting. The antics of wayward students are much less harmful than those of middle-aged "respectable" voters who cheat in their income tax reports and who, though remaining within the law, fail to fulfill their obligations as citizens of a great country.

No, most young Americans today are idealistic. Consider the numbers that have joined the Peace Corps, the Job Corps, Vista, and those who have "adopted" Korean war orphans, and taken part in many similar activities. If any group deserves to vote, it is the sincere, well-informed young men and women who are not yet tired and disillusioned; who really believe in social justice and human welfare; and who would support those political leaders pledged to work for the ideals we have inherited and want to keep alive.

SHOULD THE VOTING AGE IN THE UNITED STATES BE LOWERED TO 18?

(By Tom Mast, Laramie, Wyo.)

"The archaic minimum voting age of 21 was established over 150 years ago and has its roots in the English tradition of common law from the minimum age for knighthood," Representative Charles C. Diggs (D-Mich.), 13th District, wrote in a recent American Legion article. "It has no positive function in our modern society," he said. With the ever accelerated speed of progress, social and material, this ancient cultural precept does, however obsolete, still remain.

Demography, or the question of population in terms of skills, age, distribution, plays a large part in determining the strength of a nation. France was the most populated state in Europe at its height. Between two world wars, France found its near stagnant growth being steadily compromised by a surging Germany. China has a frightening effect on its neighbors, due largely to the fact that it has the largest Asian land army. The U.S. finds itself in a position of leadership due in part to its military superiority. The point is this: a nation must have a vibrant, ever-growing population to hold its place in leadership today. The young must be groomed for positions of leadership which they will one day assume. The population must have new faces appearing all the time to maintain the balance held in the era of the older generation. The military must have young men at all times coming into the ranks to hold its status among world powers. To shoulder these burdens demands more serious consideration of the young today than ever before, emphasized greatly with the threat of thermo-nuclear war.

Education has gone a long way toward preparing the 18-year old American for confrontation with the challenges of the Cold War. American History and Civics at my school are required courses to aid the student in acquainting himself with our country's principles, its past, and its government. Excellent courses in American Problems and International Relations are also offered to keep the student informed on current situations. Radio, television, and newspapers pick up where the school leaves off; it is more and more difficult to be unaware than it was ten years ago. "In two minutes, a story from Vietnam can be at Cheyenne's U.P.I. office," commented U.P.I correspondent Nat Jennings.

Despite this, many adults think the teenage group is dominated by malcontents. Independents, yes . . . malcontents, no. The protesters, picketers, and marchers number about 5% of the total. Church membership has risen from 16% of 18,000,000 in 1850 to 63.4% of 60,000,000 today. In the U.S., citizens of 25 and under nearly outnumbered their elders; by 1970, there will be 100 million Americans in that age bracket. 50% of California's population is under 25.

One basic factor in the American Revolution was "no taxation without representation." Each year thousands of dollars are extracted from the 18 years old's pocket, along with numerous state consumer taxes. Yet his presence is not felt. He has voting power only in Georgia, Kentucky, Hawaii and Alaska.

If the proposed draft lottery is approved, America will be even more dependent on youth for defense and national security. Nineteen years of age will be the prime age for military service. Fight, support and maybe die for United States policies and you have no way of shaping them through elected representatives? Leave the decisions on these issues in the hands of those past service age? This is totally absurd. In 1944, Georgia thought so and in 1955 so did Kentucky. President Eisenhower proposed a constitutional amendment to lower the voting age to eighteen, but Congress took no action. Many men in war today have no voice in selecting their commander-in-chief.

In economics, the producer courts the youth of America and many businesses cater exclusively toward their ever-increasing numbers. The buying capacity of America's youth is in the millions of dollars each year, but the eighteen year-old is not accorded the same voice in matters concerning legality and necessity for statute trade practices as is the right of his majority counterpart. A person can marry before he is twenty-one and jump into the mainstream of responsible consumer purchasing. He can buy and own a home, raise a family but he is barred from taking part in the shaping of economic legal judgments that will bind him.

The modern eighteen year old was weaned on tolerance, he grew up through Little Rock and was raised in the midst of Civil Rights Acts. Never has the issue been thrust so far in the public eye. Never before has a younger generation been so forced to realize the graveness of this problem. In World War II, completely segregated units were sent to the front. Today, black and white troopers of the First Air Mobile Division fight side by side. The Defense Department reports that "integration has been carried out more rapidly than had been considered possible." This generation is recognizing more and more that discrimination is wrong, that Negroes, Mexicans and Puerto Ricans are human beings and must be regarded as such. Bigotry and hatred is still present but it is breaking down and it shall continue to do so because the eighteen year-old has been in contact with its fantasy all his life. Yet he cannot hope to rid this scourge from the halls of Congress or his State and local governments. Nor can he aid in returning the responsible or see that sharp-tooth laws concerning Civil Rights are put on the books. He doesn't have that right. Simply, he cannot vote.

At 16 years of age the modern youth is held liable for his actions by courts of law and he can be prosecuted therein. As the years go by, he becomes accountable to society for more of his actions. By eighteen he is deemed fit to die for them.

Coupled with mass news media and education to create awareness are the young peoples' political groups. Here, teenagers can see the precinct organizations in action and find the only avenue of supporting candidates open to them. Teen Age Democrats and Teen Age Republican groups hear talks by candidates and knowledgeable individuals on upcoming issues and candidates. The members canvass areas, pass out handbills, meet candidates and listen to arguments from both sides. As past president of such an organization, I know the enthusiasm and work our group did in the 1964 elections. The members were energetic and willing and our membership was very high. But when the votes came, the eighteen-year olds among us could do no better than they had; the final, meaningful instrument for support was beyond their reach.

Vice-President Humphrey once commented: "There is no better civic training than the exercise of the vote. Without the vote, all other forms of civic training are lacking. . . . It is essential that our young people take on political responsibility as soon as they are ready to do so. . . ."

If young adults lack sufficient interest to exercise the vote, what about the man over twenty. Clearly, his record gives no reason to cheer. In the 1960 elections 66.2% of the eligible voters or 68,832,818 turned out to vote. Another 19,590,000 eligible voters, for various reasons, did not go to the polls. It is quite possible that Nixon would have beaten Kennedy soundly; had these people turned out!

Finally, if a young man or woman is capable of respecting a nation's law, is taxed to pay her bills, is educated to know how she functions, is fit to die for her honor or security, and is old enough to marry and put money into her economy . . . then that same young person is old enough to speak in her behalf.

CLEAN AIR

Mr. NELSON. Mr. President, the battle to control air pollution is entering a new stage. President Johnson is seeking national standards to limit pollution, but there is considerable opposition to his proposals in some quarters and a failure on the part of the public to realize that the fight for clean air can be lost by default.

The people need to know the threat that air pollution is to their lives and property and how important it is to reduce that threat. As a means of helping inform them and some of us in this Congress as well, I welcomed the article in the recent issue of the American Federationist, AFL–CIO official monthly magazine, by George Taylor, an expert on this subject. Mr. Taylor is an economist in the AFL–CIO Department of Research.

I ask unanimous consent that Mr. Taylor's article be printed in the RECORD.

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

THE FIGHT FOR CLEAN AIR

(By George Taylor)

When the right circumstances conspire, air pollution can turn into a deadly mass killer.

In 1930, there were 60 people killed when a deadly smog settled in over the industrial Meuse Valley in Belgium.

In 1948, the steel and chemical town of Donora, Pennsylvania, was visited by a fog and a temperature inversion which left 20 dead.

In 1950, a tank of poisonous hydrogen sulfide was accidentally released to the atmosphere from an oil refinery in Mexico City. The toll: 22 dead and 320 hospitalized.

In 1952, a "black fog" hung like a shroud over London for four days and took 4,000 lives.

Ten years later, both London and New York City suffered through serious smogs.

And just last November—as if to publicize the National Conference on Air Pollution about to open in the nation's capital—the elements conspired to form a temperature inversion over New York City. Preliminary estimates put the number of deaths at 80, a toll expected to rise when the death rate is checked against mortality tables over a longer period.

These dramatic instances of smog disasters serve as periodic reminders that the city air we breathe is unclean. Air pollution is taking its toll of people's health every day in every city in the United States. It is a problem which most people are aware of by now and to which they seem to be adapting.

Unfortunately, it may take a major air pollution disaster to crystallize support for strong regulatory action.

President Johnson attempted to point up the critical urgency of the problem when he sent a special message on air pollution to Congress earlier this year. The President declared:

"We are not even controlling today's level of pollution. Ten years from now, when industrial production and waste disposal have increased and the number of automobiles on our streets and highways exceeds 110 million, we shall have lost the battle for clean air—unless we strengthen our regulatory and research efforts now."

The superficial aspects of air pollution are widely evident. People are aware of the offensive smell, the dirt deposited on clothing and curtains, the corrosion of metal and stone, the lack of visibility on roads and the damage to bathing areas.

But the dangers from air pollution are far broader and more insidious. The longterm effects of air pollution begin to work on the human organs from the day of birth. Increasing numbers of Americans are becoming afflicted with respiratory conditions—everything from the common cold to lung cancer—which are aggravated by breathing polluted air.

One of the fastest growing causes of death in the United States is emphysema, a progressive breakdown of air sacs in the lungs caused by chronic infection of the bronchial tubes. In 1962, over 12,000 persons died of emphysema. Each month, 1,000 or more workers are forced to retire prematurely because of this disease.

Other diseases of the lungs and air passages which are worsened by breathing polluted air include bronchial asthma, chronic restrictive ventilatory disease and even the common cold.

The death rate from lung cancer has been rising. Research points to a variety of causes. However, the incidence of cancer is twice as high in urban as in rural areas and appears to be related to population density as well. This is the basis for speculation that air pollution may be a contributing cause of lung cancer.

The first public concern over pollution involved the smoke nuisance in the 1940s. Public indignation focused on offenders responsible for dirtying the community. Anti-smoke ordinances were adopted in such large cities as St. Louis and Pittsburgh. The changeover from coal-burning to diesel locomotives and the increasing use of natural gas for home and office space heating helped to reduce much of the smoke nuisance in many urban areas.

Now the concern and danger is only partially with smoke. The newer industrial processes and many of the older ones are expelling a wide range of gases and minute particles. These pollutants often overload the ability of the atmosphere to disperse them and they produce effects which are sometimes unpleasant, sometimes unhealthy and, on occasion, disastrous.

The basic causes of the air pollution problem are well-known. They involve an increasing population which is becoming more and more concentrated in urban areas. The U.S. population will grow to an estimated 225 to 250 million by 1980. About 200 million people will be living in cities.

These urban area people will be driving more cars, consuming more electric power, buying more manufactured goods, creating more wastes. The overall result will be an ever-rising amount of air pollution.

The main trends are apparent.

In 1960, 60 million automobiles in the United States burned 40 billion gallons of gasoline. By 1980, over 10 million automobiles are expected to be on the road, almost doubling the gasoline being burned and emitting most of the pollutants into urban areas.

More solid wastes are dumped each year, most of it combustible. In 1960, the per capita amount of combustible waste was 1,100 pounds. Even if the per capita figure does not increase, which is unlikely, this nation will be producing 175 million tons of combustible waste by the year 2000, enough to bury a city the size of Pittsburgh or Boston or Washington, D.C. under a 30-foot mountain of trash.

By 1980, use of electric power may have increased threefold over present demand. Most of it will be generated by fossil fuels—coal and oil—although nuclear energy will be rapidy moving to the fore in the next decade. As of 1966, generation of electricity is one of the major sources of air pollution.

The growth of industrial production—iron and steel, non-ferrous metals, chemicals, petroleum, paper and allied products—is expected to double or triple over the next decade or so. These are the major industries which share responsibility for atmospheric pollution.

There is also the clear danger created by a constantly changing technology. By the end of the century, the annual expenditure by industry and government in industrial-oriented research may reach as high as $70–$80 billion. Increased research and development already has contributed to the introduction of dozens of new materials, many releasing airborne contamination to the environment, the effects of which are yet unknown.

The principal pollutants released to the air total about 125 million tons per year at present, according to a 1966 report by the National Academy of Sciences.

Automobiles, trucks and buses powered by internal combustion engines are the major emitters of carbon monoxide, oxides of nitrogen and hydrocarbons. Generation of electric power by burning coal and oil produce most of the oxides of sulfur. Industrial production is the chief contributor to the atmosphere of particulate matter and miscellaneous pollutants.

The data clearly show that moving sources of pollution spew six of every ten tons of pollutants into the air. Thus the nation's motor vehicles constitute the number one air pollution problem.

Industry, including electric power generation, is the next greatest offender, contributing nearly four of every ten tons of polluting materials emitted.

People do not die immediately from foul air, even though it may affect their health adversely when pollution of the air they breathe is chronic, which is true in nearly every large city.

But sometimes a smog disaster strikes. Such disasters occur when there is a prolonged temperature inversion and takes place in localities where there is a great volume of toxic materials being emitted into the atmosphere from industrial emitters, automobiles and homes and offices burning soft coal.

A "temperature inversion" is a meterological situation that occurs when the normally cool upper layers of air become warmer than ground air. In a situation when the air mass is not moving on the back of a prevailing wind, or rain comes to the rescue, the cool upper air stays put and prevents the dirty air at ground level from circulating up and out. Los Angeles is the prime example of a metropolis with a chronic inversion situation. But they can take place anywhere. When they happen suddenly and remain for several days where there is a great deal of emission of pollutants, people who are well get sick, the sick get sicker and some of the sick and some of the older people die.

The burden of principal pollutants is expected to double by the year 2000. Over the great metropolitan areas of the West Coast, the Great Lakes and other regions, inversions are expected to become more and more lethal, together with the kind of "ordinary" air humans breathe between inversions, which merely takes longer to infect individuals with chronic respiratory diseases and possibly lung cancer, but produces few headlines.

In the long-range view of the situation, the steady increase in the release of pollutants to the atmosphere, in addition to what is already there from natural and man-made causes, can work what may very well become a permanent change of the world's climatic cycles. It is a well-known phenomenon that temperatures in large metropolitan areas are consistently warmer than in the countryside and fogs are more frequent. This is an example of local modification.

The bulk of the air resource is in a relatively shallow envelope six miles in depth (the troposphere). There are global, regional and local air movements within the troposphere which make up nature's ventilation system, modified by topography, climate and latitude.

If the mass of air pollutants continues to build up, the global capacity of the wind systems to disperse pollutants may be seriously impaired.

Thus modern man in the United States and other industrialized nations has created a menace. It lurks in the very air he breathes and takes an increasing toll in lives, health and the economy. It is seriously disturbing the delicate balance that has existed in the environment, of which man is becoming a ruthlessly disrupting factor. He worships at the shrine of personal cleanliness, creature comforts and new techniques while surrounding himself with an environment of ugliness, filth and poison.

What has been done in recent years to clean up America's polluted air?

The federal government did not move into the picture until 1955, when legislation was enacted creating a federal program.

The Public Health Service of the U.S. Department of Health, Education, and Welfare was authorized to conduct research on the problem and provide technical assistance to state and local governments.

The 1960 amendments to the basic federal act provided for a special study of motor vehicle pollution. The federal program under this law brought more scientific knowledge to bear on causes and effects. The public attention was becoming more aware that polluted air was a national problem, was damaging to the public health and welfare, and that control of many of the larger sources of poison was feasible.

Although knowledge about the causes, effects, scope and control techniques was steadily advancing, there was little done by local, state or federal levels of government to clean up the air. The federal program was research-oriented. Outside of Los Angeles and the state of California, there were few local or state programs. Those in existence were basically ineffective.

The federal Clean Air Act of 1963, however, broadened the scope of the federal program. It authorized federal grants-in-aid directly to state and local air pollution control agencies to establish or improve their programs and empowered the federal government to take necessary action to abate interstate air pollution situations.

The Clean Air Act also expanded research, technical assistance and training activities of the U.S. Public Health Service. It directed the Service to do research and development on motor vehicle and sulfur oxide pollution from coal and oil burning in power generation and other industries, and to develop criteria on air pollution effects on human health and property.

The 1965 amendments to the Clean Air Act authorized the Secretary of HEW to establish standards to control emissions into the air from new motor vehicles and to investigate and develop methods of controlling new air pollution problems.

In 1966, further amendments enlarged the grants-in-aid program to states and localities to assist in maintaining control programs. The Congress also established a three-year authorization of $46 million for fiscal 1967 and $66 million and $74 million for fiscal years 1968 and 1969, respectively.

Between 1955–63, federal funds expended on air pollution control programs had risen slowly from $2 million to about $11 million a year. But in the 1963–66 period, the total rose to $35 million a year.

WHAT HAVE THE STATES DONE?

Fifteen years ago, the first state law dealing with air pollution was passed. Until 1963, when the Clean Air Act was passed, only 13 more states had enacted such laws. Since then, 11 more states have acted, so there are now 25 out of the 50 states with anti-air pollution statutes on the books.

In 1961, the budgets for state air pollution control programs totaled only $2 million, of which California alone accounted for 57 percent. There were 148 full-time and 29 part-time personnel working in the control programs of all the states.

By 1966, the states were budgeting an aggregate $9.2 million, $2 million of which was in the form of federal grants-in-aid. There were 406 full-time and 81 part-time personnel working in these programs.

While there was an improvement of state resources applied to the problem, the situation is still far from satisfactory in this respect. Moreover, there is wide variation among the states in the kind of agency assigned program responsibility, in standards and regulations, in enforcement and compliance procedures and punishment of willful offenders by fines, jail or both.

While the Clean Air Act encourages the formation of interstate compacts to aid in the control of air pollution, very few states have acted. New York and New Jersey were inspired to act after last year's serious smog over the New York City metropolitan area. Illinois and Indiana are negotiating a compact and so are West Virginia and Ohio.

The New York-New Jersey compact, which is furthest along, seeks legislative authority to set air quality standards and to make and enforce regulations. An innovation in this proposed compact would provide for both local and federal representation.

WHAT HAVE THE CITIES DONE?

Since the late 1800s, there have been many local smoke abatement ordinances passed by hundreds of communities, dealing with this aspect of air pollution as a nuisance. Beginning with Los Angeles, recent years have seen a greater community effort to attack poisoned air, not merely smoke.

In November 1965, according to the U.S. Public Health Service, there were about 130 city, county and multi-jurisdictional air pollution regulatory agencies in operation and located in 35 states serving 63 million people.

The total 1965 budget for all these local administrative areas was about $14.3 million, of which $3.6 million was in federal grants-in-aid. This represented a sizable rise over the $2.6 million budgeted in 1952.

The largest single local agency budget was that of Los Angeles County—$3.7 million. Control agencies in California made up 38 percent of total 1965 local air pollution control budgets in the nation. The seven largest agencies made up 58 percent of the total local air pollution control budget for the nation.

While the towns and cities are now doing more about the problem than a decade ago, much of the larger urban areas still lack programs. There are manpower problems, both in funds available to hire personnel at adequate salaries and trained manpower. The U.S. Public Health Service estimates that at least a fourfold expansion of programs is required to do a reasonably good job in terms of money and staff.

Moreover, there is a lack of definition of the full range of pollutants to be monitored and controlled. There is less than adequate support by local officials for a sustained all-out air cleanup effort. As with the states, regulations are too permissive, enforcement is weak or lacking and long-range planning is neglected.

CITIES WITH MOST SEVERE AIR POLLUTION PROBLEMS

Five areas having most severe problems: Chicago, Cleveland, Los Angeles-Long Beach, New York, Philadelphia.

Five areas ranking second in severity: Boston, Detroit, Newark, Pittsburgh, St. Louis.

Ten areas ranking third in severity: Akron, Baltimore, Cincinnati, Gary-Hammond-East Chicago, Indianapolis, Jersey City, Louisville, Milwaukee, Washington, Wilmington.

(Source: The National Center for Air Pollution Control, Public Health Service, Department of Health, Education, and Welfare.)

Thus the federal government, the states and the cities are making a tentative beginning to face up to the air pollution crisis in the United States.

President Johnson's air pollution message of 1967 contained legislative recommendations for strengthening the federal air pollution control program by means of the Air Quality Act of 1967, which was introduced by Senator Edmund S. Muskie (D-Maine) and 20 co-sponsors of both parties.

This legislation would expand the federal air pollution control program to carry out the following:

1. Designate interstate industries which are nationally significant contributors to air pollution and establish industry-wide emission levels, allowing the state to equal or exceed federal levels, but stepping in with a federal enforcement program where a state fails to do this.

2. Establish Regional Air Quality Commissions which cut across state lines and enforce pollution control in so-called regional airsheds, where air characteristics and flow are generally consistent in pattern over a multi-state area.

The Secretary of HEW would not have to wait for states to move, but could designate interstate regions where control programs were needed and, after consultation with the states and localities involved, appoint a Commission composed of two persons from each state and a federal representative named by the Secretary.

The Commission would be responsible for setting safe air quality and emission levels and could enforce them by means of present statutory authority under the Clean Air Act.

3. State inspection of 1968 and later model vehicles with carburetor and exhaust control devices, by means of assistance from federal matching grants.

4. Improved enforcement procedures.

5. Mandatory registration of all fuel additives with the Secretary of HEW.

6. A broadened research program into emittants from motor vehicles, including diesel engines, alternative methods of motor vehicle propulsion, sulfur dioxide pollution and low-sulfur or sulfur-free substitutes. This program would raise authorized research funds from $12 million in fiscal 1967 to $18 million proposed for fiscal 1968. It proposes the program include direct activities by the federal government and contracts or grants-in-aid to private industry, universities and other groups.

7. The total financial resources proposed in the Muskie bill calls for an increase from the presently authorized $74 million in fiscal 1968 to $80 million for that year and such sums as may be determined by Congress for the following four fiscal years.

The AFL–CIO Executive Council last February called for stronger enforcement of the Clean Air Act. The AFL–CIO agreed with the President's proposal to establish federal air-shed commissions and empower the Secretary of HEW "to set air quality criteria over all sources of industrial pollutants released into the atmosphere, not merely those by automobile as provided by the present act."

By these means, it is possible to move in with federal, state and local programs to control poisoned air emitted from stationary sources, factories, power stations, oil refineries and the like.

The AFL–CIO policy statement had this to say on the problem of automobile combustion and air pollution:

"Expanded use of electric-powered vehicles would sharply reduce the largest and most rapidly-growing source of air pollution. Any federal program to develop an economically feasible electric-powered vehicle should provide public domain ownership of all federal patents and a searching assessment by a national commission, with labor representation, of the social and economic impact of a largescale changeover to the electric automobile."

In a recent statement to a special Senate joint committee considering legislation to authorize a federal research and development program for electric-powered vehicles, AFL–CIO Legislative Director Andrew J. Biemiller said:

". . . present control technology and that likely in the near future is not adequate to reduce the continually mounting load of contaminants emitted to the atmosphere from the automobile in its various forms. The sheer increase in numbers of cars, trucks and buses, even if equipped with all control devices required under the Clean Air Act, will inexorably add to the aggregate environmental burden of carbon monoxide, hydrocarbons and other harmful chemicals released into the air."

The electric car is not new. It was used years ago and some probably are operating in the form of commercial vehicles in most large cities.

The problem is to find an energy source, either a battery or fuel cell which operates on chemicals, which will enable faster pick-up and higher speeds and allow the driver to cover 100 miles or more before recharging the battery at a station or exchanging it.

While industry is grudgingly accepting the disagreeable inevitability that there will be

some kind of control over air pollution, it wants a major voice in setting the terms.

Industry wants federal activities restricted to research and development, and it seeks federal tax writeoffs as well as state and local financial incentives for air pollution control equipment. Such tax breaks and incentives are strongly opposed by organized labor.

Recently, the chairman of the board of Humble Oil Refining Company said to a meeting in Houston, Texas, that if industry did not voluntarily clean up its own mess ". . . in the near future our actions in this area will be spelled out by congressional legislation."

Uniform federal standards, equitably applied, would enable industries to become socially responsible and also to maintain their respective positions in the marketplace. This is what is provided for in the proposed Clean Air Act of 1967 now before Congress. Without such standards, industries would be enticed to relocate in a more lenient regulatory climate where, among other incentives, a relaxed attitude toward air pollution could be maintained by the state or local enforcement agency.

The battle lines are now being manned in the halls of Congress. But where the fight will be finally won or lost is in the cities, towns and villages of this nation, when the citizens have decided that they have had enough and, as President Johnson has said, ". . . through their elected representatives, demand the right to air that they and their children can breathe without fear."

PERSECUTION OF ISLAM IN THE SOVIET UNION

Mr. DODD. Mr. President, in the aftermath of the recent Mideast war, Nasser and the other Arab leaders have thrown themselves completely on the mercy of continued Soviet assistance. Their dependency on the Soviet Union, accordingly, is even greater today than it was before the recent crisis broke.

Yet only one result seems certain for the United Arab Republic and those who follow its lead. That result is domination by the Soviet Union, and the destruction of the Arab culture and the faith of Islam.

Nor is the word "destruction" an exaggeration employed for literary effect.

In 1920, there were an estimated 40 million Moslems in the Soviet Union. Several years ago the number was estimated to have fallen off to 8 million. At the present rate of decline, it will not be too long before the Muslim religion is only a memory in the Soviet Union.

The persecution of the Muslim religion in the Soviet Union was the subject of a study put out in mimeographed form a few years ago by the American Committee for Liberation. This study is so pertinent to the Mideast crisis and Arab dependency on Soviet aid that I wish to comment on it briefly before placing it into the RECORD.

All religion has suffered untold persecution under communism, Islam has been no exception. Moslems have been persecuted for their faith in the same manner as Christians, Jews, Buddhists, and others. In some respects, indeed, the fate of Islam has been worse than that of other religions.

In Tashkent, for example, there were 341 mosques in 1911 and today there are 16. In Bukhara there were 360 mosques in 1906, today there are four. There is only one theological seminary for the whole of central Asia.

In a study of the Soviet regime's treatment of Islamic institutions and its policies with respect to the Islamic peoples of the U.S.S.R., the American Committee for Liberation pointed out the following:

All government media are employed in anti-religious propaganda—the press, the radio, the official "Society for the Diffusion of Scientific and Political Knowledge" with its lectures, movies, conferences, and discussion groups . . . As in all other parts of the Soviet Union, the daily press carries frequent anti-Islamic articles. Religious customs such as prayer and fasting are derided and denounced as reactionary . . . Islamic clergy appears to be under more severe limitations than the Christian clergy. Its members may not solemnize marriages; they are constantly under the surveillance of the secret police.

In the matter of religious education, the situation clearly points out the hardship suffered by the followers of Islam.

Before the revolution of 1917, besides the thousands of primary schools, there were more than 1,000 Islamic secondary theological schools in the Russian Empire. These all disappeared in the early years of the revolution. A handful have been reopened in the 50 years since, but these have been for show purposes primarily. Unlike the Soviet Christians, who are permitted a very limited publication program, Moslems have no publications of their own. Only one printing of the Koran has taken place since 1917, and the review entitled "Moslem Religion," which was announced by Radio Moscow in 1957 has yet to appear.

The Arab leaders must not forget, and we must not forget, that religion has been the traditional enemy of all modern tyrannies. Mussolini stated that "Religion is a species of mental disease." Karl Marx called it the "Opium of the people" and Hitler denounced Christianity not only because Jesus was a Jew, but because it was cowardly to speak of giving love for hate.

The Arab leaders who propose an alliance with Communism are engaged in a betrayal of their faith and of the millions of Moslems behind the Iron Curtain who have suffered for so long in an effort to practice their religion.

It is important that they weigh the dangers of the step they seem about to take. It is a step from which there is no turning back.

I wish to share with Senators this important report about the state of Islam in the Soviet Union. I therefore ask unanimous consent that it be printed in the RECORD.

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

RED STAR OVER ISLAM

(A study of the Soviet regime's treatment of Islamic institutions and its policies with respect to adherence to their traditional faith by the Islamic peoples of the U.S.S.R., by the American Committee for Liberation, New York, N.Y.)

BACKGROUND

Bearing in itself most of the stigmata of a religion, Communism is opposed to every other religion; it is a principle of the Marxist faith that every other religion must be eliminated. One might quote Marx and all the latter-day Communist prophets to prove this basic statement, but a few statements will suffice here.

Lenin said, "Every socialist must be an atheist . . ., in the face of the ignorance and darkness which religion is, the Party cannot remain indifferent. The fight against it (religion) is not a private matter. It is the business of the whole Party."[1]

As recently as in 1950, Jakovenko, writing specially for readers in Central Asia, asserted: "Leninism, Marxism, as a unique scientific concept of the world and religious ideology are incompatible, irreconcilable. Religion hinders its faithful from being active, enlightened builders of Communism. This is why it is indispensable to carry on energetic battle against religious prejudices."[2]

The prominent Soviet specialist on Islam Klimovitch points this up for Islam: "Islam is an anti-scientific and reactionary ideology opposed to Marxism and Leninism."

Klimovitch's statement was issued in 1952. In the same year the Party organ in Uzbekistan gave the final touch: "It is impossible to build Communism until we have definitely destroyed Islam."

COMMUNISM IN ISLAM

The destruction of Islam has been one of the purposes of the Soviet government, pursued with varying intensity since 1917. Islam in the USSR has perhaps been more consistently subjected to attack than any other religion. There are several reasons for this. First is the general Communist hostility to religion. Communist ideology has no answers to non-economic questions, and hence the Party cannot tolerate any other, independent ideology, like Islam.

But in the case of Islam there is another reason for its suppression. This is its close relationship to the idea of nationality. Any student of Soviet internal politics knows how relentlessly other than Russian nationalities have been suppressed over the past forty years. This applies, though in a somewhat lower degree, to the Jews as well as to the Islamic peoples. Recalling the persistent attempts, just after the revolution, to form autonomous all-Islamic states in the great areas around the east end of the Black Sea and north of the Caspian Sea—efforts which it had to suppress with massacres, the government had another reason for wiping out the chief common link among the different tribes. Islam as a sign of nationality, as well as Islam as a religion, had to be destroyed.

This was not clearly announced at the start of the Soviet regime.

After the February revolution, when conditions became favourable for a political election, the Islamic peoples joined to undertake the organization of their government structure. In May, 1917, an "All-Russian Congress of Moslems" took place in Moscow. At the Congress, a decision was adopted to organize independent states of the Islamic nations of the former empire as autonomous and independent republics. This project was placed under the general control of the "Central Moslem Council," which had been elected at the meeting.

The first to receive their autonomy were the Moslems of the Volga-Ural region under the name of "State of Idel-Ural." When the Bolsheviks came to power in Moscow in November, 1917, the formerly imperial Islamic territories—the Volga-Ural region, Central Asia and the Caucasus—already had their autonomous and independent governments. In order to establish their own, Soviet system and their own rule in these Islamic territories, the Bolsheviks waged war not

[1] Lenin, *About Religion*, pp. 6, 7

[2] *Pravda Vostoka*, June 29, 1950

only against the armed forces of the White Russians which had entrenched themselves in the outlying districts and in Siberia, but also against the national republics of the Islamic peoples. The Soviets coupled their bayonets with compromise tactics by condemning Tsarist imperialism and by promising to recognize the national rights of the Islamic peoples. Within a month two official declarations were addressed to the Islamic peoples. These documents were preceded by the famous Declaration of the Rights of the Peoples of Russia,[3] which emphasized "the equality and sovereignty of all the peoples of Russia." It abolished all national and all national-religious restrictions. On November 22, 1917, Lenin and Stalin, then Commissar of Nationalities, issued this solemn assurance: "We are filled with the desire and the determination to respect the national rights and religious feelings of the Moslems. We shall respect the rights of the Moslems to live in their own way. To protect these rights of the Moslem peoples, we will apply the full power of revolutionary law."[4] This pledge was repeated a fortnight later in an "appeal of the Soviet of People's Commissars to all the toiling Moslems of Russia and the East." The appeal contained these lines: "From this time on, all your beliefs and customs, your national and cultural institutions are declared to be free and inviolable. Establish your national life according to your own pattern and wishes. This is your right."[5] The rest of the present report shows how the Soviet government kept its promises.

Politically, the Soviet government had no more intention of permitting the autonomy of Islamic states than of leaving the religion untouched. In a resistance-crushing struggle which lasted six years, the Soviet troops finally occupied all the Islamic territories. The Soviet-installed governments, responsible directly to Moscow, put an end to all hope for Moslem self-government.

As regards religion, Communist action was almost as swift. In 1919 both Lenin and Stalin began open attacks on Islam, using all the means at their disposal—legislation, administrative action, threats of force and coercion itself, as well as the ubiquitous propaganda. The law of separation of church and state, promulgated in 1918, deprived Islam and all other religions of the right to act as a juridical person. Shortly thereafter a series of decrees, directed particularly against Islam, instituted action for the progressive crushing of that faith.

One object of attack was the Sheriyat, the code of laws based on the Koran under which adherents of Islam everywhere had lived for centuries. At first, the Soviet did not wholly suppress the Sheriyat but devised constantly increasing limitations on its application. These strictures limited the competence of Sheriyat courts and tightened Soviet control over them. In 1922, a decree ordered the retrial in a Soviet court of any case first decided in a Sheriyat court, if one of the disputing parties petitioned for such a retrial. A year later it was decreed that the state budget could not longer bear the burden of footing the cost of Sheriyat courts. Thus the financial responsibility was put on the shoulders of local citizens. By 1926 the last Sheriyat court in Turkestan had disappeared, and in 1927 the Central Executive Committee of the USSR ordered the separation of all Islamic courts from the Soviet state and forbade the creation of new ones. One essential element in Islamic life in the USSR was thus efficiently crushed.[6] Today, Sheriyat is considered antiquated and is declining everywhere.

Another Soviet line of attack was against education. In 1922, first in Turkestan and then subsequently throughout Central Asia, the right of religious institutions to own endowed property and to use the revenue derived from it was cancelled in favour of the Commissariat of Education. The management of this property was put in the hands of local Communist authorities. Thus all religious schools and other institutions came directly under state control. Under the Tsar adherents of Islam had carried the burden of educating their children, unaided by the state. In Turkestan the "maktabs" provided elementary schooling for 70,000 children, while about 10,000 older youths received their education in the "Islam sciences" in 375 "Madrassa," or preparatory schools for Islamic clergy. Though the Soviet government temporarily had to abandon the large-scale educational system it had set up to replace the Islamic schools, it continued its pressure to eliminate them. These tactics arose from the decree separating schools from churches. Deprived of the support hitherto derived from endowed properties, the Islamic schools were forced out of existence.

Pressure against Islam, as well as against other religions, was relaxed during the era of the New Economic Policy (1922–28), but resumed with greater force afterward. From 1929 on, the Soviets attacked all religions viciously, particularly Islam. The Communist authorities closed the "Nazariat" at Ufa, a religious administration for Islamic affairs which for 150 years had been the ecclesiastical centre for Islamic peoples of European and Asiatic Russia. Following the closure of all Islamic schools, the government began closing the mosques. All publication of religious literature was stopped; the Koran was declared counter-revolutionary, and its distribution was prohibited. As was the case with Christians, clergy was arrested in the thousands under various pretences and deported to Siberian labour camps. It became dangerous for any citizen to attend service in some mosque he might find open. The whole of Islamic religious life was paralyzed. The government forbade the use of Arabic script, ordering first the use of Latin script for the Turkic languages, and then later the use of the Russian script. Soviet Moslems are not permitted to use the Arabic script.

Increasing government pressure, exercised largely through the League of the Militant Godless against nationality and family tradition, has only increased the loyalty of the Islamic peoples to their faith. In the areas of Islam the revolts against collectivization in 1929 to 1931 were often incited and led by the Islamic clergy, calling for a holy war against Communism.[7]

A mass deportation of Islamic intelligentsia was carried out in the Mid-Thirties. As in other deported groups, only a few survived life in forced labour camps. The pilgrimage to Mecca was stopped. By this time the great majority of mosques and other Islamic buildings had been closed and transformed into Communist clubs, cinemas, or storehouses. By the end of the Thirties, more than 25,000 mosques had been closed. In the Crimea, for instance, not a single mosque remained open.

Up to 1941, there was no relaxation of the anti-Islam propaganda, which had the full power of the Soviet government behind it. The scope of the Soviet anti-religious effort through lectures, cinema, the radio, and the printed word is well-known. The general campaign was directed impartially against all religions—Christianity, Jewish religion or Islam. In addition to the general atheistic effort, however, thousands of pamphlets and hundreds of books were designed to subvert Islam. Four-hundred anti-Islamic books were published between 1928 and 1941.[8]

Another subversive method used against Islam was infiltration. Specially trained agents were sent to Islamic regions, stirring up doubt and dissension. "Scientific" lecturers ridiculed the religious practices of Islam, the Koran and the "myth" about Mohammed.

The purges of 1937 to 1939 further weakened the leadership of the Islam. The few remaining higher Islamic church authorities were liquidated. For example, Mufti Kasbot Terdzhemeni was shot in 1936 on charges that he was a Japanese spy. One source reports a total of 43,000 Islamic clergy killed, and 17,500 mosques closed or destroyed.[9] Islam in the USSR remained alive only by going underground.

The entry of the Soviet Union into World War II brought notable changes in the official Soviet attitude toward religious organizations. The pervasive Militant Godless movement was abolished, anti-religious propaganda almost stopped. The Orthodox obtained the restoration of the patriarchate, in return for their support of the government in the war. Stalin needed the Moslems as well, and in 1942 some government-financed mosques and religious schools were reopened in Kazan, Ufa, Tashkent, Bukhara, Baku, and other localities. The still-surviving clergymen were brought back from concentration camps. One terrible exception in this era of comparative goodwill was the Communist reprisal against those Islamic groups which, encouraged by the German advance into the USSR, had declared their territories "independent" republics: In the course of this action during the period of 1943–1945, various Islamic peoples of the Northern Caucasus, particularly the Chechen-Ingush, Balkars and Karachais, were entirely deported from their ancient lands, and their republics—the Chechen-Ingush Autonomous Soviet Socialist Republic, the Kabardino-Balkarian Autonomous Soviet Socialist Republic and the Karachai Autonomous Region—were liquidated. The Crimean Tatars, who have disappeared completely by now, were subjected to the same liquidation and deportation. The Soviet population statistics for 1959 included no figures on the Crimean Moslems. In 1957 the Supreme Soviet of the USSR admitted these atrocities and ordered the return to their homes of those deportees who were still alive. Most of the exiles were dead, and the few who did return found their land occupied by Slavs, who had been living on it since 1946. The main reason for this gesture of restitution apparently was a wish to improve Soviet relations with other Islamic countries.

As World War II ended, pressure on the Islamic inhabitants of the Soviet Union increased once more. The government's anti-religious propaganda was now organized and promoted by the Society for the Diffusion of Scientific and Political Knowledge. The "chief Moslem administrations," which had been organized during the war, were in effect incorporated into the Soviet government machine. Islamic clergy was pressured into participation in the Moscow-organized World Council in Defence of Peace. Some were sent to Islamic areas abroad with instructions to tell people there of the "freedom of religion" in the USSR. They well knew what would befall their families at home if they failed to carry out their missions. Here the Moslems had in effect to choose between martyrdom and the chance of keeping alive their persecuted faith.

The death of Stalin and the emergence of Khrushchev with his "new" policies brought no change in the attitude of the Soviet government toward Islam. In 1954 Khrushchev publicly demanded increased anti-religious activity, an order which of course was directed at Islam faithful along with other believers. Special anti-religious efforts showered a new spate of atheistic literature on

[3] S.T., p. 7
[4] I.E.
[5] E.T.R., p. 71
[6] M.S., pp. 148, 149
[7] G., p. 72
[8] I.E.
[9] G., p. 199

the Islamic populations in their various national languages. Feature articles on "Islam, an Anti-Scientific, Reactionary Ideology" appeared, for instance in Turkestan. Press appeals to the population to abjure Islam and to attend anti-Islamic lectures were common. These lectures were organized on a wide scale. Trained speakers entered schools, factories and collective farms. Attendance was compulsory, and illness, real or feigned, was the only way the Islamic population could avoid hearing the public affront to their faith. Lecturers learned to announce some innocuous topic and then, when no one present would find it wise to retire, launch into anti-Islam propaganda.

MOSLEMS IN THE U.S.S.R. TODAY

According to the 1959 census report, there are 25,000,000 Moslems in the Soviet Union.[10] Ethnically, the Soviet Islamic peoples have nothing in common with the Russian people. The latter are a Slavic race, whereas the former were predominantly of Turkic, as well as of Iranian and Caucasian origin. Geographically, the Islamic peoples live in such areas as the Volga-Ural, Western Siberia, Central Asia, the Caucasus and the Crimea. Until conquered by the Russians, the Islamic peoples had their independent governments in these areas under various names. The conquest of the Islamic nations began with Tsar Ivan the Terrible during the second half of the sixteenth century. Ivan the Terrible first seized the Tatar khanates of Kazan and Astrakhan, in the Volga-Ural region, thence penetrating Turkestan and the Caucasus.

Four "Spiritual Moslem Administrations" of the Islamic peoples of the USSR have survived to the present day. They are as follows:

1) The Spiritual Administration of the Islamic peoples of the European part of USSR and of Siberia. Ufa, the capital of the Bashkirian Republic, is its centre. Such peoples as the Tatars and the Bashkirs, who live between the Ural Mountains and the central and lower reaches of the Volga come under this spiritual administration. This is where the Tatar and the Bashkirian Autonomous Soviet Socialist Republics are situated. The head of the Spiritual Administration is Mufti Khialetdinov, a Tatar. According to the 1959 census, there are 5,000,000 Tatars and 1,000,000 Bashkirs. The Tatars and the Bashkirs are of Turkic origin.

2) The Spiritual Administration of the Moslems in Central Asia and Kazakhstan. Tashkent the capital of the Uzbek Autonomous Soviet Socialist Republic, is its centre. The head of the Spiritual Administration is Mufti Babakhanov, an Uzbek. Under his Spiritual Administration are the peoples of Turkestan: the Uzbeks (6,000,000), Kazakhs (3,500,000), Turkmen (1,000,000), the Kirghiz (1,000,000), Karakalpaks (173,000), and the Tadzhiks (500,000). With the exception of the Tadzhiks, who ethnically compromise an Iranian group, all other nationalities mentioned above are of Turkic origin. There are five Soviet socialist republics within the territory of Turkestan: The Uzbek, Kazakh, Kirghiz, Turkmen and Tadzhik republics; and one autonomous republic, Kara-Kalpak Autonomous Soviet Socialist Republic.

3) The Spiritual Administration of the Moslems of Transcaucasia. Baku is the centre. The Islamic inhabitants of Azerbaidzhan fall within its jurisdiction. The Azerbaidzhanis, who are of Turkic origin, were reported by the 1959 census to number about 3,000,000.

4) The Moslem Spiritual Administration of Dagestan and the Northern Caucasus. Buinaksk is the centre. The territory of this Spiritual Administration includes: The Chechen-Ingush Autonomous Soviet Socialist Republic, the Kabardino-Balkar Autonomous Soviet Socialist Republic, the Karachai-Cherkess Autonomous Region, the Dagestan Autonomous Soviet Socialist Republic, and the Adygei Autonomous Region. The Islamic portion of Georgia's population (Abkhazia and Adzharia) also falls under this Spiritual Administration.

Liaison between these administrations and the government is provided by the "Bureau for Cults," directly connected with the Council of Ministers of the USSR. This is an organization parallel with the Bureau for Orthodox Affairs and covers all religious bodies except the Orthodox Church. The Islamic peoples, although the second largest religious group in the USSR, have no bureau of their own.

The number of mosques open for religious services is difficult to discover. This is partly because the term "mosque" is often used to indicate simple shrines or even rooms in private homes used for prayer. Further, the figures given by different authorities vary greatly. In 1956, a Soviet source stated that there were 8,000 mosques in the USSR, but at the same time the four Muftis gave the figure as 1,800. Vincent Monteil, in his book *Les Mussulmans Sovietiques*, considers this number too large and describes the situation in certain cities to give an idea of the actual state of affairs.[11] Thus in Tashkent, which in 1911 had 341 mosques, today there are 16. In Bukhara there were 360 mosques in 1906; today there are four. Some of the mosques now open have been repaired and opened by the government, evidently as showpieces. When it became known that Nasser, visiting the USSR, would bring gifts to certain mosques, the Soviet government hastily reopened some famous places of worship. As might have been expected, great crowds attended services in these mosques, and one of the results of the situation was a new wave of religious feeling in the Islamic areas. As an aftermath of the Nasser visit, the government purged all Islamic officials of the Party who had had contact with the Arab leader. It has been reported that new mosques, along with Christian churches, have been constructed in some of the new industrial cities of the Soviet Union. If this is the case, these mosques represent isolated instances of construction.

As regards Islamic schools, there is only one theological seminary for the whole of Central Asia. It admits a hundred students for a five-year course after completion of their secondary education. The situation in Islamic theological education roughly parallels the situation in Orthodox theological education, but the Orthodox have eight seminaries and two academies. One remarkable exception is to be noted here: The problem of the Tashkent school, which uses the Uzbek language, is printed in Arabic characters.

Since the Soviet penal code prohibits "the teaching of any type of religious doctrine in schools, to minors," the number of other Islamic schools now functioning is reduced to a minimum. The apparent existence of a certain number of such schools was revealed, however, by the Communist newspaper *Turkmenskaya Iskra* (Turkmen Spark) in 1957. The newspaper laid the low level of anti-religious propaganda to the fact that "some young men, educated in Soviet schools, go on to study in Islamic religious schools." The use of the plural indicates that there is more than one such school. The location of the schools is unknown.

Soviet tactics in the battle against Islam are a combination of political action and direct anti-religious propaganda. The forced collectivization of industry and of agriculture is accompanied by an intense process of Russification. The forcible use of the Russian alphabet has been noted. The constant process of Russifying the native languages is going on, as words condemned as "Arabic" or "imperialistic" are eliminated from the dictionaries and replaced by Russian words.

Another move in the Russification programme has been the importation of Russians and other foreign elements into predominantly Moslem areas. Khrushchev's agitation for the cultivation of virgin lands has brought more than 1,200,000 young Russians and other Slavs into Kazakhstan alone. While in the Islamic republics the heads of executive offices are usually natives, secondary positions in Party organizations, government apparatus and in industry are held by Slavs, who actually run the government.

The cultural and religious impact of such policies is evident. Following the slogan "national in form, socialist in content, all phases of Islamic life are being flooded with non-national and non-religious ideology. A major portion of Islamic intelligentsia having been eliminated by deportation, there is all too little national cultural and religious talent left to resist this drive.

Denaturalization in this case is almost synonymous with a separation of Islamic peoples from their religion. A recent bulletin of the Soviet Academy of Sciences emphasizes this: "This combination of the national with the religious is no accident, and it should be recognized as one of the important vestiges of nationalism concealed under a religious camouflage." (*Ethnographic Journal of the Academy of Sciences*).

All government media are employed in anti-religious propaganda—the press, the radio, the official "Society for the Diffusion of Scientific and Political Knowledge" with its lectures, movies, conferences, and discussion groups, and the increasingly effective literature.

As in all other parts of the Soviet Union, the daily press carries frequent anti-Islamic articles. They follow the general line that Islam is reactionary, that, like other religions, it degrades and poisons people's minds, hinders their full participation in the building of Communism. Religious customs such as prayer and fasting are derided and denounced as reactionary and "very harmful to the rebuilding of life on earth." "Islam is a reactionary idea directed against the workers." It is "an anti-scientific and reactionary ideology opposed to Marxism-Leninism."

Certain Islamic customs are constantly singled out for attack. Thus each year at the time of Ramadan, the month of fasting, the press carries violent diatribes against this, "the most harmful of Islamic rites," "humiliating to human dignity and harmful to health." The personal and collective denunciation of those who observe the fast puts a great psychological pressure on the Islamic peoples. It must be emphasized at this point that the Soviet government does not vilify fasting because it wants to reform the custom, but because through its abolishment it wants to liquidate Islam itself.

Recent years—1956 to 1959—have seen a sharp increase in the activity of the Society for the Diffusion of Scientific and Political Knowledge throughout the Soviet Union. Islamic territory has been no exception to this trend. Thus the Tashkent newspaper *Pravda Vostoka* (Truth of the East) reported on February 10, 1959, that "more than 1900 agitators are conducting political (including anti-religious) propaganda among the masses." The newspaper *Qizil Uzbekistan* (Red Uzbekistan) stated on March 28, 1958, that 177,000 propaganda lectures had been held in Uzbekistan during the last two years.[12] The visiting lecture brigades cover their territory thoroughly: not only are all factories, offices, schools and homes visited and propagandized, but even peasants in their fields are lectured on the evils of Islam.

As elsewhere in the USSR, schools are sys-

[10] *Pravda*, February 4, 1959

[11] M.S., p. 153

[12] S.T., p. 24

tematically used for anti-religious propaganda, not only among pupils but, through them, in their families. Islam, of course, is not taught in the schools, and a recent issue of *Soviet Ethnology* demands that parents cease educating their children in Islamic principles at home. Special literature is published on the inculcation of atheism upon children. For example, a book entitled *Atheist Education of Children* was issued in the Turkmen language in 1956. Unlike the Orthodox clergy, Islamic clergy is forbidden to visit homes for the purpose of giving children religious instruction. The same issue of *Soviet Ethnology* advocates the preparation of special groups of anti-religious agitators, trained for work in those areas. It is reported that an atheist university has been opened in Ashkhabad, Turkmen Soviet Socialist Republic.

Anti-religious museums continue to exist in considerable numbers in Islamic areas. Many of the larger cities now have an anti-religious museum located in a former mosque or some other building closely identified with Islamic culture. Permanent exhibits have staffs of lecturers attached, and some of these speakers accompany mobile anti-religious exhibits to the smaller communities.

Islamic clergy appears to be under more severe limitations than the Christian clergy. Its members may not solemnize marriages; they are constantly under the surveillance of the secret police, whose agents are always present to report on the content of any sermon in a mosque. In 1956, TASS, the official Soviet news agency, reported that the Mullah of the Moscow mosque, Akhmedin Mustafin, had appealed over the radio to the Islamic peoples not to observe the fast of Uraza-biaram. In this instance, he could have acted only under compulsion.

One writer reports that when reading the Friday prayers in the mosque, the imam must begin by praising the Soviet government and must close with "Allah has created the Soviet government; therefore, whoever acts against the Soviet state, acts against Allah." This appears to be a "Sovietization" of the formula used in Islamic countries for asking divine benediction on the head of the state. Religious leaders among the Islamic peoples in the USSR are often "requested" to read prepared speeches over the radio, carrying strong appeals to the Islamic populations of other countries. Thus the head of the Moslem Religious Administration of Central Asia and Kazakhstan gave a speech in Arabic in 1957, praising the Communist regime and stressing the freedom of religion in the Soviet Union. No notice of this speech appeared in the newspapers of the Islamic peoples, but it was mentioned in a brief paragraph by TASS. Since few of the Islamic inhabitants of the Soviet Union understand Arabic, they would not know what one of their Muftis had said.

The Islamic clergy, together with the clergy of all other faiths, has been brought into the extensive activities of the World Council in Defense of Peace. Here it has had to hew to the Soviet propaganda line, together with Christians and Jews. That all clergymen are responsible to a Moscow-appointed spiritual head of their region rather than to one chosen by the Islamic faithful themselves indicates the careful state control over the whole of Islamic life in the USSR today.

The significance to all believers in Islam of a pilgrimage to Mecca is well known.[13] Before the revolution as many as 40,000 Islamic faithful from Turkestan alone made the journey each year. After the revolution and until 1946, pilgrimages were forbidden. It must be pointed out, however, that during this period travel abroad was impossible for all other ordinary Soviet citizens. Although pilgrimages have been permitted in principle since then, it is difficult for anybody other than a member of the Communist Party or a trusty of the Soviet government to obtain the necessary exit visa. A visa is issued only after the applicant has been checked by the state security police. It appears that such "pilgrims" are obliged to conduct propaganda in support of Soviet foreign policy and to aid other subversive activities in the Islamic countries through which they pass.[14] In fact, pilgrimages to Mecca are a state project in the Soviet Union. In 1954 only 21 "pilgrims" were permitted to go to Mecca, incontrovertible evidence of the needle's eye through which the "pilgrims" must pass.

Such limited freedom as has been granted to Islamic citizens of the Soviet Union seems to have been given largely for the effect it will have on other Islamic countries. A foreign delegation from an Islamic country went to worship in a splendid mosque but was not told that a few months ago it had been an anti-religious museum. Nothing could better illustrate the contradiction between Soviet propaganda to Arab nations abroad and its intense anti-Islamic activity at home. On the one hand, the Soviet government uses the Islamic leaders to support its foreign policy, particularly in the Arab world; on the other hand, these same leaders and their faithful are constantly under attack at home as "obscurantists—superstitious and harmful to Soviet economy."

In the matter of religious education, the situation is most inadequate for Islam. Besides the thousands of primary schools ("maktabs"), there were more than 1,000 secondary theological schools ("medrasede") in the Russian empire. These all disappeared in the early years of the revolution. As part of its "moderate" policy toward religion after World War II, the Soviet government opened one Islamic theological school in Bukhara in the Uzbek Soviet Socialist Republic.[15] Until 1920 an Islamic theological school in Bukhara had 17,000 students whereas the present school (Mir-Arab) has 100. The programme uses the Arabic script and is in the Uzbek language. It lists language courses in Russian, Uzbek and Persian, and the course "The Soviet Constitution," in addition to the classical theological subjects. Choice of the candidates for this school is in the hands of the Department of Religious and Cultural Affairs of the Council of Ministers. Several authorities point this out as evidence for their statement that the Bukhara school has two purposes: (1) to train mullahs who will cooperate with the Soviet government, and (2) to prepare Communist agents for work in other Arab countries. That these purposes may be often realized in one and the same person is evident from conversations held in Mecca in 1956. "Pilgrims" from the USSR admitted that they had been instructed to report everywhere abroad that Islam enjoyed real freedom in the Soviet Union.

It is reported that another Islamic academy forms part of the Central Asiatic University in Tashkent. This school, however, appears to be even more Soviet-controlled than the Bukhara institution, and its value to religion is probably nil.

Unlike the Christians, who are permitted a very limited publication programme, Moslems have no publications of their own. Very limited editions of the Bible have appeared in Russia, but, so far as is known, there has been only one printing of the Koran. Publication in Arabic letters would be of little use, since, except for the 100 students in Bukhara, Arabic is not taught anywhere in the USSR. The review entitled *Moslem Religion*, which was announced by Radio Moscow in 1957, has yet to appear. Thus, up to the present, Islamic peoples of the Soviet Union have been unable to publish any literature of their own.

OUTLOOK

After 40 years of intense persecution of Islam by the Soviet Government with all the forces at its command, what remains of Islam in the USSR? Some quotes from recent Soviet writers are indicative. Khasurov, Secretary of the Tashkent Komsomol (Communist youth organization), stated recently: "Lately the Komsomol organizations have diminished their anti-religious programme among young people. It is no secret that a certain group of young people is still under the influence of religion. This group visits the mosques and performs the rites."[16] Shelepin, former Secretary of the Central Committee of the All-Union Komsomol, complains that "it is a well-known fact that religion does the cause of Communist education much harm." Young people of Islamic faith have been particularly reluctant to join the Komsomol, and statistics show a very small percentage of Moslems in its membership. *Komsomolskaya Pravda* states on December 22, 1955, that in Turkmenistan "many people still attend the mosques and celebrate religious holidays—not only men and women of the older generation but even school children and young people from the collective farms."

From 1954 to 1956 a special team from the Soviet Academy of Sciences conducted a secret survey of the religious situation in two regions of Turkestan. *Soviet Ethnography*, in publishing parts of the survey report, admitted: "There are many believers among women, men and young people, who fulfill all Islamic rights, of marriage, burial, circumcision, fasting." The journal reiterated its demand that parents cease educating their children in the religion of Islam.

Writing in the same publication in 1957, G. D. Snesarev, an "eminent Soviet scholar," spoke of the extraordinary vitality of Islamic religious beliefs. He would not have agreed with this statement by Professor Richard Pipes of Harvard University: "There can be no doubt that religion has lost its hold on the new generation and that Islam as a way of life is as much a thing of the past as Christianity is in the West" (*The New Leader*, New York, December 29, 1958). Snesarev declared that although orthodox Islam has been weakened and the number of persons observing the fasts and other religious occasions, as well as the number of persons with a knowledge of Arabic, is diminishing, "a religious movement is being born before our very eyes in the regions where Islam was once widespread. This movement strives to adapt the religion to modern conditions; it accepts every compromise and tries to modernize Moslem dogmas." Snesarev felt that the strong bonds of the family and of the clan were the chief reason for this persistence of Islam and went so far as to propose the destruction of the entire traditional Islamic society. Monteil in his detailed study of the Islamic peoples in the Soviet Union analyzed the situation by classifying society according to age, sex, and degree of culture. Here are his conclusions.

The old people, in general, remain believers, but it is a question of how profound is their knowledge of Islam. "With them the past is dying out, unless at home they have some influence on their descendants."

The majority of the youth is de-Islamized, but there are, of course, the exceptions, like the 100 theology students in Bukhara, who still say their prayers. With all respect to their grandparents, the religion they receive from them is "only the reflection of a reflection."

As a rule, women still are believers. A question about the depth of their religious faith is raised by Monteil, particularly in view of the inadequate amount of education permitted to women.

The majority of the population, while

[13] S.T., p. 21

[14] F.M., p. 4

[15] E.T.R., p. 76

[16] M.S., pp. 181, 182

outwardly accepting all the repressive measures of the government, continues to follow all the old national and religious ways in private, but Monteil wonders how much of this observance is national tradition and how much real religious faith.

The Marxist-educated intelligentsia in general is opposed to all religion, including Islam. Still, great veneration for Islamic traditions exists among its members, who apparently fulfill some of the Islamic rites. This attitude may again be interpreted as being partly motivated by a natural cultural resistance to the continuing Soviet effort at denationalization. Monteil reports that the majority of the remaining Islamic clergy has made some sort of concordat with the Soviet system—an adaptation which is true of the Christian clergy as well. An old Mufti in Tashkent, when asked how he could reconcile the principles of Marxism with the precepts of the Koran, replied that in the USSR "every citizen is free to choose his own way—ours passes by the mosque." But Monteil remarks that the Mufti's is a very old mosque, untouched by the winds of reform which are blowing in other parts of the Islamic world. Living in isolation, Islamic peoples in the USSR are not reached by modern Islamic trend of thought. "But," says Monteil, "these Moslem clerics are anything but traitors to their faith. It is not for us to judge. Like the clergy of other faiths, they have made choices of whose difficulty outsiders can have no idea, in the desire to preserve what is possible of the faith of their fathers."

The unrelenting Soviet effort to destroy one religious group in its entirety continues. It will have to go on for still a long time before Islam is wiped out. Klimovitch admitted in 1956 that "Islam is one of those religious survivals of which still remain among a portion of the population in the republics of Central Asia and Kazakhstan, the Caucasus, Tatary, Bashkiria, and several other regions of the RSFSR." [17] Of course no statistics are available, but the constant appeals of Soviet writers for intensified campaigns against these "survivals" are some indication of the task which the Soviet antireligionists are facing.

Observers in the Soviet Union report that all Christian churches are crowded; the same is true of mosques. The overcrowding may be due, however, to the scarcity of places of worship. There is only one mosque in Moscow, for instance, and it is always overfilled. On special Islamic religious holidays the streets around the mosque are so crowded that traffic is completely stopped. In separate conversations on religion with two Moslems in Moscow—in both cases it was the Moslem who began the discussion—the chief points raised were reasons for belief in God and in the immortality of the soul. "Are there many unbelievers among you?" "Only one in a thousand," was the reply "and he only halfway."

It is evident that 40 years of intense, psychologically planned effort to eliminate Islam from the USSR have not been without effect. The sweeping changes in social life, the attacks against Islam as outmoded, unscientific and harmful to the state, all the possible forms of moral and physical pressure on believers, have evidently reduced the number of the Islamic faithful, with the major decrease among youth. The almost complete suppression of Islamic theological education raises the question of whether, after a few more decades, any Islamic clergy will remain. The real extent of the modernized-Islam movement described by Snesarev is unknown, and its future is an open question. An open question, also, is the ultimate survival of Islam in the USSR.

[17] G., p. 202

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PUBLICATIONS OF THE AMERICAN COMMITTEE

The American Committee for Liberation makes available on request a number of publications dealing with its work as well as with the activities of Radio Liberty and the Institute for the Study of the USSR. Among these are:

"Peaceful Co-Existence!" What It Means to Khrushchev, 17 pp.: A study by a former professor at a leading Soviet University based on the statements of Khrushchev, the writings of Lenin and Stalin as well as current Soviet pronouncements on the problem of "peaceful co-existence." It analyzes the Communists' understanding of "peaceful coexistence" as a tactical maneuver directed at gaining time to prepare for the future decisive battle against "capitalism."

The War Against Religion In The USSR—From Lenin to Khrushchev, 20 pp.: A study of the Soviet regime's policies respecting religion and religious institutions and activities, written by an American who spent a number of years in Soviet Russia shortly after the Revolution of 1917 and who recently visited the Soviet Union again. The booklet details the actions of the Soviet regime in the face of the persistence of religious faith and adherence to religious institutions on the part of millions of Soviet citizens.

Communicating With the People Behind the Iron Curtain, 16 pp.: In April, 1957 Howland H. Sargeant, the President of the American Committee for Liberation, spoke on this topic at The New School in New York. This booklet, giving excerpts of his remarks, provides a valuable insight into the philosophy of broadcasting to Iron Curtain countries, particularly as it applies to Radio Liberty.

Foreign Trade As an Instrument of Soviet Policy, 10 pp.: The Soviet Affairs Analysis Service, a department of the Institute for the Study of the USSR concerned with current developments in the Soviet Union has prepared this study based on the theme that trade is becoming one of the most important weapons in the Soviet arsenal.

[From the Christian Science Monitor, Sept. 5, 1964]

ISLAM FADES IN UZBEKISTAN

TASHKENT, U.S.S.R.—The crumbling or converted mosque is a symbol in Uzbekistan, which with 10 million people is the most populous of the four Soviet republics of central Asia.

Before the 1917 revolution this corner of the Russian empire was almost entirely Moslem. Today Islam has been virtually obliterated as an important influence on the lives of the Uzbek people.

Women were in the background in Moslem times. Now they represent a vital component of Uzbekistan's labor force.

The official Communist Party line is that most people have abandoned religion because of social and economic progress, plus expansion of public education.

"But a certain section of the population continues to profess Islam and freely perform all religious rites," says official literature.

MOSQUES CONVERTED

The laws of the republic ostensibly provide for freedom of religion and freedom of antireligious propaganda. But it is easy to see which has had the most powerful impact. You find decaying and locked-up mosques. Others have been converted into apartment houses, libraries, shopping centers, movies, and public monuments.

The term "monument" is sometimes a euphemism. One mosque in Bukhara, described as a monument by the local guide, turns out to be a pool hall.

The authorities say 250 mosques operate in Soviet Central Asia. However, some are only makeshift or part-time ones.

While there is no authoritative figure on the number of practicing Moslems in Uzbekistan, one is told there are some 20 million in the U.S.S.R.

Ismail Mahdun Sattyev, deputy mufti for the central Asian republics and Kazakhstan, met visiting reporters in a reception room on the grounds of Tashkent's main mosque, Bara-Khan, built in the 15th century.

KORAN PUBLISHED

"There is propaganda against us, but we are convinced our faith is good and we are doing our business," he said.

Antireligious government propaganda attacks "mainly superstitions," he said, but it doesn't touch "the fundamentals of our religion."

Periodically new editions of the Koran are published here. In 1956 there was a printing of 4,000 copies and in 1960 one of 5,000.

While most of Uzbekistan's religious training schools have been closed or converted into museums, one still operates in Bukhara. It has 35 to 40 students.

Vice-Premier Sarvar Azimov of Uzbekistan says that when a mosque is closed it is usually at the request of the congregation.

Once women were not permitted to appear in public places without the veil. The new-generation Uzbek girl is well dressed and educated and has little time for quaint customs.

WOMEN AT WORK

Women account for one-third of all the labor employed in industry and 40 percent of all specialists with higher education.

A government brochure, offering an insight into the sort of values that prevail, says many women operators of cotton-picking machines "have become known far and wide in Uzbekistan."

Some of history's giants have figured in Uzbekistan's past: Alexander of Macedon, Genghis Khan, and his Mongol hordes, and Timur, commonly known as Tamerlane.

THE MILWAUKEE JOURNAL SUPPORTS THE REA CREDIT BILL

Mr. NELSON. Mr. President, the Milwaukee Journal on June 3, 1967, published an excellent editorial supporting the proposal to establish a Federal Electric Bank to help provide needed public and private capital to meet the needs of rural electric cooperatives.

The editorial shows an unusual understanding of the economic issues involved and of the important role which rural electric cooperatives play in the development of our rural areas. I ask unanimous consent that the editorial be printed in the RECORD.

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

FINANCING THE CO-OPS

Since the first rural electric cooperatives set up shop more than 30 years ago, this

remarkable system has lit up a sparsely settled landscape that nobody else wanted to serve. But as urban development spilled into the countryside, the territory served by portions of some of these co-op systems became far more attractive and profitable.

For years now this situation has generated sparks from critics, including commercial power companies. They note that the co-ops are still being subsidized by bargain 2%, 35 year loans from the rural electrification administration.

Faced with increasing heat from congress, the rural electric systems have proposed formation of a whole new credit system for the co-ops, using both federal and private money. A bill in congress would create a rural electric bank. The government would contribute $750 million to it in the next seven years. The bank also would sell securities to private investors to raise the rest of its capital. A similar bank would be established to serve rural telephone co-operatives, which also now borrow from the REA.

Systems with fewer than two customers per mile, or which own less than 40% equity in their plants, could continue to borrow at the 2% REA subsidy rate. Others in better financial shape would have to get their capital from the banks at rates reflecting their cost of borrowing money, both federal and private.

The changing times seem to call for some such shift, but not the outright dumping of co-ops on the private money market. Much of the territory they serve still is anything but lush. On a national average, rural electric systems say they serve only 3.5 customers per mile of line compared with 34 per mile for commercial companies.

The goal in all of this must be gradually to retire government funds from the banks, to shift support to private investors and eventually to wean the co-operatives from federal borrowing altogether.

LYNN STALBAUM CITES ISSUES INVOLVING PUBLIC INTEREST

Mr. PROXMIRE. Mr. President, Lynn Stalbaum, of Racine, Wis., a product of one of our Wisconsin farms who has gone on to distinguished service in the State legislature and the U.S. Congress, gave an excellent address to the 29th annual meeting of the St. Croix Electric Cooperative on June 8.

Mr. Stalbaum reviewed the great contribution which locally owned rural electric cooperatives have made to our State, and he also dealt with problems involving automobile and tire safety, corporate mergers, and the current investigation into prescription drugs.

This is a thoughtful speech on issues involving the public interest, and I ask unanimous consent that it be printed in the RECORD at this point.

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

REMARKS OF HON. LYNN STALBAUM, AT THE 29TH ANNUAL MEETING OF ST. CROIX COUNTY ELECTRIC COOPERATIVE, BALDWIN, WIS., JUNE 8, 1967

As has been indicated to you in the introduction, I am a Wisconsin farm boy, but must hasten to add that I grew up on the farm without the benefit of electricity. It was not until 1937 that electricity reached our farmstead, one-fourth mile off the main road.

It would be pleasant for me to stand here today and tell you that the ultimate source of power was through an REA-financed co-operative, but such is not the case. It was by a private utility. *The fact remains that until REA came onto the scene and threatened* to move into farm areas such as the one where I grew up in Southeastern Wisconsin, the private power companies had done *absolutely nothing* to encourage electrical development in the rural areas.

If memory serves me correctly, and 30 years or more is a long time to remember, the original bill which they wanted to submit to us to run power to our place back in the early 1930's was $1,300. Bear in mind this was just for the power lines to bring the electricity to our farm. It did not in any way cover the cost of the wiring and fixture installation nor the monthly charge for electrical service. And those of you who have grown up and have lived through the depression days of the 1930's, I am sure, will realize that $1,300 was about one year's gross income from the average Wisconsin dairy herd during those days.

After the threat of REA developed they agreed to provide our farm with service for a minimum charge of seven dollars a month for three years, which also applied against the electricity we used. We in turn had to agree to buy at least one of three major appliances. Seven dollars times thirty-six months is about $250.00—a long way from their original $1,300 figure.

I congratulate you tonight because you have overwhelmingly proven that individual farmers and other rural residents can successfully operate their own electric system. When St. Croix Electric Co-op was organized back in 1938, I am sure there were many prophets of gloom and doom who said that this rural area could never be electrified. You have shown that they were wrong.

Although the record of your achievements in rural electrification is an illustrious one, it is well to keep in mind that the rural electric co-ops were and still are experiments, experiments to test whether individuals can control their own economic welfare in a democratic and equitable manner. This testing has gone on, is going on—and will continue to go on.

An annual meeting, such as this, proves that the United States continues to offer individuals the opportunity to work together to meet a common need. Much has been written and said of late about the decreasing importance of the individual in today's increasingly complex world of bigness.

As you exercise your one-member, one-vote rights here today, you prove again—among other things—that each individual member of this cooperative is important—whether he buys 250 or 2,500 kilowatt hours of electricity a month.

Unfortunately, as merger upon merger concentrates more and more economic power in the hands of fewer and fewer people, hardly a day goes by without a report of some blatant abuse of power by the powerful—or as I characterize it—the arrogance of bigness. Let me tell you about some of these.

In an effort to silence auto safety critic Ralph Nader, General Motors hired a detective to pry into every facet of Mr. Nader's life, looking for some derogatory incident with which he could be discredited. What had Mr. Nader done to warrant such treatment? He had said that the Corvair was not a safe car. And so—rather than argue with him—they attempted to destroy him. His right to express himself on a serious problem was not to be considered. Nor apparently were they concerned about those who might be killed or maimed from using their unsafe product.

When Wisconsin's own Senator Gaylord Nelson and a subcommittee he heads, opened hearings on drug prices last month, the Pharmaceutical Manufacturers Association labeled the inquiry as "another inquisition".

What Senator Nelson's group is really seeking is the answer to a question which vitally concerns the health and pocketbook of every individual—namely, why does a patient have to pay a significantly higher price for a drug which has been prescribed by its brand name than he would have paid if the drug had been prescribed by its generic or scientific name?

Dr. Richard Burack of the Harvard Medical School has pointed out that if a doctor prescribes a drug by the brand name of a pharmaceutical firm, his patient may pay ten times more than if the drug had been ordered by its generic or scientific name.

The drug industry, Dr. Burack points out, spends at least $600 million a year in advertising and sales campaigns directed at doctors. Since there are approximately 200,000 prescribing doctors in the U.S., the drug companies are spending 3,000 advertising dollars per year on each doctor. The effort pays off—for the drug industry. 90 percent of the prescriptions written each year specify brand names and the druggist—by law—is not permitted to use less expensive substitutes.

Senator Nelson's Committee also learned that city and county drug-buying agencies feel the price squeeze almost as much as do individual consumers. According to surveys made by his Committee, the city of Atlanta, for instance, paid $22.60 for 1,000 units of Dexedrine—almost 40 times more than New York City paid for the same quantity of this drug. 100 units of an antibiotic cost San Francisco $25; New York bought it for $6.73. Why is the differential so great? Because New York City accepts competitive bids from both generic and brand-name manufacturers.

Obviously, the Congressional hearings on drug prices are focusing the national spotlight on some facts which the Pharmaceutical Manufacturers Association would prefer to keep in the shadows. But by attempting to label it an "inquisition" Big Business—in this case, the Big Drug Business—is exhibiting another example of the arrogance of bigness.

There are those who argue that Big Business is good because mergers result in more efficient operation which, in turn, benefits the individual by lowering the cost of goods and services. This "trickle-down" theory is fine (and I don't quarrel with it) as long as the cost saving benefits of big business are allowed to "trickle down" to the individual, rather than being siphoned off at the top.

An informed public—which really means a citizenry which is made up of informed individuals—is our best defense against the arrogance of bigness. But our sources of information are constantly being threatened by Big Business attempts to pressure and influence—either directly or indirectly—the news media. Recent hearings held before the Federal Communications Commission revealed the blatant attempts by Big Business—in this case, the big International Telephone and Telegraph Corporation—to "manage" the news for its own benefit.

Briefly, here's what happened: Last December, the Commission, after only two days of hearings, voted four to three to approve ITT's (application to merge with the American Broadcasting Company, which is the country's third largest radio and TV network. The Commission majority accepted at face value the promises of executives of both companies that ITT's) worldwide interests—some of them involving foreign governments—would not be permitted to influence ABC's handling of the news. The FCC majority also overrode a Department of Justice opinion that the proposed merger raised questions of the "possibilities of adverse effects" on competition.

Wisconsin's Senator Gaylord Nelson and others protested the FCC action. As a result of his efforts and those of the Department of Justice, further hearings were held.

At these hearings, news reporters sub-

poenaed by the Justice Department told of the relentless pressure and badgering to which they had been subjected by ITT in the weeks after the merger case was reopened. A United Press International reporter termed one of the calls to his editors as "an obvious economic threat" in view of ABC's role as a big customer of UPI's radio and television news reports.

Eileen Shanahan of *The New York Times* testified that her coverage of the proposed merger had prompted five or six telephone calls or visits from ITT officials. One of them, the senior ITT vice president for public relations, made what Miss Shanahan described as "accusatory and nasty" comments about her coverage and asked if she didn't feel she had a responsibility to the shareholders who might lose money as a result of what she wrote.

The obvious point which this ITT vice president completely ignored is that, as a newspaper reporter, Miss Shanahan has a responsibility to the general public to report the facts. The function of the news media in a free and democratic society is not to protect the financial interests of stockholders of giant corporations.

Again as in the drug situation the story has a Wisconsin twist—again it involves Senator Nelson. The story was put out by these companies that Gaylord Nelson, working with Commissioner Nicholas Johnson in the FCC was praparing legislation to force every newspaper to divest itself of any radio or television holdings it had. As Senator Nelson personally told me there were two things wrong with the story. First, he had never met any Mr. Nicholas Johnson in the FCC and second he had never considered introducing such a bill. Yet this story was given to Wisconsin reporters, among others, presumably to intimidate our good Senator. To quote him: "The whole thing was nothing but a plain lie by them."

CHAMBER OF COMMERCE AND MODERNIZING LOCAL GOVERNMENT

Mr. MUNDT. Mr. President, many of us are concerned about the erosion of governmental authority and responsibility at the State and local level and the parallel increase in the influence of the Federal Government. This development disrupts the principle of balance that undergirds American federalism. Yet, it must be acknowledged that one of the basic reasons the States and localities are having difficulty in sustaining their rightful place in our federal system is the fact that private groups, local governments and especially the States have failed to collaborate and come up with meaningful, imaginative ways and means of adapting local governments to the population, technological, and environmental changes of this century.

The crisis that many local governments now confront is not merely the crisis of urban areas alone. Rural communities are also affected—especially those whose population and financial resources are on the decline. Unless local government in rural and urban America can be revitalized, our economic and political system will have little chance to solve urgent public problems effectively. All levels of government as well as key segments of the private sector of our society must come to grips with this vital question.

In this respect, I invite attention to a brief but imaginative brochure just issued by the Chamber of Commerce of the United States entitled "Modernizing Local Government." This excellent survey traces the origins of the difficulties now confronting local government, underscores the difficulties in achieving necessary reforms, and advances alternative courses of positive action to streamline the structure of local government.

The differing problems of metropolitan and nonmetropolitan areas are treated separately and suggested State constitutional amendments and enabling legislation are developed to eliminate any forestalling of community and area-wide action programs by outmoded State constitutions and statutes. It should be noted that many of the modernization approaches recommended in this brochure have also been advanced by the Advisory Commission on Intergovernmental Relations on which the junior Senator from Maine [Mr. MUSKIE], the senior Senator from North Carolina [Mr. ERVIN], and I represent the Senate.

The national chamber is to be congratulated on their foresight in developing this program and policy and I hope that State and local chamber leaders will initiate vigorous action to carry it out.

I ask unanimous consent to have printed in the RECORD the text of the booklet and invite particular attention to the policy statement on "Modernizing Local Governments of General Jurisdiction."

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

MODERNIZING LOCAL GOVERNMENT

(By the Chamber of Commerce of the United States, Washington, D.C.)

FOREWORD

A competitive market economy and a federal system of balanced national state and local government, combined with a tradition of social justice, have been the principal architects of America's achievements. Together, these institutions have provided an environment encouraging individual initiative and personal and group action. Together they have been the cornerstone of America's success in producing goods for the greatest numbers, expanding personal freedoms and promoting human dignity.

These institutions are today being seriously challenged. Complex problems caused by growing population, dramatic technological changes and rapid urbanization are placing intensive demands on them. Unless these problems can be solved within the framework of the competitive market economy and a balanced federal system of government, these institutions could be significantly altered and the environment needed for individual initiative and personal and group action could be damaged.

It is increasingly evident that a major obstacle to solving today's problems is insufficient action at the community level. And a prime reason for this is local government that lacks the kind of structure which permits flexibility to meet public needs. Many communities have failed to adapt their local governments to the population, technological and urban changes of this century. Citizens have been apathetic. The result has been to discourage local action, to replace local leadership and private enterprise solutions with increasing dependence on government at the national level. It is this growing reliance on the federal government that could alter our economic and political institutions, and weaken local initiative and acton.

Businessmen everywhere increasingly recognize the need for more effective ways of solving community problems. They know that private enterprise action on local problems is necessary. Businessmen realize that they can involve themselves without violating their responsibility to make profits and expand job opportunities.

As businessmen involve themselves with community problems, they are becoming more aware of the need to modernize local government. Consequently, they are in increasing numbers committing themselves to help create flexible local governments that can be major instruments in community problem solving.

This publication is dedicated to that commitment.

WHERE IT BEGINS

In a nation with the highest standard of living, the broadest educational opportunities, the most sophisticated technology people have ever known, we have:

Cities choked with traffic

Millions of substandard dwellings

Rising crime and delinquency rates

Widespread social unrest

An environment becoming steadily more polluted

Vast deteriorating commercial areas.

These problems—and others—seem to defy traditional approaches. The business of finding solutions is taxing the imagination and resourcefulness of Americans. It is imposing great demands on our institutions—social, economic and political.

The challenge is heightened by the price of failure.

The nation's future depends on solving these growing twentieth century problems. The question is not "whether" but "how." *Clearly, if solutions are not found within the framework of balanced private enterprise and federal-state-local government arrangements, other ways will be sought.* People will not, for long, tolerate inaction or failure.

But today, private enterprise and state and local governments are severely handicapped in developing imaginative solutions to pressing public problems. Outmoded local government structures straitjacket public flexibility and stifle private initiative. Some metropolitan areas are made up of from fifty to several hundred political subdivisions. Many counties and cities elbow each other abrasively. Adequate tax sources are lacking. Effective administration has not been developed. Too often, states do not provide the technical and financial help that local governments need and cannot obtain from any other source. State help is especially needed by cities suffering from growing pains—growing pains heightened by the influx of thousands of undereducated, unskilled migrants and by the exodus of middle- and high-income leadership to the suburbs. Likewise, help is needed—and not always offered—in rural communities bypassed by prosperity.

Unless local government is revitalized, our political and economic systems, as we now know them, will have little chance to solve public problems effectively. Governments of yesteryear must be remodeled to fit not only today's, but also tomorrow's needs.

PREPARING FOR ACTION

Action to improve government is not easily generated. Action often involves legal procedures requiring patience and skill to follow through. Action must often overcome the fear of change itself. Public apathy is often an obstacle. A public which is irate over traffic congestion may be placid about governmental inefficiency or incapacity on other fronts.

Public interest in streamlining government will normally be only as strong as the

public's desire to satisfy community and area needs that cannot be met without better government. A first step to improve government, therefore, is to identify community and area needs and to identify governmental changes necessary to satisfy them.

To do this, more and more communities and areas are entering into programs of "Total Community Development."[1] Total community development, as outlined by the National Chamber, encourages area and community economic, social and political groups to coordinate action for community improvement, including the modernization of government. Total community development, so defined, can help:

Determine economic, social and political goals toward which the community and area should strive;

Identify and understand community and area problems—including poor government—standing in the way of these goals;

Determine priorities in attacking these problems;

Obtain public support and cooperation in solving these problems and in achieving community and area goals.

This "total" approach involves a systematic analysis of problems in which study teams of informed persons seek out all available methods of solving problems.

Local chambers of commerce are particularly well fitted to coordinate these efforts because of their broad interest in community affairs, their access to community leaders and the considerable human and physical resources local chambers can apply to problem solving.

Coordination is the key to success. Total community development, in the majority of places, must involve broad community participation to succeed. Social and political groups, in addition to local chambers of commerce, can and should play a central role.

Recent studies of local governments suggest several criteria that can be used by individual communities or groups of communities in an area to measure the effectiveness of their political machinery. These criteria can be put in the form of questions:

1. Are local governments large enough in area and population to act effectively on community problems and opportunities?
2. Are they willing and able to raise sufficient revenue equitably?
3. Are they willing and able to adjust boundaries to meet changing conditions?
4. Are they organized to handle effectively a variety of functions?
5. Are they accessible to and controllable by the people they serve?
6. Are they able to attract qualified public servants?

"No" answers to these questions can mean serious governmental problems. In that case, action is needed.

COURSES OF ACTION TO MODERNIZE LOCAL GOVERNMENT

Community, state and national organizations and institutions have done considerable research and developed suggested courses of action to modernize local government. Some of these courses of action are listed below. They tend primarily to permit greater structural and financial flexibility and higher levels of technical competence in administering local governments. Each course of action has its strengths and weaknesses. Each must meet the test of political reality in a given community. Sources for complete information on all courses of action are listed on page 23. Sources for reports on local area and state experience are listed on page 22.

[1] For a detailed definition of "Total Community Development,"—the "why" and the "how" see: *A Leader's Guide for Organizing a Total Community Development Program*, Chamber of Commerce of the U.S., 1615 H Street, Washington, D.C. 20006.

The following modernization approaches presume that state laws and constitutions permit such courses of action at the local area level.

For metropolitan, suburban, or rural areas

Metropolitan, suburban and rural area communities may elect to:

Adopt municipal and county forms of government best suited for a given community and area (strong mayor or council-manager).

Establish a voluntary association of elected officials of local governments to promote coordinated action to solve area-wide problems where there are mutual economic development interests.

Transfer functions between municipalities and counties to achieve the most efficient and effective performance of specific functions.

Contract with other local governments for the performance of functions, services and joint enterprises where such contracting will better meet community and area public needs.

Use extraterritorial powers to guide development outside municipal boundaries and to promote sound area-wide governmental structure and services.

Annex unincorporated areas to avoid proliferation of new and uneconomic units of government in urban areas.

Authorize counties to undertake those urban activities that can be performed more effectively and efficiently on a county-wide basis.

Establish an equitable tax system by (a) repairing administration of the property tax, and (b) placing more emphasis on non-property tax sources which coincide to the extent possible with the boundaries of the trading and economic area, and that can be piggy-backed as a supplement to a statewide tax.

Invest idle public funds.

Utilize state government expertise and enforcement resources.

For metropolitan areas

Metropolitan area communities may consider further actions which would:

Establish a council of governments, a voluntary association of elected officials of metropolitan area local governments to promote coordinated action to solve area problems;

Establish an "urban county" by enlarging county responsibility for urban services in all or part of its jurisdiction;

Establish state responsibility for cost and operation of certain services, such as environmental pollution control, water supply and specialized crime laboratory facilities;

Annex unincorporated territory; consolidate with other incorporated units, or both;

Consolidate county and cities of an area into a single government to perform all functions; or, consolidate county and cities for the performance of certain functions, retaining separate city and county governments for other functions;

Establish a federated system of government wherein area-wide functions are assigned to a "metropolitan government," and local functions are performed by existing local governments;

Levy an area-wide tax to underwrite area-wide functions and distribute resources to local governments on an equalizing basis.

POSSIBLE ACTIONS TO MODERNIZE STATE RESPONSIBILITIES, PROGRAMS AND SERVICES TO LOCAL GOVERNMENTS

A community and area-wide action program to modernize local government may reveal that certain actions are inhibited or forestalled by outmoded state constitutions and statutes.

If these obstacles exist, action at the state level is needed. Wherever possible, communities participating in such action may want to coordinate their efforts through state chambers of commerce, many of which are already involved in action to remove obstacles at the state level. State chamber efforts often include other state-wide organizations with a stake and an interest in better state and local governments.

Suggested constitutional amendments and enabling legislation needed to authorize and to help local government modernization have been developed and are available. They deal principally with:

Establishment of state guidelines and standards for local government reorganization and modernization;

Easing of restrictions on local government taxing and borrowing authority;

Authorization for municipalities and counties to adopt a form of government best suited to effective and efficient performance;

Authorization for municipal annexation of unincorporated areas;

Authorization for inter-local contracting and joint enterprises among local governments;

Authorization for voluntary interchange of functions between municipalities and counties;

Authorization for the creation of metropolitan area study commissions;

Authorization for the creation of metropolitan area planning bodies;

Establishment of a state government department of community affairs to bring together functions that aid communities in meeting local government problems;

Development of inter-local cooperation acts which include authorization to plan, perform and finance functions and services across state lines;

Assistance in resolving differences among local government jurisdictions.

Complete information on all suggested state constitutional amendments and state legislation is available.

NATIONAL LEVEL SUPPORT FOR LOCAL AREA GOVERNMENT MODERNIZATION

The National Chamber federation has coordinated with the National League of Cities, the National Association of Counties, the United States Conference of Mayors, the National Municipal League, the International City Managers' Association, the Council of State Governments, the National School Boards Association, and the Advisory Commission on Intergovernmental Relations to produce this brochure. Materials and help on local government modernization are available from each of them.

Along with the National Chamber, these other national organizations emphasize that decisions and actions to modernize local government are matters properly within the province of state and local area citizens and their leaders. They trust that this brochure may provide some helpful guidelines. They urge their local and state affiliates to work together to help develop and gain area-wide support for modernization actions which are needed in their respective areas.

The National Chamber hopes that chamber leaders and individual businessmen will initiate local area action through local chambers of commerce and initiate needed state action through state chambers of commerce.

HOW TO DO IT

Area community leaders, through the coordinating efforts of local chambers of commerce, may want to consider taking the following steps:[2]

1. Discuss needs for modernizing government with a small number of leaders of private groups and local governments.

[2] These steps coincide with those outlined in the National Chamber's publication, *A Leader's Guide for Organizing a Total Community Development Program*.

Begin to identify community and area needs that can be satisfied only by modernized government.

Identify other people and groups who have an interest in modernizing government.

2. Form a steering committee of such people who are (a) leaders and (b) willing to work to develop and guide an area-wide modernization program.

3. The steering committee can:

Further identify community and area needs that can be satisfied only by modernized government;

Identify broadly the governmental limitations that impede the fulfillment of these needs;

Determine committees needed to study governmental limitations and to develop means for achieving effective local area government;

Establish a timetable for completing the studies;

Plan an area-wide public meeting for representatives of area groups.

4. At area-wide meetings leaders would consider steering committee's work and:

Discuss and reach tentative agreement on realistic goals for communities and the area;

Discuss and further identify needs which modernized government can help meet;

Further discuss limitations of local area governments for which study is needed and for which remedial courses of action must be developed;

Discuss study committees suggested by the steering committee;

Approve a general timetable for completion of studies;

Authorize the steering committee to coordinate the program and to name appropriate study committees.

5. Study committees should then organize and:

Identify local, area, state and national research groups and individuals that can be called upon as consultants;

Examine needs;

Detail modernizing actions or alternatives to fulfill needs; propose actions and how to carry them out;

Report the above to the steering committee.

6. Steering committee can then:

Examine proposals;

Suggest priorities for action;

Advise administrative heads of local government units of action taken and request public meetings or hearings on proposals to gain public consensus;

Distribute copies of proposals to local groups and to news media and state and national legislative representatives for review and comment.

7. Organization leaders and general public discuss proposals, seek consensus and begin, through the coordinating efforts of the steering committee, community and area-wide action to implement agreed-on proposals.

NATIONAL CHAMBER POLICY STATEMENT ON "MODERNIZING LOCAL GOVERNMENTS OF GENERAL JURISDICTION"

Local government is the responsive "working level" of our governmental system and the counties, cities, and other general political entities that comprise it should each have a large enough area and population to operate efficiently and economically. While permitting the most effective citizens' response through democratic processes, local governments should have authority to work cooperatively with their neighboring governments or to consolidate to meet area-wide public service needs. They should be empowered to raise adequate revenues in an equitable way. Finally, in carrying out their responsibilities by balancing public needs and available resources, local government elected officials should be directly accountable to the voters.

All possible action to reach these objectives, under existing state authorizations, is encouraged. Where state authorization for action is needed, state constitutional amendments and state legislation should be adopted to:

1. Set up broad guidelines and standards to safeguard the statewide stake in efficient, soundly managed local government;

2. Strengthen local governments' taxing and borrowing powers and powers to change their structure and to undertake new functions;

3. Encourage local governments to coordinate on area-wide planning, assume governmental functions performed by special districts or authorities, contract with each other for the performance of functions, and consolidate into an area-wide government if area citizens desire;

4. Provide for state technical assistance to local governments on problems and opportunities for which the state had special expertise when such assistance is not reasonably and expeditiously available through ordinary business channels;

5. Provide state financial assistance to local governments as dictated by the public interest, including but not limited to shared revenues, grants-in-aid, and other incentives for improving local services and facilities;

6. Provide that the policy-making body of a city or county be elected by the people; that a single chief executive be either appointed by the policy-making body or elected by the people; and that all other officials be appointive and directly responsible to the appointing official.

The foregoing principles relate to local school districts, as well as other local government units. The role of local school districts is also further dealt with in other policy declarations.

ARAB-ISRAEL SETTLEMENT

Mr. PELL. Mr. President, if ever the importance of a high state of military readiness, the quality of leadership and of daring, have been demonstrated in the pages of history, it was done less than a month a go on the bleak sands and deserts surrounding Israel. Now that, because of her valor, Israel has acquired a position of strength from which she can negotiate, I believe all the countries concerned should concentrate on a constructive, sensible, long-range solution that will stabilize the area once and for all. I wish to compliment too, our President and our administration for their mature restraint and wisdom throughout the crisis. I only hope the same qualities will be brought to bear by all parties to the settlement.

Most important, Israel must be permitted to live and thrive in peace and security and be fully accepted as an independent nation by her neighbors. I believe this, not only for the sake of Israel, but because Israel has become a model of dynamic civilization and of cultural and economic development which might well be followed by other nations which have recently achieved independence. Personally I wish there were more states in the world as industrious, free-thinking, and civilized as Israel.

It seems to me that the border dispute resulting from the war can only be resolved if Israel herself recognizes that boundaries are likely to be more stable if established through negotiation and mutually agreed upon rather than by force alone. Since Israel is now in a far stronger bargaining position than she was before the conflict, there is a good opportunity to establish more viable borders than were set and reset after the wars of 1947 and 1956. We also must face up to the problem that as a national policy, our Government adheres to the views that neither boundaries not governments can be changed by external force alone.

I recommend these steps be taken to resolve the remaining problems that divide Israel and the Arab countries:

1. FACE-TO-FACE PEACE PARLAYS

Through the United Nations, we should insist that the Arabs sit down and negotiate on a face-to-face basis with the Israel representatives—thereby securing acknowledgment of Israel's sovereignty and very right to live as a nation. This could be done in the Middle East with a series of meetings alternately in Israel and in Arab nations. Probably the most propitious place would be the capital of a neutral nation.

2. REARRANGEMENT OF TRADITIONAL TROUBLE SPOTS

A real effort should be made in these negotiations to resolve the problems of those areas which have proved to be volatile and the source of friction—they are a threat to the peace and should be legally reconstituted. I am thinking specifically of the plight of Israel border kibbutzim right under the guns of Syrian border guards on the eastern shore of Lake Galilee; the Gaza strip where armed forces of Israel and Egypt glare at each other and provide a constant confrontation which can lead to clashes; and another bad area would be a divided Jerusalem.

It would be a wise Solomon indeed who could wave his wand of reason and bring about instant correction of these longtime, explosive juxtapositions between the Israelis and Arabs. Nevertheless, there are approaches which could be made under the aegis of the United Nations. I say this since under the charter all nations are equal there, and somehow its dignity and usual parliamentary decorum might create the proper atmosphere for building a durable peace.

Specifically I would suggest:

Declaring a demilitarized zone for the Gaza strip and along the Israeli-Egyptian border across the Sinai Peninsula.

Relocation of the Syrian borders east of Lake Galilee. I would urge the boundaries be adjusted to follow the natural divide of the ridges and heights so that Syrian guards do not have to resist the constant temptation of rolling stones or even of firing down into the vulnerable Israel kibbutzim; perhaps a DMZ could be laid along the dividing hills, policed by a United Nations Expeditionary Force—UNEF.

Establishment of an international status for Jerusalem with access from both Israel and Jordan, as well as pilgrims from other lands.

3. FREEDOM OF NAVIGATION THROUGH AQABA AND SUEZ CANAL

Right of free and innocent passage for all vessels, including those of Israel, should be provided—not only through the Gulf of Aqaba, but also through the

Suez Canal. There are simply no grounds for denying innocent passage to any country—which is not a belligerent enemy—through an international body of water, even if one country owns it or commands its entry. Rights should be similar to those granted daily through passages such as the Panama Canal and the Dardanelles.

4. RELATIONS WITH JORDAN

I would like to propose a permanent, binational organization to be formed by Israel and Jordan. Its purpose would be to integrate the Jordanian refugees into those two countries, with financial and administrative assistance from the United Nations Relief and Welfare Agency—UNRWA—it could also work to resolve the troublesome problem of the waters of the Jordan and most difficult of all, seek to settle the question of the lands west of the Jordan. If deadlock should ensue in any of these discussions, provision should be made for acceptance of advisory opinions by the International Court of Justice.

Unless a close working relationship is somehow reached with at least one of her many Arab neighbors, Israel will never have true peace in our time. The statesmen of both Israel and Jordan have right now an opportunity to perform a feat of creative diplomacy that would be an inspiration to all nations. For instance, it has been reported that Israel's Foreign Minister Abba Eban has proposed a small peace treaty under which, according to Time magazine:

> Israel, for example, would give Jordan—whose only present port is on the Gulf of Aqaba—an outlet to the Mediterranean. It would promote a joint program of economic and social advancement and a regional communication system that would permit rail and road traffic between Egypt and its Arab brothers from Saudi Arabia to Lebanon.

I believe that the young and articulate King Hussein could prove a key personality in achieving such a settlement. If they could succeed, this handiwork could be a fitting memorial to the many brave soldiers, as well as the innocent civilians, who fell in the war.

5. REFUGEES

Refugee camps in the Gaza strip and in Lebanon should be disbanded and an agreement reached as to how the inmates should be resettled. The refugee shame must be liquidated once and for all. It is a crime against humanity to incarcerate a million people for 20 years simply as pawns in an international political disagreement. And here I must add that I believe this problem could have been resolved by the Arab nations if they had really desired to do so.

It seems to me that if the Israel diplomats can handle themselves at the conference table with the same ability and skill that General Dayan and his fighting forces showed in the military arena, many of these objectives can be achieved.

GOVERNMENT BILLBOARDS AND HIGHWAY BEAUTIFICATION

Mr. WILLIAMS of Delaware. Mr. President, in 1965 Congress enacted S. 2084, the purpose of which was to remove all billboards from along our Nation's highways. This measure was submitted to the Congress with the strong support of the administration on the basis that it was a major part of the beautification program as being supervised by Mrs. Johnson.

Today I call the attention of the Senate to the manner in which the Federal Government is developing into one of the worst violators of this program, which was designed to remove the billboards from our Nation's highways.

During the past 5 years in just two agencies, the General Service Administration and the Department of Transportation, our Government has spent approximately $4½ million in the purchase and erection of approximately 70,000 billboards to be placed along our Nation's highways and in front of the various Government buildings. The sole purpose of these billboards is to make sure that the voters in the next election understand that the building projects or the road improvements are as a result of the benevolence of one of the Great Society programs.

As if these 70,000 billboards were not enough, the administration recently asked Congress to appropriate $2 million to pay for more billboards for the use of political candidates.

This greatly expanded use of billboards by the Johnson administration is in direct contradiction of its own program to remove them from our Nation's highways.

This contradiction has led some cynics to suggest that the Great Society will next be launching a new program to purchase another 50,000 billboards to be used for the special purpose of advertising to the American people the Johnson administration's violent objection to billboards.

At this point I ask unanimous consent to have printed in the RECORD a letter dated June 7, 1967, signed by Mr. F. C. Turner, Director of Public Roads, confirming that the Bureau of Public Roads spent a minimum of $4,255,000 in the last 5 years toward the procurement of a minimum of 69,000 billboards, and a letter dated June 9, 1967, signed by Mr. Lawson B. Knott, Jr., Administrator of the General Services Administration, confirming that that agency has purchased 771 billboards at a cost of between $100 to $200 each, to be erected on new construction projects financed with Government funds.

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

U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION, BUREAU OF PUBLIC ROADS,
Washington, D.C., June 7, 1967.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: Your May 16 letter to me requested a report on the number and cost of billboards that have been ordered or purchased by the Bureau of Public Roads during each of the past 5 years. We have not purchased any signs which are commonly classed as billboards.

The second part of your request pertains to the construction identification signs which are placed on projects to comply with the provisions of Section 8(f) of the Federal Highway Act of 1960 (P.L. 86-657, July 14, 1960) which are "on any project where actual construction is in progress and visible to highway users, the State highway department shall erect such informational sign or signs as prescribed by the Secretary, identifying the project and the respective amounts contributed therefor by the State and Federal Governments."

This statutory provision is now a part of the Subsection (a) of Section 114 of Title 23, USC. The instructions of the Secretary (now the Secretary of Transportation) are contained in Public Roads Instructional Memorandum 20-1-64 as supplemented by (1) and (2), copy of each enclosed.

During the past 5 years (1962-1966) the following numbers of Federal-aid contracts were awarded by the State highway departments and direct Federal contracts awarded by Public Roads or other Federal agencies for whom Public Roads acts as engineering supervisor.

Year	Federal-aid contracts	Direct Federal contracts	Total
1962	6,571	137	6,708
1963	6,780	111	6,891
1964	6,781	110	6,891
1965	6,113	164	6,277
1966	6,490	123	6,405
Total	32,735	645	33,380

Construction identification signs are generally furnished and erected, maintained and removed by the construction contractor. The work of providing such signs is not bid as a direct pay item. The costs of providing such signs is a subsidiary obligation of the contractor, covered under other contract pay items. While the signs meet certain general specifications with regard to size, lettering, and information, there are variations. Some are reused by repainting and relettering and some are fitted with movable panels by which the lettering may be removed and replaced as appropriate for the specific project. Accordingly, we can only make an approximation of the costs and present the following assumptions and estimates:

ASSUMPTIONS AND ESTIMATES

A minimum of two signs per contract.

One-third of signs used three times with relettering of project and fund amounts upon second and third usage. Initial sign cost $75.00, two releterings at $30.00, total for three usages $105.00. Average per use $35.00.

Two-thirds of signs used one time only. Initial sign cost $75.00, including installation and removal.

Minimum number of signs in 5 years, 69,000:	
23,000 times $35	$805,000
46,000 times $75	3,450,000
Estimated total	4,255,000

We trust the foregoing provides the information you requested.

Sincerely yours,

F. C. TURNER,
Director of Public Roads.

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., June 9, 1967.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: The following is furnished in response to your letter of May 16, 1967, requesting information as to the number of construction signs erected by this agency at the sites of public building projects during each of the past five years:

Year:	Number of signs erected
1962	100
1963	129
1964	218
1965	216
1966	108
Total	771

It is common practice to erect signs of this nature on all construction projects whether they are Government projects or projects for private ownership.

The signs are used to identify the project. They are of assistance to suppliers of materials, persons seeking employment, and others having business at the project site. The cost of such signs ranges from $100 to $200.

I trust that this information is responsive to your inquiry.

Sincerely yours,

LAWSON B. KNOTT, Jr.,
Administrator.

ADDRESS BY SENATOR MURPHY AT "RALLY FOR ISRAEL," IN LOS ANGELES

Mr. DIRKSEN. Mr. President, on June 11 the distinguished Senator from California [Mr. MURPHY], together with Governor Reagan, Mayor Yorty, of Los Angeles, and other distinguished guests, participated in a rally for Israel at the Hollywood Bowl, in Los Angeles.

I ask unanimous consent that Senator MURPHY's remarks at this important event be printed in the RECORD.

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

RALLY FOR ISRAEL

(Speech by Senator GEORGE MURPHY, Hollywood Bowl, June 11, 1967)

Your Excellency, Governor Reagan; Mayor Yorty; Mr. Chairman; Distinguished Rabbis; and my friends.

I would like to congratulate you all on this great meeting, and to thank you for the privilege of being permitted to take part in it. It seems to me that we come here today not so much to celebrate a victory as to express our appreciation for what the nation of Israel has done for the people of the world.

Once again this past week the Jewish people—as they have so often done through the centuries—have given people everywhere a lesson which we must hope will be long remembered.

First and foremost, we saw an exhibition of tremendous courage. And finally it has been laid bare for all to see who are the real troublemakers in the world today.

The threat to Israel's freedom and territorial integrity could never have materialized without the dictatorial ambitions of Mr. Nasser and the military assistance promised and given by the Soviet Union.

It was Russia and the Soviet powers who first contributed to the gathering storm by denouncing the presence of the United States Sixth Fleet and demanding its removal from the Eastern Mediterranean. This great force, you will recall, has been a force to keep the peace and stability of the area for many, many years.

It was the Soviet Union who, by a threatened veto in the week immediately preceding the outbreak of war, prevented the return to the Middle East of the United Nations Peacekeeping Force.

And it was, of course, the Soviet Union who gave moral support to the aggressive and illegal actions of Nasser and the United Arab Republic which precipitated the war.

This brings us to the next lesson of recent events.

The question is whether the United Nations, as it is presently constituted, can in fact meet the responsibilities that we impose upon it and fulfill the hopes and prayers that so many of us have held for its success for so many years.

Because of the veto power, no effective action was possible to prevent the recent war. We hear it said often that it is better to have people talking at the U.N. than fighting on battlefields. Well, I listened to a good deal of talk at the U.N. in recent weeks and I can only conclude that that august body has been providing a gigantic sounding board for the dissemination of lies and distortions and untrue propaganda by the Soviet Minister and some of his satellites.

I call your attention to his accusation two days ago of the use of Nazi tactics which he blamed on the valiant Israeli. I call your attention to his speech of ten days ago where he, for one hour, accused the United States of America of being the aggressor all over the world for the last several years.

Now if what he said about the United States of America was true then I submit that we, the United States, should be kicked out of the United Nations. And if what he said was not true, then I recommend that he be kicked out of the United Nations.

Finally, war came. The question as to who fired the first shot is academic. The real culprits and the master plan to destroy Israel were obvious. Mr. Abba Eban, Israel's Foreign Minister, summed it up quite well, I think, when he said that Israel had refused to cooperate in the plan for her extinction.

And this brings us to the third lesson—a dramatic example of how to deal effectively with the troublemakers who today probe and threaten all over the world to find trouble spots and hot spots where they can ignite further conflagrations.

A small but gallant and determined people, united in a cause that they knew was right and just, realizing no alternative was possible, employed what force they had and they employed it, I must say, with striking success. And I point out to you that they did not wait to let world opinion decide what their course of action should be. They did not worry about phrases like "measured response," "escalation," "proliferation," and the rest. They did what had to be done. They knew they were in a fight for their lives and they fought to win. And win they did—quickly and decisively.

What was the result?

The result was that the Soviet Ambassador to the United Nations, who had prevented measures to avoid war, was of course in the forefront in the clamor for a ceasefire. Their bluff had been called and, like all bullies, they ran when the going got tough.

The full lesson, I believe, is very simply this: The forces of tyranny will always be turned back when the forces of freedom act in the knowledge that they are right and with the willingness to use whatever honorable means are necessary to preserve that right.

From these lessons I believe we can find the key to the just and lasting peace we all want, not only in the Middle East, but throughout the entire world. And it is my sincere hope that the terms of the final settlement will reflect the same strength and wisdom and determination which Israel displayed so courageously last week.

The time has come when Israel must be recognized as a sovereign State by all nations. And the final peace must be fair, the peace must be honorable, and it must—by all means—be permanent.

We must demand that it be so.

I thank you.

HOW THE SMALL BUSINESS ADMINISTRATION AIDS BIRMINGHAM, ALA.

Mr. SPARKMAN. Mr. President, if you study the history of practically any American city you will find a familiar theme appearing again and again. Almost without exception, the struggles, failures, successes, and growth of the American city are accompanied by a corresponding series of struggles, failures, successes, and ultimate growth of small business. Just as the growth of America's economy and industrial might can be traced to hundreds of thousands of small businesses, the story of the growth of most of our metropolitan areas can also be traced to these same roots. Most of our great cities began small, their economy based almost entirely on small business. Then the city, and the firms it nurtured, grew up together.

There are, however, exceptions to this general history of the American city. I think the story of Birmingham, Ala., is a particularly good example of a great American city that was given birth by big industry rather than small business.

Less than 100 years ago the city of Birmingham did not even exist. What is now a bustling metropolis of the South was, before the 1870's, nothing more than a peaceful valley in the shadows of a great mountain of red stone and pine trees. A railroad ran through this Jones Valley, and there was an occasional house or plantation along this line. But there were no significant business operations.

Then one day somebody discovered that the red stone of that mountain was actually high-grade iron ore. At the foot of the mountain, in Jones Valley, were endless deposits of coal and limestone. This is the only spot in the world where nature has provided all these essential ingredients for manufacturing steel.

The result of such a discovery is obvious. Suddenly, the city of Birmingham happened. The iron and steel industry developed. The almost overnight growth of Birmingham into Alabama's most populated urban area won for it the title "Magic City."

But the unusual story of the founding and rapid growth of Birmingham was not particularly magic for small business. Here small firms faced an unusual problem. They did not have the opportunity to ripen and mature with their mother city. The independent businessmen of the city, however, were determined to play a great part in Birmingham's future. If they faced unusually difficult problems, they were fortified with unusual zeal. I am happy to say that many of Birmingham's early small businesses have now "caught up" with their older counterparts, and are now booming industries, some international in scope. And many others have sustained the test of time and remain today perfect examples of sound small business operations.

A key factor in the growth of these small firms has been the assistance given them by the Small Business Administration.

SBA's responsibility includes aiding small firms with financial aid, managerial guidance, and assistance in the selling of products or services to the Federal Government.

Mr. President, I should like to cite for the Senate an example of one of Birmingham's soundest business operations, the Southeastern Products Corp., and

how SBA has aided that company, and in turn contributed to the general economy of Birmingham and the State of Alabama.

Southeastern Products was organized when Birmingham had been founded only half of its present 95 years. Opening as a small downtown shop, Southeastern Products managed a slow but steady growth, even through times of national economic problems. The corporation was plagued with the usual problems of a small business, however. And the greatest of these was a simple lack of funds.

In 1954, the annual sales for Southeastern Products were $250,000 and 35 people were employed. At that time the management, under the able direction of Mr. Vernon W. Gibson, Sr., decided that additional growth for the company would require new facilities. The corporation had already reached prominence in its field, particularly in the Southeast, but it just did not have the funds necessary.

Southeastern applied for, and received an SBA loan in the amount of $115,000.

From 1955–61 sales volume doubled to one-half million dollars and employment rose to 50 employees. In the year 1961, sales totaled $1,119,000 with a new profit amounting to $14,600 and approximately $10,000 was paid in Federal and State taxes.

As growth continued, Southeastern expanded its outlets to cover many parts of the Nation. In 1964, additional expansion was necessary in order to meet demands. By this time, sales amounted to $1,180,000 with a net profit of $33,500 and taxes were paid in the amount of $35,000.

In order to accomplish their expansion program, another SBA loan in the amount of $250,000 was applied for and granted. Growth has continued to soar and sales are approaching the $2 million figure. Taxes in excess of $50,000 will be paid for fiscal year 1966. This corporation is now providing employment for approximately 80 people. Like many small businesses, this corporation did not have sufficient capital to finance its full growth potential.

Financial assistance from the Small Business Administration has provided this vital ingredient and helped the Southeastern Products Corp. to take its place among the leaders in its field.

The story of Southeastern Products is not unique to Birmingham nor to any city in the United States. Through my work with small businesses and their problems down through the years, I have seen countless examples of how SBA aids our business communities and the economy of the country.

Recently, in his proclamation of Small Business Week, the President stated:

> We recognize and applaud the contributions made by our 4.8 million small businesses. We must insure that they will continue to hold a vital place in our society.

I commend the President for this recognition of the Nation's small business community.

I would also like to call attention to the outstanding job which SBA Administrator Bernard L. Boutin is doing with his agency in carrying out the mandate of the President.

In the State of Alabama, from December 31, 1963, through December 31, 1966, the SBA has granted a total of 392 business loans amounting to $18,539,000. In the same period SBA granted 11 community development loans totaling $1,673,000.

The Small Business Administration is setting a fine example of how Federal agencies can work closely with local businessmen in the wise investment of the taxpayers' money to provide new jobs and in expanding local economy.

In my State of Alabama alone, the regional SBA office has approved more than $8 million in small business loans during the first 8 months of this fiscal year.

Mr. President, I feel confident that there will be many more success stories similar to that of Southeastern Products, not only in Alabama but throughout the Nation, thanks to the work of SBA.

CANADIAN BROADCASTING CORPORATION PROVIDES FILM OF UNIVERSITY OF WYOMING-MOSCOW UNIVERSITY DEBATE

Mr. HANSEN. Mr. President, I should like to take this means to thank publicly the Canadian Broadcasting Corporation—particularly its executives, Mr. Gordon Cullingham, of CBC's Washington office, and Mr. Hugh Salmon, export sales manager, Toronto, Canada—who, in cooperation with efforts by my office, have made available to the University of Wyoming a splendid film showing collegiate tournament debate between Moscow and Wyoming students at York University.

On April 1, University of Wyoming students Patrick Hacker, of Rock Springs, and Mike Anselmi, of Cheyenne, were a part of a team of students from eight U.S. universities who, by prevailing over their Canadian counterparts, won the privilege of debating Moscow University students on the controversial subject of U.S. involvement in Vietnam.

For political reasons, no winner in this debate was announced; but most observers who were either on hand or who saw the film of the debate were of the opinion that the University of Wyoming students definitely bettered their Moscow counterparts on all of the salient issues involved in the debate.

My office was successful in securing a copy of the film for showing on a noncommercial basis over several Wyoming television stations, and I am pleased now, as is the University of Wyoming, that the 90-minute film will be a permanent part of the film archives of Wyoming's State university, through the kindness and consideration of the Canadian Broadcasting Corporation.

PRIVATE VEHICLES AID POLICE

Mr. SMATHERS. Mr. President, recently the Small Business Committee, of which I am chairman, held hearings in connection with my bill S. 1484, which proposes the establishment of a Federal crime insurance protection corporation within the Small Business Administration.

During the course of these hearings we heard from witnesses in the Washington, D.C., metropolitan area, whose testimony bore stark witness to endemic fear and endemic crime in this city.

The committee hearings also produced suggestions on what additional steps private citizens might take to help reduce this onslaught of crime and, in so doing, help reduce the costs of criminal activity to the community.

One such suggestion was wider use of radio-equipped civilian automobiles to assist the police. The Small Business Committee sent one of its able staff members, Tim Ford, to participate in discussions on the establishment of such a volunteer force. So it is with some pleasure that I note that this morning's Washington Post reveals that efforts have launched in this direction.

I commend to the attention of the Senate the article entitled "Private Vehicles Aid Police," from the June 28 edition of the Washington Post, and ask unanimous consent that it be printed in the RECORD.

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

PRIVATE VEHICLES AID POLICE

(By Alfred E. Lewis)

The Metropolitan Police Department yesterday formally enlisted the help of 4000 radio-equipped volunteer vehicles to help in its war on crime.

Part of a crime-fighting campaign backed by the Metropolitan Washington Board of Trade's Committee to Reduce Crime—NOW, the participating vehicles include taxi cabs, Pepco trucks and other privately-owned vehicles.

The original campaign, called the Community Radio Watch Program, began several months ago with a few large fleet owners participating on an informal basis.

Chief of Police John B. Layton hopes the program launched yesterday will enlist many more business fleet owners.

Drivers joining in the campaign will be given brochures prepared by a radio manufacturer outlining their mission. It consists mainly of looking for unusual occurrences which should be brought to the attention of the police. If a driver sees such a situation, he will tell his own dispatcher, who will relay the information to police headquarters.

Police said they hope eventually to use private vehicles equipped with two-way radios in the program.

Already, Layton said, the informal watch has helped apprehend a number of purse snatchers.

He hailed the program as a "significant addition to existing law enforcement resources," but stressed it could also be of value in alerting police to non-criminal emergencies. Layton said, for example, that traffic jams can often be minimized if police are alerted quickly to their formation.

PUBLISHER PRAISES REA

Mr. SYMINGTON. Mr. President, recently the Rural Electrification Associations in Missouri sponsored a trip to Washington for some 105 essay contest winners, all high school students. While they were here, these fine young people and their sponsors arranged a dinner at

which members of the Missouri delegation had an opportunity to visit with these fine young people.

The speaker at that dinner was Mr. Oliver B. Ferguson, publisher of the Fredericktown, Mo., Democrat-News, president of the Missouri Press Association, and just recently elected president of the board of curators of the University of Missouri.

Mr. Ferguson's talk presented some of his thoughts about the importance of the Rural Electrification program and the need for keeping the REA sytems alive and strong, serving their areas in Missouri and throughout the Nation.

I ask unanimous consent that his remarks be printed in the RECORD.

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

WHY I AM FOR THE REA

Back in little Fredericktown, Mo. we keep hearing of "credibility gaps" in the nation's capital and in other areas of the country. There is no credibility gap so far as I am concerned in regard to Rural Electrification. For 20 years, my newspaper has fought for and editorialized about REA and I expect to continue this fight to extend and expand your program.

We Missourians believe the story of Rural Electrification and I want to recount to you three testimonials, brief though they may be, to indicate to you just how strong Missouri editors believe in rural electrification.

From north Missouri, Joe Snyder of the Gallatin Democrat and North Missourian, has this to say:

"I believe in a prosperous rural America, and the rural electrification program has contributed a great deal to keeping it up to the level it is today. Most rural areas, however, still lag behind the rest of the nation economically and socially. Now, that much of the territorial expansion of the REA is completed, I would like to see REA battle for a renewed and revitalized rural America through a program of industrial and social development. Certainly it is to their advantage to support such projects and within the present framework of their organization, both nationally and at the grass roots level, there must be the machinery for such activity."

This was from north Missouri from a competent and bright-eyed editor. From the south comes a message from Charles Blanton, Jr. in the cotton country. Mr. Blanton is publisher of the Sikeston, Mo. Daily Standard.

He says, editorially: "It is this editor's sincere belief that the rural areas of the United States would still be in darkness without the competent, efficient and popular operations of the Rural Electrification Administration. The Scott-New Madrid-Mississippi Cooperative which operates in our territory has done a magnificent job in bringing light and power to the farmers in their territory and their maintenance and service has not, to my knowledge, received a single complaint."

From the south let's move to central Missouri where The Honorable Secretary of State of Missouri, James Kirkpatrick, publishes the Windsor, Mo. Review. He notes:

"REA has been a blessing to the farm area around my home town of Windsor. Besides the obvious benefits of comfort and convenience in the farm home, REA is a stimulant to business in town, particularly to the sale of electrical appliances and fixtures, but also to such everyday items of home improvement. The REA farmer is a better consumer and a better customer than his predecessor of the coal oil lamp era."

We've darned near been around Missouri but I want to take you to the hill country around Fredericktown, Missouri. I have just passed my 50th birthday but I'm old enough to remember the days when it was a lark to go with my father to his timber lands and stay for a meal at some timber cutter's home. He had no appliances, no conveniences and if he operated a small farm to supplement his income, his work was done without power of any sort and the children were barely acquainted with the wonders of light and power. Today is a different matter. I still visit the homes of timber cutters. Refrigerators, deep freezers, electric razors, televisions, radios, dish washers, dryers and a myriad of other appliances are the order of the day.

Just such visits explain to me the difference of pre-REA days and the present power uses available. I recently asked an appliance dealer, in preparation for this little talk, what he thought might be the variance in his business in the past 25 years because of REA. An old timer in the business, he said that although competition had increased, he still felt that he had a 50% increase in volume because of the rural market—a market caused solely by Rural Electrification.

Let's assume then that we're all in favor of REA—what are we to do in the future toward the financing of future developments?

I think it particularly pertinent to the subject that back in the 1930's when REA was created, the cities in our state were 100% served and yet no one has ever concluded that the job of the investor-owned companies, nor the municipal systems, was complete.

It has been said that rural America is now 98% served. The big job is not completing service to the other 2% but it is keeping up with the tremendous growing demand for electric service. A person with a crystal radio set can receive programs but the advance of technology would leave the crystal set very undesirable today, even though you could say he has radio service.

Farmers have service to their farms but today are demanding 3-phase service, which is the new challenge before the electric cooperatives in the immediate future. Farms have become fewer but much larger in size and much more complex in their mechanics. Furnishing 3-phase power will be a very expensive undertaking but on the other hand its value will far overshadow the investment cost.

When one adds to the 3-phase program the continuing need to up-rate the existing system and replace the outmoded, we add to the capital requirements of all electric cooperatives. The replacement of poles is a program which is now facing every cooperative in the state of Missouri. I know that this is particularly true at the Black River Electric Cooperative which serves 14 counties in my area.

There are nearly two million poles on the rural electric lines in Missouri. Their cost is almost double today, as will be the labor and equipment charges, over the time when they were initially put in place.

Many of these poles are going out prematurely, I'm told, because of poor treating practives immediately following World War II. They are not only a hazard to the safety of men climbing the poles, their replacement is essential in maintaining electric service to the consumer during periods of ice and other weather hazards.

The state of Missouri is unique in that every distribution cooperative, except one, receives its wholesale energy from a cooperative power supplier. Each of these power suppliers is inter-connected and the entire cooperative transmission and generation system inter-connected with all of the investor-owned utilities in the state and many of the municipal systems.

Each segment of our electric industry in Missouri is dependent upon the other to provide its share of the state's total electric energy requirements—on time and in sufficient capacity.

Technologically, there is harmony in the electric industry in the state. For the cooperatives to continue to hold up their end of the electric future of Missouri, a supplemental source of financing must be available with funds on time.

The time element, of course, is very important. The Associated Electric Cooperative, headquarters in Springfield, Mo. laid its plans and let its bids sufficiently in advance for the addition of the 250 megawatt unit. The time schedule called for loan funds to be available June 30, 1966 (the close of the Federal fiscal year).

During that fiscal year, however, the funds were not available to the REA administrator to make this loan—it was delayed a number of weeks into the next fiscal year. Failure to meet schedule required AEC to seek other bids which will result in Missouri consumers paying several million dollars more for the same equipment merely because funds were not available in sufficient quantity and on time.

All of these reasons lend strong credence to the advisability of passing a supplemental financing bill such as HR 1400.

I've read some of the Reader's Digest baloney which claims the REA co-ops borrow money at 2% and then run down to the bank and re-invest it at double that rate. Now, I'm vice-president of the Bank at Fredericktown and if these claims were true I'd sure like some of those deposits. But the facts are twisted. They just can't do that.

While on the banking subject, it's pertinent to point out that the REA co-ops are headquartered, generally, in our smaller towns, like Fredericktown. They do their banking at home and are substantial depositors in our smaller banks. In many cases, they are the largest depositor and business in the area. The 40-odd employees of Black River Electric Cooperative in Fredericktown constitute a small industry for our town of 4,000 people.

When all the co-ops in Missouri are put together—they constitute the third largest power supplier in the state. The co-ops do all their banking out of 48 headquarters in 48 towns and have deposits in some 100 banks. I suspect that many banking interests are represented here today and that your banks contain REA monies.

My strong enthusiasm for Rural Electrification, is, I must admit, also selfish. My printing plant does hundreds of dollars worth of business with Black River Electric Cooperative. The same holds true in Mexico, at Fulton and other Missouri towns too numerous to mention. Cars, tires, trucks, batteries—all are purchased in these towns and add up to vital business for the communities.

It has been calculated that for every dollar invested in a rural area electric cooperative—four dollars have been spent locally on wiring, appliances and electrically operated equipment. This means that in Missouri the rural electric co-ops have generated a billion and half dollars worth of business.

Many of the managers and key employees of the co-ops have contributed considerably to civic endeavors as is the case in Fredericktown where Ken Hill, manager, is song leader in his church, vice-president of Rotary Club, Scoutmaster and a vital member of many committees. The assistant manager is a school director, church leader and also a vital cog in our community.

I'd like to draw on another personal experience.

As vice-president of the Board of Curators of the University of Missouri, I know that for a number of years, the co-ops have underwritten their share of electrification research at M.U. At persent, this is an $18,000 project which has developed engineering practices which have meant more efficient

use of electricity for better living conditions. This program also allows the University to have a better and bigger Ag-Engineering staff. Dr. Ken McFate is recognized nationally as an authority in his field and his services are made possible through this co-op supported program.

My wife likes to tell about the editor who died and a sympathizing friend told the widow: "You husband was a man of excellent qualities." "Yes," she replied, "he was a good man. Everyone says so but I wasn't very well acquainted with the man—you see, he was a newspaper editor."

The point is this—everyone says REA is great but the people of the metropolitan centers, at least most of them, are not very well acquainted with REA. Our Missouri Senators and Congressmen know, and represent people who sing the blessings of REA. We're going to have to rely on them to tell the story to their counterparts from New York, Boston, Chicago and Los Angeles.

We need a great emphasis to take the success story of REA away from the "has been" and project it into "Is" and "will be" tenses.

The only relief from our problems of high-rise and urban sprawl—from congestion and smog—lie in the yet-to-be-developed rural communities and areas. They must be kept lively and prosperous and this end will not be well served without healthy, thriving rural electric cooperatives.

And, if rural electrification is to continue virile and vigorous and modern—then Congress must provide the vehicle for obtaining the capital to do their job in sufficient quantity and ahead of deadline. This is called, I'm told, Supplemental Financing.

It has been a pleasure for me to sing the praises of Rural Electrification because it has meant so much to my own rural community. I hope that our Congress will allow it to keep pace with the future demands.

INDIVIDUAL SUCCESS IN AMERICA: STILL UNLIMITED

Mr. HANSEN. Mr. President, much is said today concerning the inequality of the American system—the undemocratic nature of the world's greatest democracy.

We are told that the day of the Horatio Alger "rags-to-riches" success story is gone—that today "them that gots—gets."

Then, too, there are those who tell us that American youth is soft—that the young people of our country have degenerated into a drug-happy, irresponsible existence.

Mr. President, I am one who believes that our American democracy offers the best opportunity to each individual—that the possibilities for success here in America are still great—that our country's youth, in spite of the coverage given by the press, is the best it has ever been.

My beliefs were reaffirmed by an article in Time magazine for the week of June 30. The article concerned Joe Sorrentino, son of a New York City Sanitation Department street sweeper, who at the age of 20 "had flunked out of high school four times, had been booted out of the Marines and had lost 30 jobs."

But then one day Joe, a veteran of more than 100 street fights, changed. He went back to high school, graduated "magna cum laude" from the University of California at Santa Barbara, went back to the Marine Corps where he "became platoon leader, highest scorer in athletic competion," and was given an honorable discharge. This month Joe was valedictorian of the Harvard Law School. In his address to the commencement audience he said:

Do not look for love, tragedy or trauma to explain this change. It was simply resolution from within—in America such things are possible.

Later Joe pointed out to a Time correspondent:

Many people say the U.S. system is a fraud. But this country is fair and generous. It comes closest to satisfying man's ideals.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

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

STUDENTS: THE DROPOUT WHO MADE GOOD

Joe Sorrentino has 25 scars on his hands to prove that he was one of the best street fighters that Brooklyn's tough Fort Hamilton neighborhood ever had. By the time he was 20, he had flunked out of high school four times, had been booted out of the Marines and had lost 30 jobs. That was ten years ago. This month Joe Sorrentino, now 30, was valedictorian of Harvard Law School. "It has been a long journey to this honor," he told the commencement audience, in what was almost certainly the year's most moving graduation address, "and not what social scientists would have predicted."

His father was a New York City Sanitation Department street sweeper who never went beyond the second grade. The second oldest of seven children, Joe always wanted to be "an achiever," and in Fort Hamilton, an achiever had to be handy with his fists. A veteran of more than 100 rumbles, Joe was put on probation by a juvenile court after one particularly bloody street fight. "When I was in my first year, I failed out of Fort Hamilton High School in Brooklyn," he said in his address. "Not long after, I enrolled in Bay Ridge High School at night. I failed there also. I tried a third time at Bay Ridge, but could not last the term. Then I attended Washington Irving at night, and again could not finish."

TIRED OF RESPONSIBILITY

At 14, Joe Sorrentino began trying his hand at various jobs, achieving "a record of distinction for failing which even surpassed my scholastic career." On his first day of work at a bleach factory, "I attempted to carry ten gallons of bleach to a truck we were loading. We lost all ten. At 16, I worked in a sweater factory, where I had the embarrassing experience of being awakened from a nap by the president of the company." He failed as a longshoreman. "My next opportunity came through a furniture company's ad in the New York Times: 'Want ambitious young man who seeks responsibility.' After a month of aligning wheels of teacarts. I got tired of responsibility."

Joe was briefly with a Wall Street firm—as a messenger. At a shoe factory, his job was so lowly that "even the office girls wanted me to address them by their last names." He even worked for 20th Century-Fox, where he sent complimentary tickets for premières to dignitaries. "I now would like to apologize to former Mayor Wagner," said Joe, "whose ticket I gave to my grandmother."

At 18, Joe enlisted in the Marines, but could not stand the discipline and "rebelled, fighting with recruits, rioting in the mess hall, trying to run away through the swamps of Parris Island" boot camp. Judged an incorrigible, he was sent packing with a general discharge. Back in Brooklyn, he was a hero to his old street-gang buddies. But somehow within himself Joe felt ashamed. At 20, he came to realize that "my only chance for a better life was through education." So he went back to high school, for the fifth time, at night, working days in a supermarket. After two years, he graduated from Erasmus Hall High School with the highest average in the night school's history.

BLEMISH ON THE RECORD

Despite only fair college-board results, his grades won him admission to the University of California at Santa Barbara. At first, Sorrentino felt he had nothing in common with the sun-tanned college youths who "talked about summer vacations, beach parties, things I knew nothing about." But he stuck it out and in his senior year, was elected president of the student body. After graduating magna cum laude, Joe went back into the Marine Corps for two years, feeling that "I had a blemish on my record and wanted to make up for that." He did. "This time I became platoon leader, highest scorer in athletic competition and changed my general to an honorable discharge."

As Harvard Law's valedictorian, Joe Sorrentino has received several offers to work for major U.S. law firms. Instead, he wants to serve a term as an assistant U.S. or state attorney in California. Concluding his valedictory address, Joe said: "Do not look for love, tragedy or trauma to explain this change. It was simply resolution from within"—and, he added, proof that "in America such things are possible." As he told a Time correspondent last week, while studying for the California bar exam: "Many people say the U.S. system is a fraud. But this country is fair and generous. It comes closest to satisfying man's ideals."

RADIATION DANGER MOUNTS IN ARCTIC

Mr. BARTLETT. Mr. President, a recent report from the Atomic Energy Commission shows radical and upward changes in the rates of ingestion of cesium-137 by certain groups of Alaska natives. I ask unanimous consent that a letter written to me on June 15, 1967, by Dr. C. L. Dunham, Director of the Division of Biology and Medicine of the Atomic Energy Commission, be printed at this point in the RECORD.

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

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., June 15, 1967.

Hon. E. L. BARTLETT,
U.S. Senate.

DEAR MR. BARTLETT: The results of the latest measurements of 137Cs body burdens of Alaskan natives at Anaktuvuk Pass, Arctic Village and Ambler obtained during the period April 28–May 3, 1967, are as follows:

Location	Adults	137Cs (nanocuries)	
		Mean±SE	Range
Anaktuvuk Pass	36	560±41	210–1240
Arctic Village	13	450±61	230– 960
Ambler	27	830±74	170–1590

A total of 168 residents of the three villages were measured, including several nonnatives at Ambler.

Compared to those obtained in February 1967, current values are 240 percent higher at Arctic Village, 10 percent higher at Anaktuvuk Pass and unchanged at Ambler. The sharp increase at Arctic Village resulted from the importation of several caribou from Bettles during March, following nearly six months of no caribou and very little other game in the people's diet. Current values are about the same as those obtained in early October 1966. A short-term decrease is expected until the caribou migration brings a fresh supply of animals within hunting range of the village (about now). Residents

have been utilizing a few caribou from the nearby winter ranges and are now starting the annual increase observed in previous surveys. The Ambler residents are at their seasonal maximum and should shortly begin to decrease in 137Cs content as they change their diet from caribou to fish and other game of lower 137Cs concentration.

It is planned to measure the 137Cs body burdens at the three locations again during late July-early August.

Sincerely yours,

C. L. DUNHAM,
M.D., Director,
Division of Biology & Medicine.

Mr. BARTLETT. Mr. President, surveys have been made in three Eskimo villages: Anaktuvuk Pass, a village in the Brooks Range approximately equidistant from Fairbanks and Point Barrow; Ambler, some 200 miles to the west; and Arctic Village, some 200 miles to the east.

The 137-cesium body burdens of natives of Arctic Village display a 240-percent increase over figures obtained in February. The mean level for the population there was 190 nanocuries; now it is 450.

Figures for Anaktuvuk Pass have remained consistently higher. The present mean level is 560 nanocuries, and figures from last year suggest that with seasonal variations this figure is likely to go over 850.

The highest readings of all have been obtained at Ambler, a tiny river village some 200 miles inland from Kotzebue. There the readings averaged 830 nanocuries in both February and May, and in the case of one individual a reading of 1760 nanocuries was obtained in February.

It is difficult, Mr. President, to estimate precisely the hazards connected with such abnormally high body burdens of radioactive material. The International Commission on Radiation Protection has set 3,000 nanocuries in cesium-137 as the maximum safe body burden for an individual and 300 nanocuries as the maximum mean level for a population.

This means that for three out of the past four quarters the body burdens of cesium-137 recorded among residents of Arctic Village have been well above acceptable limits. These limits have been exceeded over the course of the entire year for both Anaktuvuk Pass and Ambler; the mean body burden found in citizens of those villages has ranged from two to three times the maximum safe level for populations.

In the case of Arctic man, moreover, it may well be that these cesium-137 figures do not tell the whole story. Some scientists believe that the processes that lead to a high concentration of cesium-137 in the food chain are paralleled by increases in natural fallout and thus by increased concentration of lead-210 and polonium-210. It may be, then, that as these populations approach and exceed the maximum safe body burden of cesium-137, their exposure has already passed acceptable limits by a considerable percentage due to the presence of these other elements. Certainly additional monitoring and research efforts are needed to determine whether and to what extent this is true.

These body burden figures are extremely disturbing, Mr. President, but what they portend for the future is even more fearful to contemplate. Over the course of a year these figures follow a cyclical pattern, reaching a high level during the season when caribou are being eaten and becoming lower as the people's diet is changed to fish or game of lower 137-cesium concentration. However, recent studies have suggested that the plankton-fish-man food chain is becoming contaminated, just as is now the case with the lichen-caribou-man chain. In any case, the fact that there is a cyclical easing of the body burden is small cause for comfort. We have virtually no knowledge of what the cumulative somatic and genetic effects of such high levels of cesium-137 ingestion will be, particularly in populations as small and as genetically isolated as these remote Eskimo villages.

Neither is there any indication that the contamination of the food chain is lessening. Lichen are long lived, and the radiation half-life on the nuclides involved is long as well; the plants retain contamination from past years and, taking their nutrients from the air, absorb more and more fallout year after year. With the Test Ban Treaty, it is true, absolute levels of fallout have decreased, but with China stepping up her atmospheric testing, this trend may well be reversed.

In any case, Mr. President, these figures must serve us as a warning and move us to continued vigilance and remedial efforts. For years I have urged that our efforts at surveillance be improved; it is encouraging to note, as the reports I have cited indicate, that the Atomic Energy Commission is continuing the monitoring program it instituted in the Arctic a few years ago. But we still know almost nothing of the long-term effects of radiation exposure on population groups or about what measures might be taken to alleviate its effects. We must continue and refine our efforts at surveillance. We must train more specialists in the field of radiological health. We must move forward with programs of research and experimentation. And of course, on the international scene, we find in the villages of Ambler, Arctic Village, and Anaktuvuk Pass further incentives to work for the extension of the Test Ban Treaty to present nonsignatories and for the conclusion of a meaningful nonproliferation agreement.

THE INTELLECTUAL REVOLT IN POLAND

Mr. DODD. Mr. President, communism speaks of freedom of speech. Yet writers in Communist countries languish in prison for expressing unpopular thoughts.

Communism speaks of freedom of religion. Yet men and women are in slave labor camps for such simple "crimes" as baptizing their children.

It is wishful thinking of the worst kind to accept the false word and reject the real deed. And too many Americans, in their desire for peace, seem willing to engage in precisely such an exercise.

We are also told that there are different kinds of communism, and that certain varieties are infinitely more moderate than others. The Polish and Yugoslav regimes are generally singled out as examples of moderate communism. It is true that there are differences between the Soviet regime, and the regimes in other Communist countries. These differences are important, and we should not underestimate them. On the other hand, it would be equally foolish to overestimate them—for the fact is that these differences by and large are of secondary importance and that, in terms of fundamentals, there is little to choose between Soviet communism and Yugoslav or Polish communism.

The story of Peter Raina, a young Indian leftist scholar who was recently expelled from Poland, is a telling case in point of a man who believed Polish communism was good and found out later that it was something far different.

Raina had come to Poland full of sympathy for the Gomulka regime. According to an article in the Reporter by Tibor Szamuely—

> He learned to love the country, its language and culture. Warsaw University gave him a doctorate. Wanting to see only the best, for a long time he resolutely dismissed all Western criticism as propaganda. He wrote letters to the foreign press attacking Western correspondents for their lack of understanding of Poland and accusing them, among other things, of slandering the Ministry of Interior Affairs.

The ever-increasing pressures upon intellectuals in Poland were brought to bear upon many leading professors, writers, and artists. Among those who stood up against this growing repression was Prof. Leszek Kolakowski. Known as Poland's leading Marxist philosopher, he was the one who rallied intellectuals and students behind Gomulka in 1956 and called for the rebuilding of Polish communism on an ethical, libertarian, and humanist foundation.

On October 21 at the 10th anniversary of the uprising that swept Gomulka to power, Professor Kolakowski stated that—

> Genuine democracy is lacking here. There is very little public choice of leaders. Thus, the leadership, which is not really elected, becomes conceited, self-assured. There is no opposition . . . The government does not feel responsible to the nation. The system of privileges is prevalent . . . Public criticism is lacking.

The next day Professor Kolakowski was summarily expelled from the party, and in the following days his assistant was expelled, six students were suspended, and seven others were sent before the university's disciplinary commission.

Peter Raina supported the professor and as a result his visa to remain in Poland was not extended. In a letter to the Ministry of Interior Affairs, he wrote:

> For the first time in my life I came against a case when the control of university life was exercised by secret agents of the Ministry of Interior affairs . . . The events of the last days convinced me that all the ministries, the university, the whole cultural life, the political parties, the parliament, were subject to orders of the Ministry of Interior Affairs from which there was no appeal and that nobody had the courage to dare even to make a rightful protest against unjust treatment.

When he reached West Germany, Dr. Raina told his story to the people of

Poland over Radio Free Europe. It is also important that the American people hear this story; therefore, I ask unanimous consent that it be printed in the RECORD.

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

THE INTELLECTUAL REVOLT IN POLAND

(By Tibor Szamuely)

On January 8 Peter Raina, a young Indian leftist scholar, was expelled from Poland, where he had lived and worked for more than four years. It was a harrowing experience: Raina was held at the East German border for almost twelve hours while Polish guards methodically went through his belongings, reading every scrap of paper. Finally they let him go after confiscating a three-hundred-page manuscript of a biography of Communist Party Secretary Wladyslaw Gomulka on which he had been working, with official encouragement and help, for about two years.

Raina had come to Poland full of sympathy for the Gomulka regime. He learned to love the country, its language and culture. Warsaw University gave him a doctorate. Wanting to see only the best, for a long time he resolutely dismissed all western criticisms as propaganda. He wrote letters to the foreign press attacking western correspondents for their lack of understanding of Poland and accusing them, among other things, of slandering the Ministry of Interior Affairs. Thus it came as a shock to be called an enemy of the state by that very ministry and to be ordered by it to leave the country within forty-eight hours.

When he finally reached West Germany, Dr. Raina unburdened his disillusionment to the press, broadcast to Poland on Radio Free Europe, and made public a scathing letter he had written to the Polish Minister of Interior Affairs. His story is informative, for it sheds light on some little-known aspects of what is probably the most important process at present taking place in Poland: the new ferment among the intellectuals.

LAMENT FOR OCTOBER

Since about 1960, Warsaw University, and particularly its departments of the humanities and social sciences, has become the center of disaffection spreading among the younger generation of intellectuals. In November, 1964, the security police arrested a group of the university's young lecturers and students. One of the lecturers was Karol Modzelewski, a stepson of the late Polish Communist Foreign Minister and a leader of the pro-Gomulka student movement of 1956. They were all accused of having circulated a paper criticizing the Communist system in Poland. Although soon released, five of them were expelled from the party.

Administrative sanctions, usually an effective warning, didn't work this time. Modzelewski and a friend, Jacek Kuron, composed an open letter to the party. When they distributed it in March, 1965, they were immediately rearrested. No one was surprised, for the document was a devastating indictment—couched in impeccable Marxist terms—of Poland under Gomulka: "To whom does power belong in our state?" the authors asked. "To one monopolistic party—the Polish United Workers' Party. . . . The decisions of the elite are independent, free of any control on the part of the working class and of the remaining classes and social strata."

The Poland which Modzelewski and Kuron described and analyzed with a wealth of statistical and other evidence is, in fact, the familiar Stalinist system—which Communist leaders and wishful thinkers in the West insist was swept away in the cleansing aftermath of the 1956 Twentieth Congress of the Soviet Communist Party. But it was the authors' conclusion that was intolerable to the authorities: "In view of the impossibility of overcoming the economic and social crisis within the framework of the bureaucratic system, revolution is inevitable." Modzelewski and Kuron were tried in July, 1965, behind closed doors, with the courthouse surrounded by a tense crowd of students. They were sentenced to three and a half and three years respectively.

This, however, was far from the end of the affair. Modzelewski and Kuron had been voluntarily defended in court by some of the most esteemed figures of Polish intellectual life: Antoni Slonimski, the dean of Polish writers, and Professors Tadeusz Kotarbinski, Leopold Infeld, and Leszek Kolakowski. It was Kolakowski who occupied the center of the stage. His reputation and popularity as a champion of intellectual and political freedom—and as Poland's leading Marxist philosopher—was established in the "Polish October" of 1956. He was one who rallied the intellectuals and students behind Gomulka and the ideal of rebuilding Polish Communism on an ethical, libertarian, and humanistic foundation.

Today his fiery declarations of ten years ago may well seem naive—not least to Kolakowski himself—but at the time they conveyed hope. In his ideological credo, published in 1957, Kolakowski argued that the true Communist's place was on the side of the oppressed and the persecuted: "No one is exempt from the moral duty to fight against a system or rule, a doctrine or social conditions which he considers to be vile and inhuman, by resorting to the argument that he considers them historically necessary." Through the sad years of Gomulka's gradual repudiation of all that he seemed to represent in 1956, Professor Kolakowski has retreated into semi-passivity. The case of Modzelewski and Kuron forced him again to face up to the dilemma of the idealistic Communist in a repressive Communist state.

It is at this point that young Peter Raina enters the story. Dr. Raina was a devoted admirer of Kolakowski, and he unhesitatingly joined his professor in protesting the sentences given the two teachers.

Last year, the party leadership decided to stamp out student unrest and began a series of repressive measures directed against Warsaw University; a number of students were expelled, new disciplinary rules were introduced, party control was tightened. The restrictions brought a wave of even more vociferous indignation. Protest meetings were held, delegations dispatched, signatures collected. There were noisy scenes at the 1966 May Day demonstration.

In the meantime, ever-increasing pressure was being applied to Leszek Kolakowski. In March, 1966, he was summoned before the party Control Commission and called upon to submit a declaration retracting his views. Despite a grueling interrogation, he remained obdurate. The climax came on October 21, the tenth anniversary of the uprising that had swept Gomulka to power. A commemorative meeting was held in the history department of the university, at which Kolakowski spoke for about half an hour. His message, as reported in a Polish paper in London, was on the order of an obituary of freedom in his country:

"Genuine democracy is lacking here. There is very little public choice of their leaders. Thus, the leadership, which is not really elected, becomes conceited, self-assured. There is no opposition; hence there is no confrontation between those who are in power and those who are without.

"The government does not feel responsible to the nation. The system of privileges is prevalent. These privileges exist for a few outside the law. . . . Public criticism is lacking. Free assembly is nonexistent. Censorship is extremely severe. . . .

"All this has weakened society, for there is no perspective, no hope. The state, the party, the society are the victims of stagnation. There is therefore nothing to celebrate."

Speaker after speaker rose to reiterate the main points of this comprehensive indictment. Among them was Peter Raina. Two resolutions were moved: one demanding the introduction of freedom of speech and the abolition of censorship and political repression, the other calling for the immediate release of Modzelewski and Kuron. Although the motions were not allowed to be put to a vote, the thunderous acclaim with which they were received spoke for itself.

UNITY IN PROTEST

Next day Professor Kolakowski was summarily expelled from the party. In the following few days his assistant was also expelled, six students were suspended, and seven others were sent before the university's disciplinary commission. A systematic campaign of calumny was mounted with the object of discrediting Kolakowski, who was accused of being "a tool in the hands of the imperialists."

On November 15, the university organization of the Communist Party held a general meeting; it was addressed by Zenon Kliszko—the secretary of the Central Committee, the chief party theoretician, and Gomulka's second-in-command—and by Stanislaw Kociolek, first secretary of the Warsaw committee of the party. Kliszko trotted out all the clichés about the perils of revisionism; Kociolek went straight to the point: "I am against discussions, dialogues, and seminars. The unity of the party is supreme. Discipline is the cardinal principle of the life of the party." Instead of giving the expected dutiful assent, the assembled university Communists launched an attack on the party's leadership. Kliszko, driven into a corner, protested: "I didn't come to this meeting to present any explanations. I came to listen to them." Similar stormy scenes were repeated at party meetings held in other leading cultural institutions. The intelligentsia clearly was getting out of hand.

The conflict spread fast. On November 25, fifteen writers, all active members of the party and regular contributors to official periodicals, sent a letter to the Central Committee expressing their solidarity with Professor Kolakowski and demanding his reinstatement. The response of the party bureaucracy remained doctrinaire—and ineffectual. The writers were summoned to the Central Committee, where, one by one, they refused to withdraw their protest. Six of them, including prewar Communists, driven at length into rebellion against the beliefs of a lifetime, resigned from the party. Seven others were suspended. Nor was the party leadership any more successful in its dealings with the Writers' Union as a whole. At a special meeting of the party organization of the union's Warsaw sections (numbering about a hundred members) that was convened to condemn the actions of Kolakowski and his supporters, only one speaker supported the official line.

It would be wrong to assume that all those who joined this broad front of intellectual dissent necessarily subscribe to Modzelewski's or Kolakowski's views. The principle that unites them is opposition to the stifling system of Communist conformity, to the totalitarian controls over thought and speech and writing, to the subjugation of the intellect and the prostitution of culture. Yet, as the history of Communism—whether in Poland, the Soviet Union, or any other "socialist" state—has shown, the party cannot afford to compromise this control. The result it has achieved in Poland has been the successive alienation of the intellectual community, and with every new purge the area of revolt grows wider.

Peter Raina's letter to the Minister of Interior Affairs summed up the sense of betrayal.

"A few days ago," he wrote, "when I went to the militia headquarters in order to have my visa extended, I was greatly surprised by the decision of the militia not to extend my stay in Poland. I was aghast at the motivation of this decision, namely that I have a hostile attitude toward Poland. . . .

"For the first time in my life I came against a case when the control of university life was exercised by secret agents of the Ministry of Interior Affairs. . . .

"I never had any treacherous intentions towards Poland. I always defended Polish interest. I published abroad letters which criticized foreign correspondents for their lack of understanding of Poland. I endeavored within the limits of my possibilities to spread Polish culture through numerous translations of Polish literature. I feel, therefore, greatly injured by the mendacious accusations formulated against me by the Ministry of Interior Affairs. I am writing to you that thanks to the activity of agents of the Ministry of Interior Affairs at the university, everybody is governed by fear and one cannot behave normally and calmly at seminars and meetings. I am ashamed for the university and its leadership that things have come to such a pass that low and dirty methods are applied to students, methods that recall the times of fascism and its terror. Methods applied to me during the last few days at the militia headquarters (to wit, the denial of any possibility of explaining things) recall to my mind the methods of Stalinism.

". . . the events of the last days convinced me that all the ministries, the university, the whole cultural life, the political parties, the parliament, were subject to orders of the Ministry of Interior Affairs from which there was no appeal and that nobody had the courage to dare even to make a rightful protest against unjust treatment."

A fair description of a country which was only recently being advertised as a showplace of "liberal" Communism—and a melancholy epitaph to the illusions of an idealist who learned about Communism the hard way.

MORE ON OUR NATION'S NO. 1 DOMESTIC CRISIS: CRIME

Mr. HANSEN. Mr. President, robbery loot averages about $250; the total, nationwide, is well over $30 million a year. In 60 percent of the Nation's robberies a weapon is used.

In the city of Detroit in 1966, robberies of business places increased 82 percent and in grocery stores the increase was 134.7 percent.

Today, the Washington Daily News series on "The Forgotten Victims of Crime," written by Richard Starnes, concerns one victim of a robbery—a type of crime often too common to attract public attention. To store owners, however, the constant subjection to holdups and vandalism, obscenity and abuse often prove too much and they move or close up shop. They have little choice in the light of the growing disenchantment among them concerning the court system in our country.

Grace Tocco and her father own a small grocery store in the center of the "squalor and decay of a soon-to-be urban renewal project on Detroit's south side." One man recently arrested for assaulting Mr. Tocco was eventually brought to trial.

After Miss Tocco and her father spent the entire day in the court waiting for the case to be called, the judge brought the defendant before the bench and, in the words of Miss Tocco, said:

Young man are you going to behave yourself if I put you back on the street? This hoodlum nodded and said, "Yes, sir, your honor." The judge then said: "And that pistol you had in your pocket was nothing but a souvenir?" This bum replied "Yes sir, your honor." And that was all there was to it. The judge turned him loose.

Walter Shamie, editor of Grocer's Spotlight, a trade magazine, illuminates another area of disenchantment when he derides "politically inspired softness toward hoodlums" that he claims lies at the root of Detroit's crime problem. He attacks Police Commissioner Ray Girardin for his published advice to storekeepers not to resist gunmen by pointing out that—

Three days after he made that statement, George Reck, a druggist, submitted meekly and lay down on the floor as he was ordered. He was killed by four shots in the back.

Mr. President, I ask unanimous consent that this disturbing article be printed in the RECORD.

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

THE FORGOTTEN VICTIMS OF CRIME: "HE KEPT ON COMING SO I SHOT HIM"

(NOTE.—Robbery is a big-city crime. Loot averages around $250, the national total is over $30 million a year, the victim is frequently injured, and a weapon (most often a gun) is used in around 60 per cent of the offenses. In the swirling maelstrom of crime in this country, robberies involving as little as $250 seldom earn public attention. But for the people who are the victims, these crimes often are cataclysmic events.)

(By Richard Starnes)

DETROIT, June 28—Grace Tocco, a voluble, volatile spinster of 45, is an expert in the dismal realities of guerrilla war.

She stands amid the ghosts of her family's once thriving grocery business and laughs when a visitor is startled by the crash of broken glass from the street outside.

"They're just stealing something from the house across the street," she explains. "No one pays any attention. It isn't the cops' fault—they can't be everywhere."

Tocco's grocery store stands surrounded by the squalor and decay of a someday-to-be urban renewal project on Detroit's south side. It is a forlorn outpost of civilization in a jungle.

Miss Tocco is proud of the store, an enterprise started by her Sicilian-born father two years before she was born. But now the stock is sparse and the customers are few.

"We used to have the finest customers," she says. "Negro families, mostly. Home owners. Really nice people. But they've all moved away, and what we have now is riff-raff. Trash."

She removes a cardboard shield and reveals a gaping, saw-toothed bullet hole in the glass of a vegetable counter. It is a mute memorial to one skirmish in the series that makes up the siege of Tocco's store. Holdups and vandalism, obscenity and abuse—whatever indignity the jungle can mete out has been experienced by Miss Tocco, and by her parents, both of whom are over 70, both of whom are puzzled and despairing at the collapse of their carefully natured life work.

"Last winter—it was really the last straw, it led directly to what happened in March—a Negro man came into the store and went back to the meat counter. He asked for liver, but after my father had weighed it and wrapped it, he said he's changed his mind and wanted pork chops instead. So my father unwrapped the liver, weighed out the pork chops and wrapped them. Same thing; this time the man cursed my father and said he wanted ground beef."

Eventually the customer, growing more abusive with each change of mind, decided he actually wanted pork chops.

"So when my father had re-wrapped the pork chops," Miss Tocco says, bright hazel eyes snapping in indignation, "the man hit my father with them. That was too much. I called the police, and they were here within minutes. They arrested the man and charged him with assault."

Eventually the case went to court, and what happened is a familiar story to every reporter and policeman who has witnessed society's faltering attempts to deal with the jungle.

"We—my father and I—spent all day in court waiting for the case to be called. Finally they did call the case."

Miss Tocco casts her eyes heavenward in an expression of disgust. Then, drawing down the corners of her mouth in a burlesque of judicial concern, she mocks the judge who heard the case.

"The judge said: 'Young man are you going to behave yourself if I put you back on the street?' This hoodlum nodded and said, 'Yes, sir, your honor.' And then the judge said: 'And that pistol you had in your pocket was nothing but a souvenir?' This bum replied: 'Yes, sir, your honor.' And that was all there was to it. The judge turned him loose, and never even called my father or me to the witness stand to hear our story."

Miss Tocco, who keeps the store spic and span in the face of appalling difficulties, seizes a broom and sweeps furiously for a moment.

Society's failure to protect Miss Tocco and her father was to have dramatic repercussions.

"On March 13, it was a Monday, I'll never forget it as long as I live, At 12:15, yes, just like High Noon, these three came into the store. Two men and a woman. Negroes. They split up. One man went back toward the meat counter where my father was. The other stayed up here, near the cash register. The girl went over and started filling a bag with greens. Then the man up here pulled out a pistol and said it was a stickup and give them the money. I took all the money out of the cash register, about $300, and put it in the bag on top of the greens. The man got angry at that and said, 'Why did you do that?' I told him it was to make it easy to carry. Then I heard this noise"—Miss Tocco shuffles sensibly-shod feet on the terrazzo floor to demonstrate—"and I realized the other one was back there with my father. So I just pushed past the one who was holding the gun on me and ran to the back of the store."

Grace Tocco flails a patch of dust into submission with the broom.

"My father was down on the floor, and this bum was hitting him with a pistol. One, two, three, right on the side of the head. My father's eyes were open, but I've killed lots of chickens and some of them die with their eyes open and others die with their eyes closed. I didn't know if my father was dead or alive. So I grabbed the man and screamed at him to stop hitting my father. I told him I'd given all the money in the store. What more did he want? I thought he was going to kill my father."

In the confused eternity that followed, one of the stickup men grabbed the courageous grocery girl by the shoulder. "I thought it was the one who had been beating my father, but later I learned it was the one who'd been at the cash register. He'd followed me to the back of the store. I don't know yet why he didn't shoot me. Anyway, I got away from him and ran to the back of the meat counter."

Miss Tocco leads her visitor back of the counter and lifts a piece of butcher paper. Under it is a .38 caliber revolver.

"The man chased me," she continues, "and I picked up the pistol. He was there, at one side of the scales, and I was right here, on the other side. I shot him once, but he just kept on coming, so I shot him again. Then he just sort of slid down to the floor. I stepped over him to get to the phone and call the police. The man on the floor said not to call the police or he'd kill me. 'You're not going to kill me,' I told him, 'I've still got bullets in this gun.'

"The second man ran away—some friend he was—but the woman started back toward the rear of the store. So I shot her."

The gunman and his girl died. The second man escaped.

"No, who can be happy about taking a human life, even riff-raff? But I'm not sorry. My father is an old man. They were going to kill him."

The days that followed were harsh.

"The next day somebody parked a hearse right in front of our house, it's next door to the store here. I got the message all right—I was supposed to be next. But the police were great. They practically lived in the store for weeks afterward. They still slow down and look when they drive past, and if they don't see me they stop and come in. I got a lot of mail, most of it congratulating me, and for a long time I got a lot of creepy phone calls. But it's all quieted down now."

But the Toccos' beleaguered enclave is doomed, however gallant its defense.

"The city offered us $23,000 for the store, our house next door and another building that has four flats. It just wasn't enough, so we've got to go thru condemnation. It means we could be here until September."

The story of Grace Tocco is only one facet of the savage guerilla war that is raging between Detroit's small shopkeepers and the city's bumper crop of hoodlums. The atrocious killing of a grocer and a department store clerk in December brought a demand from Grocer's Spotlight, a trade journal for firearms classes for storekeepers. The National Rifle Association was quick to respond, and more than 200 grocery-men turned up for the organizational meeting. About 20 per cent of those taking the course are Negroes.

Walter Shamie, editor of Grocer's Spotlight, and an unsuccessful candidate for mayor of the city in 1965, insists the gun classes are necessary. "There was a general increase in robberies of business places of 82 per cent in 1966, and in grocery stores the increase was 134.7 per cent."

Since the gun classes began, Shamie says, store stickups have decreased 25 per cent. Within a week of the first shooting seminar, two stickup artists were killed by grocers. Since the classes began, no less than nine gunmen have been killed by merchants. Of the nine, seven were gunned down by grocerymen. All of the dead holdup men are Negroes. Two of the quick-draw grocers are Negroes. (Miss Tocco is not enrolled in the gun classes.)

Editor Shamie, a bitter political foe of Mayor Jerome P. Cavanagh and Police Commissioner Ray Girardin, claims that politically inspired softness toward hoodlums is at the root of Detroit's crime problem. He derides Commissioner Girardin's published advice to storekeepers not to resist gunmen.

"Three days after he made that statement, George Reck, a druggist, submitted meekly and lay down on the floor as he was ordered. He was killed by four shots in the back."

The political ferment in Detroit seethes with hints of police-city hall corruption, with demands for the recall of Mayor Cavanagh, with charges of maladministration of justice by vote-hungry judges. But in the end, politics is people, and peppery little Grace Tocco's war with the jungle is what it's all about.

"My father refused to go to the hospital," she says, "but I know he was hurt. Now, since it happened, he doesn't seem to be paying attention, you have to tell him things three or four times. But they're not going to chase me away. I know that second man is still out on the streets, but I'm not afraid. I'm going to stay here and protect our property for as long as we own it."

AIR POLLUTION IN WASHINGTON, D.C.

Mr. KENNEDY of New York. Mr. President, I am pleased to have the opportunity to join Senators MORSE, TYDINGS, and SPONG in cosponsoring S. 1941, a bill to prevent, abate, and control air pollution in the District of Columbia.

As the hearings conducted by Senator TYDINGS showed, the District of Columbia has not made any appreciable progress in controlling air pollution in the Washington metropolitan area. There has been no agreement either in the District or among the surrounding communities as to what standards are needed to insure that levels of carbon monoxide particulates and sulfur dioxide are kept within bounds. And without this agreement, the air pollution control efforts of individual communities will fail.

The Federal Government bears an extra responsibility in the District. It maintains and operates a large number of buildings that contribute substantially to the contamination of our atmosphere. Although the National Institutes of Health recently converted to low-sulfur fuel, this is an isolated rather than a general case and the Federal Government does not exhibit the leadership that it should. And the continued operation of the Kenilworth dump is an insult to both the residents of the District and surrounding States and to Federal efforts to eliminate air pollution in other areas.

Unlike other major American cities, Washington, D.C., does not have an air pollution emergency system. If the concentration of carbon monoxide or sulfur dioxide reaches a dangerous level in New York City, as it did last Thanksgiving, a first-stage alert would be called. But such an alert could not be called in Washington, D.C., because there are no standards. And the District of Columbia does not maintain any surveillance equipment so that it could know when the levels are becoming dangerous.

Air pollution control functions in the District are now divided between the health department and the building inspection division. And the staff provided for these functions are notoriously weak. This organization cannot handle air pollution in a city with more cars per square mile than Los Angeles. We need a new and effective air pollution control unit for the District.

This bill will establish an Air Pollution Control Board for Washington, D.C. It is a necessary step that must be taken now.

I am hopeful that the District Committee will be able to hold hearings on this bill in the near future. And I urge my colleagues to pass this bill once it is reported to the floor.

FOOD—A FORCE FOR WORLD PEACE

Mr. HRUSKA. Mr. President, our achievements in space, along with the foreign crises in the Middle East and in Vietnam, unfortunately are overshadowing the tremendous contributions our Nation has and is making in agriculture and the war on hunger.

Because of our great industrial and agricultural capacity, we have been able to maintain our sword and still produce the plows, technical know-how and production to feed ourselves and show underdeveloped nations how to shed themselves of the chains of starvation and malnutrition.

Agriculture should be our strongest arm in our efforts for world peace. To a starving man, food is his only salvation. We should use this tool and our technical know-how to produce food as our most effective weapon in our continuing effort toward world peace.

Mr. H. L. Straube, a vice president of the Stauffer Chemical Co., recently gave a speech entitled "Agribusiness Trends and What They Portend for the Agrichemical Industry." Mr. Straube takes a close look "at a few significant developments including mechanization, chemical research, computerization, customized services, legislation and liability, plus some closing observations on food power for peace." He further points out how this has helped the consumer by keeping his food bill several dollars less than it would have been if American farmers used the methods and equipment of as recent as only 15 years ago. Startling as it may seem, the U.S. farmer produces eight times as much as a farmer does in 90 percent of the world.

We have made more spectacular gains in agriculture than in any other single effort. Comparatively speaking, the advances made in agricultural production have been more significant in the past 15 years than in any other segment of our total economy.

For example, as early as the 1950's corn farmers habitually planted in rows of 40 inches. Why? That was due to the fact that horses were used for pulling cultivators and a horse needs a path at least 40 inches wide on which to walk. In his speech, Mr. Straube points out that, due to mechanization advancements, row widths are now being reduced to 20 inches. This, in effect, has doubled plantings and with the proper utilization of fertilizers and crop-protecting chemicals, it should more than double per-acre production.

The day may come when "row-less" agriculture will be necessitated in order to produce enough to feed our own population. Theoretically, a farmer would need to make only two trips through his fields, once for soil preparation, seeding, and application of chemicals and the other to harvest his crop.

In describing what the future may hold, Mr. Straube projected:

Some say that control compounds of the future may even confuse insects and cause bugs to lose their inclination to eat. Their psychological behavior would be affected to such an extent that young Mr. George Grasshopper will just prefer to walk around, or perhaps to go looking for an appealing Girl

Grasshopper. Do you suppose there really is a future for "psychedelic" chemicals? Could LSD ever replace good old DDT? Just imagine, the hip-Hopper of the 1980's may well be caused to "turn on, turn in, and drop off—the plant."

Pointing to the recent pesticide scare, which fortunately is subsiding, he quotes from the famed scientist, Marie Curie, who stated:

Nothing in life is to be feared—it is only to be understood.

For the past few years agrichemicals have been the subject of abuse based on distortion of views which have resulted in both uninformed and misinformed vilification. While some of these critics are sincere, their numbers include a predominance of faddists, medical quacks, and an antisocial cult who attract available political demagogs.

These charges have not withstood the barrage of facts put forth by competent scientists. Congressman JAMIE WHITTEN in his book "That We May Live" disproves many of the charges leveled against pesticides and points out their safety, necessity, and value.

Mr. Straube's speech is replete with many interesting facts and projections. I commend it to my colleagues. He points out that a broader public understanding and awareness of the ultimate power of food as a force for world peace is a prerequisite for the continued advancement of modern agriculture. Mr. President, I request unanimous consent to have Mr. Straube's speech printed in the RECORD at this point.

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

AGRIBUSINESS TRENDS AND WHAT THEY PORTEND FOR THE AGRICHEMICAL INDUTRY

(By H. L. Straube, vice president, marketing agricultural chemical division, Stauffer Chemical Co., New York, N.Y.)

Those of you who have seen the United States Archives Building in Washington, D.C., may remember that much quoted inscription engraved over the entrance way which proclaims—"the Past is Prologue."

Perhaps, as Arthur Toynbee put it—"the Past is the only clue to the future." But then what of all the amazing "Space Age" predictions for life in Tomorrow's World which bear little resemblance to Today, let alone Yesterday?

I'd like to take you on a fast-moving trip down a 30-year stretch of the River of Change, as it affects American agriculture, looking back 15 years from whence we came and peering downstream 15 years to see where we are heading.

The use of cliches can conflict when one attempts to forecast the future: For example, you could correctly observe that "there's really nothing new under the sun" and, on the other hand, properly exclaim—"you ain't seen nuthin' yet!"

Actually, Change, that most inevitable of all forces in life, embraces a bit of both, What will happen stems from what has happened. The trends of the future are rooted in the events of the past.

Yet, there is something dramatic and dynamic about the future outlook for agricultural science and agribusiness as they affect the agricultural chemical industry.

One cannot in a short space of time cover in depth, the total spectrum of change affecting the farm scene. However, a hasty "shotgun" approach would be equally inadequate—only scattering my pellets of prediction. Therefore, it behooves me to focus upon only a few highlights. In doing so, I will leave for others to evaluate such otherwise provocative and interesting subjects as farm income, pricing, taxation, farm finance, and other aspects of the agriculture scene.

Instead we will take a closer look at a few significant developments including mechanization, chemical research, computerization, customized services, legislation and liability, plus some closing observations on food power for peace.

To more closely organize this analysis of special interest areas, let us both glance back, and look ahead, to examine three subjects: First, The Power of Production, and second, The Power of Knowledge, to see how they relate to the third subject The Power of Food.

THE POWER OF PRODUCTION

In examining the history of certain nations, one notes that farming as an industry, experienced little, if any change. Such stagnancy in farming often brought hunger poverty, and general lack of progress.

In American agriculture, change has been the rule since our earliest history as a nation. And the pace of change has accelerated during the past 15 years. The renewed initiative, independence, and vision of the American farmer hold as great promise for the future as they have in the past. Research and development, education and capital, all continue to provide cornerstones for agricultural improvement and progress in the United States.

But major changes are taking place. Since the early 1950's the numbers and nature of farms in America have undergone a striking metamorphosis. Our average farm size has greatly increased while the farm population itself has dropped. The small "family" farm is swiftly disappearing. Doubled and tripled capitalization requirements for modern-day farming have accelerated the consolidation of farm land into large holdings. Yet the fewer farmers of today multiply their yields per acre, farming larger tracts, with fewer hours of work—this is the miracle and power of production.

Today, the typical American family's weekly food bill is several dollars less than it would have been if American farmers used the methods and equipment of 15 years ago. Since then, agricultural output has risen more rapidly than the population.

Let us examine other changes in technique. In the early 50's corn farmers habitually planted in 40-inch rows, a practice necessitated by the width of a horse originally required in the cultivation of the crop. Today's widespread experimenting in reduced row widths (down to 20 inches) is bringing greatly multiplied yields.

Fertilizers only a few years back were of primitive low-strength, blended by small operators. Today the fertilizer industry is experiencing major changes. The manufacturing of more powerful and sophisticated fertilizers, "vitamin-enriched" by trace elements, has required larger, more consolidated facilities with higher capitalization, causing the ineffectively-competing small "blender" to turn to other farm service pursuits.

What about "Tomorrow"—with land at a premium, water at a premium and population continuing to mushroom?

Looking ahead 15 years it is clear that the bulk of farm acreage will be in crops that can be grown and harvested mechanically, and we will need more yield on fewer acres.

One indispensable necessity for such mechanical care will be the maximum use of agricultural chemicals. These products should aggregate annual sales of well over a billion dollars. During the past 8 years sales of products at the manufacturer level has increased on an average of 14% per year. If our future increase is computed at only 10%, our sales 15 years from now could reach 2 billion dollars.

For required yield gains, even today's narrower-row cultivation may give way to broadcast methods, or at least optimum-spacing techniques, and new products and techniques will be developed for more efficient use of land, moisture, plant food, and sunlight.

"Row-less" agriculture will spawn some entirely new concepts in farm machines which could theoretically make only two trips through the farm fields of tomorrow—the first for soil preparation, seeding and application of chemicals, and the second for harvesting the crop.

Tomorrow's farm equipment will employ unique devices for prescribed-depth insertion of chemicals into the soil, utilizing blade injectors to control volatility and making it unnecessary to wait for rain to "work it down." For harvesting row-less crops, airborne hovercraft are a real possibility.

As for the farmer of the future, one prophet recently foresaw him "plowing, planting, and conditioning his fields by remote control while monitoring the results on a closed-circuit television screen!"—and probably watching it in color.

Tomorrow, new chemicals and the means to apply them will control pests of all kinds, retrieve arid waste lands, and prolong growing seasons in northern frost areas. Persistence, to some alarmists a "bad word" today, will be scientifically measured in the future. A product will persist as long as it is needed—to give a seed protection when it germinates, to control a weed or an insect infestation when needed—but it will not last any longer than needed.

Pre-emergent control of weeds, insects, and crop diseases, plus the nutrition required to maximize yields will be combined into one operation, possibly utilizing a golf-ball sized "contac" pill also encapsulating the crop seed. If not the golf ball or "contac" pill approach, certainly we will see one farming operation combining soil tillage, seeding, the application of a fertilizer nutrient, a prescribed herbicide, fungicide and insecticide. No further chemical application will be needed.

Research will bring more selective systemic insecticides involving insect chemosterilants, biological control, insect hormones, metabolic inhibitors, all designed to lessen environmental contamination and permit greater survival of beneficial insects, thereby reconciling the needs of agriculture with the problems of public health and conservation. We will witness a change-over from the current terminology "insect control" to "insect management and control."

Some say that control compounds of the future may even confuse insects and cause bugs to lose their inclination to eat. Their psychologocial behavior would be affected to such an extent that young Mr. George Grasshopper will just prefer to walk around, or perhaps to go looking for an appealing Girl Grasshopper. Do you suppose there really is a future for "psychedelic" chemicals? Could LSD ever replace good old DDT? Just imagine, the hip-Hopper of the 1980's may well be caused to "turn on, tune in, and drop off—the plant."

Growth regulators present some of the most exciting prospects for the future development of agricultural chemicals. As the population continues to expand and even greater demands for food develop, it may be necessary to extend the growing season for crops to more northern parts of the world. The use of frost resistance chemicals to change the physiology of the plant might allow two crops to be grown in one year in areas where only one crop per year can now be grown.

There will be other growth regulators to control plant stomatal openings to reduce transpiration through the leaves. We know that cotton plants lose 50 tons of water per acre, per day, in the summer under growing conditions. A chemical treatment to substantially reduce this water loss would allow crops to be grown in arid regions of the

world which now do not have enough water to support them.

Growth regulators will also greatly facilitate mechanical harvesting. For example, they will be used in developing upright, sturdy stems for tomatoes, melons, cucumbers, and similar crops. They will enable crops to mature at a desired time.

In the area of animal health and pharmaceuticals, the next 15 years will see rapid strides in feed conversion efficiency. New vaccines will be developed for disease prevention and provide effective therapy against viruses.

"Assembly line" broiler production techniques will be further improved. Hormones and other new potent drugs will continue to increase animal growth on less feed. There will be products to synchronize estrus, resulting in synchronized and uniform calf production. And there will be products that will cause cows to drop twins more frequently. In other words, for the farmer and his customer: more and better eggs, meat, and milk for less feed.

Most of you have seen lecture presentations on the world's "Explosion of Knowledge" utilizing charts and slides to graphically and startingly portray the almost vertical ascension of the "knowledge" curve in the past few decades. We look back on centuries of slow, almost imperceptible progress in the accumulation of knowledge and now, in just a few short years, race on to the moon. This is the second of the three subjects—the power of knowledge. Agricultural technology is no exception. The accumulation of farming know-how has zoomed upwards rapidly in the past 15 years.

In appraising the "Power of Knowledge" as it pertains to agricultural science, agribusiness and the ag chemical industry in particular, let me give some dimensions to the term, as I employ it. By discussing "knowledge" I want to reflect upon

A. the technological findings of agricultural research;

B. the problem of assimilating and disseminating such data;

C. the laws and regulations set forth by legislatures and administrative agencies including their effect on liability problems, and

D. the Public's knowledge, awareness, and understanding of various controversial matters and career considerations affecting the future of American agriculture. These four areas—technology, its dissemination, law, and public understanding combine to make up what I have termed the "Power of Knowledge."

Consider first the mushrooming body of scientific knowledge—that vast undertaking in agricultural research provided by the Land Grant College and the USDA, and importantly aided by the huge private investment in research. Over the years, this has been the primary influence that made American agriculture the magnificent, unbelievable success that it is today.

Today, and even increasingly tomorrow, the problem will be how to assimilate and disseminate this vast accumulation of knowledge. There has been rapid acceptance of new technology and adjustment to changing times by the modern farmer. Public and private educational programs, vocational agriculture, the 4-H, Cooperative extension, and industry training schools, all supplemented by farm magazines, newspapers, radio, and TV—and let's not forget the educated Ag. Chemical salesman and reseller—have flooded the farmer with new information on improved farm technology and management.

But—the inescapable fact is that without scientific help, the next 15 years might find him unable to keep up with "exploding" knowledge.

The only answer: Computerization.

Like all other modern professions, agriculture, too, must avail itself of the exciting magic of mass-data processing systems.

In the 1980's therefore, it is safe to predict that an entirely new field of agricultural data-handling will have developed to disseminate information either on a private contractual basis (such as perhaps by the telephone company's "data phone") or through some governmental service—perhaps via a modernized "County Agent," for example. The farmer of tomorrow will avail himself of "space age" computer services to do many tasks—to analyze his soil, blend his fertilizer, and determine his seed selection; computers will prescribe his herbicide-fungicide-insecticide requirements to meet the needs of the approaching growing season. Advanced and accurate weather satellite predictions on climate variations will be utilized so that tomorrow's farmer can anticipate such conditions as an early drought, or the probability of frost, or even insect hazards. The special chemicals tailormade to suit his electronically-programmed needs, will be custom-prepared for a "one-trip" planting, and farm equipment devices properly "instructed" to place these materials at the proper depth in the soil. Guidance will also be available from computers to govern crop rotation, the mix needed for livestock yield, even the proper crop to plant for maximum return at the pre-determined date of harvest.

Crop yields, marketing expectations, pricing considerations, will all be taken into account. The farmers' increasingly more complex record-keeping and accounting burdens will be similarly simplified through computerization that will also embrace farm finance and tax reporting. Tomorrow's farmer will truly be a business man.

An unresolved question facing us today is whether the research effort necessary to develop such computerization should be assumed by industry and contract service entrepreneurs, or whether it is so massive in scope and prohibitive in cost as to require the government to shoulder this development and implementation burden.

Perhaps as an ag chemical industry spokesman it is pertinent for me to point out that computerization planning is much more appropriate for Government Agencies to focus on than their present preoccupation with the research and development of additional chemical insecticides and herbicides.

Electronic automation, however, need not and should not idle or eliminate the participation of today's typical distributing firms. Modern advances will rather cause them to become more sophisticated, and specialized, involving newer, customized service areas. Broad new horizons of opportunity and achievement beckon in this regard. As it has always been, the distributor satisfying a need, who offers a service of technical knowledge or product availability, will continue to succeed and will have a place in the distribution of pest control products.

Legislative and administrative pressures today affecting the registration of new pest control products are a far cry from the scene of 15 years ago.

Then the predominant attitude was, "let the buyer beware." Today, the regulatory situation is close to requiring an "absolute" or guaranteed liability on the part of the ag chemical manufacturer regardless of whether or not a user reads and follows the label.

The significance here is that from now on we may not only be required to guarantee effectiveness but must also anticipate chance of misuse. Our solution again will be in more technical data and research to give more accurate labelling. We will continue to need expert legal advice.

The subject of laws and legislation leads me to a final facet affecting the "power of knowledge"—the power of public opinion—our need for a knowledgeable and informed public.

Some years ago Marie Curie stated, "Nothing in life is to be feared—it is only to be understood." The truth of her words is now being understood in the belated effort at rehabilitating agricultural chemicals in the eyes of the public after years of abuse and distorting that began with the publication of alarmist views by the late Rachel Carsen. Her followers—all too often purposeful or compulsive critics, both un-informed and mis-informed, have triggered professional and industrial vilification, groundless anti-chemical legislation, and other nationally publicized attempts to gain attention. Their numbers all too often include a predominance of faddists, medical quacks, and an anti-social cult who attract available political demagogues. We are all familiar with the results of hasty political demagogues. We are all familiar with the results of hasty legislative hearings wherein the eventual "acquittal" never seems to catch up with the more newsworthy "accusation"—the doom and gloom charges made against pesticides.

You all remember the Ribicoff Committee's exhaustive and highly publicized hearings on pesticide dangers, yet how many people generally are aware of the Ribicoff Committee's summary report which concluded that the anti-chemical cult's "predictions" of impending disaster" were unfounded and based on ignorance. That story received little or no publicity to correct the adverse distortions appearing earlier in the news media.

The problem is simply that the general public is unexposed to and almost completely unaware of the true facts. Such knowledge is necessary if we are to erase groundless public fears and also provide a true perspective of the importance of pest control chemicals in winning the world's most basic battle: to provide enough food for its burgeoning population.

There is another, little appreciated result of this mis-guided campaign against the farmer, his chemical tools and the agriculture-connected sciences. Efforts to paint the farmer as a wanton rube have poisoned the minds of many urban people and their children. Despite the increase in urban populations, urban candidates for study in the agricultural sciences continue to diminish steadily. What has the world lost in genius and discovery this past decade because impressionable youth have been discouraged to enter the agriculture-connected sciences because they have been stained by a smokescreen of propaganda.

Something can and must be done. Farm youth, in addition to sewing skirts, raising rabbits, baking bread, and preserving peaches, can be (and fortunately now are) learning more about their "role" as farm people. They are learning in the 4–H and FFA to verbalize and communicate. In school with their city classmates they now can stand up, speak out, and convince others that the farmer today has "something going" for him and for the world which is as equally important as the space race.

Farming in the future will be more of a business than a "way of life." It should attract the best of our qualified, adventuresome youth. It is my sincere hope that within fifteen years agricultural science will not only provide the technology for feeding the world's population billions, but also will have become one of the world's most respected and honored professions.

The public's awareness and knowledge of this will be "power" indeed.

THE POWER OF FOOD

As the last phase of my talk this morning, I would like to speak briefly about what I have labeled "The Power of Food".

Fifteen years ago the United States was plagued by the problem of plenty—surplus food stocks. You will remember when grain was stored in retired World War II cargo ships floating in the Hudson River. Recall also the debates over farm subsidies and soil bank programs.

In the early 1950's "farm bloc" politics influenced greatly the deliberations of Con-

gress and the state legislatures. The situation has changed. Today our surplus stocks are almost gone. "Farm bloc" influence in politics is diminishing. The 11.5 million people left on the nation's farms represent only a little over 5% of the population. Corporate agriculture is replacing the family farmer.

In the world today only ten nations can feed themselves. Only the U.S.A. holds major stocks for export. From the beginning of the Christian era until the 17th Century, world population grew at an average of only 2% per century. Since 1960, however, world population has been growing at 2% per year, and even faster in the less developed countries of Africa and Asia.

By the early 1980's the world's population will grow from its present 3.1 billion to 4.5 billion. In 100 years it will truly "explode" to over 7 billion, with over 500 million in the United States alone. Truly a population explosion.

It goes without saying that America's farms cannot feed the world. Self-help programs are a must for the emerging populous nations.

We must "export" our agricultural technology via the overseas operations of American companies, as well as the U.S. Agency for International Development or the United Nations Food and Agriculture organizations.

It is safe to predict that over the next few years the power of food as a weapon for peace will assume increasingly greater significance. The importance of farm technology to world politics will far outweigh the significance of yesterday's "farm bloc" influence on national politics. Instead of fortifying bastions of freedom with weapons of war, in today's world where war will solve nothing, the U.S.A. should and, I trust, will help the free peoples arm themselves with the vital strength of food and food-growing know-how.

So—in closing, it would seem that the discernible trends in agriculture today portend much for the growth and importance of the ag chemical industry. Business opportunities will increase swiftly. Production output, so vitally dependent upon chemicals, will be further fueled by the computerized dissemination of agricultural technology. Broader public understanding and awareness of the ultimate power of food as a force for World Peace—will truly make modern agriculture an endeavor we can proudly feel an integral part of.

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, is there further morning business?

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION APPROPRIATIONS AUTHORIZATION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The ACTING PRESIDENT pro tempore. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (S. 1296) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes.

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

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 220

Mr. PERCY. Mr. President, I call up amendment No. 220, on behalf of the Senator from Idaho [Mr. JORDAN], the Senator from Massachusetts [Mr. BROOKE], and myself, and ask for its immediate consideration; and I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendments (No. 220) offered by Mr. PERCY for himself and other Senators, are as follows:

On page 15, between lines 22 and 23, insert the following new section:

"SEC. 6. The Administrator of the National Aeronautics and Space Administration shall keep the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautics and Space Sciences of the Senate fully and currently informed with respect to all of the activities of the National Aeronautics and Space Administration."

On page 15, line 15, strike out "SEC. 6" and substitute "SEC. 7".

Mr. MANSFIELD. Mr. President, will the Senator yield, without losing his right to the floor?

Mr. PERCY. I yield.

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

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

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The time is under control. Does the Senator from Illinois yield himself 20 minutes?

Mr. PERCY. Yes.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 20 minutes.

Mr. PERCY. Mr. President, amendment No. 220 is on the desks of Senators. It also appears on page 17341 of the CONGRESSIONAL RECORD for Monday, June 26, together with an explanatory statement.

Its purpose is to place on NASA an affirmative duty to keep the Committee on Aeronautical and Space Sciences of the Senate, and the Committee on Science and Astronautics of the House fully and currently informed on NASA activities.

Let me make it clear at the outset that I have been and will continue to be a strong supporter of our national space program. In my private life, prior to coming to the Senate, I was associated with Cal Tech, a major space contractor, as a trustee. In that capacity I have met before the searching questions of the direction and speed with which we should pursue our explorations into outer space. I am confident that the course we are pursuing is the correct one; the pace at which we go, as regulated by the authorization before you, is a sound one.

On the other hand, the recent hearings on the tragic Apollo fire produced serious questions, first, as to the general availability of information from NASA that is requested by your committee, and second, as to the responsibility of NASA affirmatively to come forward and make that information available to the Committee on Aeronautical and Space Sciences of the Senate, and the Committee on Science and Astronautics of the House.

The example of the need for new law discussed in my statement of yesterday is the now-famous Phillips report which was turned up in the course of congressional inquiries on the cause of the disastrous Apollo 204 fire. This report ultimately was made public by a member of the other body, but not until after its contents and impact—and in fact its very existence—had been discounted and minimized by NASA and the contractor.

Many of us were saddened and disappointed to read the conclusions of NASA's Apollo 204 Review Board:

Deficiencies existed in Command Module design, workmanship and quality control. These deficiencies created an unnecessarily hazardous condition and their continuation would imperil any future operations. (Review Board Report, Page 6-3, Finding 10)

But we were shocked to learn that some 14 months prior to the accident, the NASA inspection team, headed by General Phillips reported:

Technical problems with electrical power capacity, service propulsion, structural integrity, weight growth, etc. have yet to be resolved . . . Delayed and compromised ground and qualification test programs give us serious concern that fully qualified flight vehicles will not be available to support the lunar landing program. (Phillips Report, Page 6)

(Contractor) quality is not up to NASA required standards . . . Performance goals for demonstrating high quality must be established. And trend data must be maintained and given serious attention by management to correct this unsatisfactory condition. (Phillips Report, pages 16-17)

Since General Phillips is the Apollo program director, the further statement in the report of lack of confidence in the contractor's ability to remedy the unsatisfactory situation alone makes the Phillips report significant. It is well to note also, that at the time the Phillips inspection was made, the spacecraft in which the fatal fire occurred was on the line at the contractor's plant—see page 444.

Administrator Webb was frank to state, in reply to questioning by the distinguished ranking minority member of the committee, the Senator from Maine [Mrs. SMITH], that NASA had no guidelines as to when serious situations such as the conditions underlying the Phillips report would be brought to the committee's attention—hearings, page 514. The situation was aptly described by my able colleague from Minnesota [Mr. MONDALE] in a colloquy about the Phillips report with Administrator Webb, during the hearings on May 9 of this year:

Senator MONDALE. How can we request information which is candid and frank if we do not know of its existence?

Mr. WEBB. This is a problem I think we do have to address a great deal of attention to. (Page 530.)

The Phillips report example suggests, as Administrator Webb candidly agreed,

that there "are other reports of a substantial and critical nature other than the Phillips Report." Accident hearings, page 530. I might say that a number of members of the committee agreed that information such as the Phillips report, and another report of deficiencies by the General Electric Co., should be brought to the committee's attention.

The purpose of my amendment, Mr. President, is to add to the present law a requirement that NASA—on its own initiative and without necessity for directive or inquiry from the committee—produce information to keep the responsible committees of the Senate and House fully and completely informed of problems as they beset our space program.

Let me make it clear that the purpose of my amendment is not to put the House and Senate committees in the business of running our space program, or reviewing every decision and report made by NASA. But I believe it is basic to our function as the committees responsible for our space program that we are, in the words of the Senate report, "made currently aware of any problems which may exist in carrying out these programs." In matters so closely involving program costs and progress, we cannot otherwise fulfill our obligations.

The purpose of this amendment is not to require public disclosure of materials which are proprietary in nature, or which are so sensitive to NASA-contractor relationships that public exposure would compromise NASA-contractor management system effectiveness.

But as I pointed out in my statement yesterday, present law needs this augmenting provision that will insure that your committee is fully aware of the problems in our space program system, the development of which—as Mr. Webb has repeatedly stated—is an essential part of our space program. It is our intention that confidentiality be retained where necessary. Mr. Webb indicated his satisfaction with such an arrangement by the following statement:

> Now, any procedure this Committee establishes to receive this information *in a nonpublic way* and decides itself what part of it it wants to make public will be all right with me.

The handling of the Phillips report in executive session is a prototype of the exchanges of important information that would be possible under my amendment. Specific guidelines could be worked out under the legislation to assure that the committee's and NASA's requirements were both satisfied.

Mr. President, responsibility to report to supervisory authority is a universal reality in the American way of business life, and indeed, academic life as well. Universities must report to their trustees. The reports and discussions are essential to the health and progress of these institutions, and disclosure is tailored to promote the same ends.

Corporations are accountable to their boards and to their stockholders for management and technical information—an analogy I find particularly suitable here. We in Congress are in a very real and essential sense the trustees of the public moneys that are made available for this and other programs.

Again, I direct the attention of the Senate to the language of the report of your committee, as well as the language of the corresponding House report. They both indicate the necessity to impose on NASA a fuller responsibility for keeping the committees informed.

I ask unanimous consent that the appropriate sections of the two reports be printed in the RECORD at this point.

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

LEGISLATIVE ACTIONS

Your Committee wishes to reemphasize the policy that the Administrator of NASA shall keep the Aeronautical and Space Sciences Committee of the Senate and the Committee on Science and Astronautics of the House of Representatives fully and currently informed with respect to all of the activities of the National Aeronautics and Space Administration. Only in this way can these committees properly perform their responsibilities in connection with our national civilian space program.

Your Committee points out that this policy is the express intent of Section 303 of the National Aeronautics and Space Act of 1958 as amended. This section provides that despite authority in such section which permits the Administrator to withhold from the public, information (1) authorized or requested by Federal statute to be withheld, and (2) classify to protect national security, no such information shall be withheld from the duly authorized committees of the Congress.

Instances have arisen in the past wherein several actions taken by NASA which had a great effect upon its administration of major programs carried out by the agency, did not come to the attention of your Committee at the time such actions occurred. While your Committee does not wish to make decisions for NASA with respect to the manner in which NASA programs are being carried out, it is imperative that the Committee be made currently aware of any problems which may exist in carrying out these programs. Your Committee points out that these are programs for which NASA is requesting of the Congress each year authority to expend vast additional sums of money. It is in this context that your Committee urges the Administrator, in all candor, to keep the members of the Committee fully and currently informed of all problems which NASA encounters in carrying out our national civilian space program (Senate Report No. 353, at page 95).

INFORMATION

The committee added a new section to the bill, section 6, which requires NASA to keep the House Committee on Science and Astronautics and the Senate Committee on Aeronautical and Space Sciences fully and currently informed with respect to all of the activities of NASA. This section complements the existing provisions of the National Aeronautics and Space Act of 1958, and for the first time places the positive duty upon NASA to keep the Congress fully and currently informed. This provision is similar to that which is contained in the Atomic Energy Act of 1954, and which has been implemented with apparent success. The committee believes that this section is necessary to better enable the committee to carry out its legislative and investigative responsibility to oversee the activities of NASA, and in order that the committee will be aware of potential problem areas prior to their crystallization (House Report No. 338, at page 148).

Mr. PERCY. Mr. President, a question has been raised as to the efficacy of enacting this reporting requirement as a part of an authorization, rather than amending the basic legislation. In my judgment, in view of the necessity for the committees and NASA to develop the procedures for regular disclosures, review of the effect and operation of the amendment in a year's time would be valuable. The language is nearly identical to the language in the Atomic Energy Act. While there are differences between the Atomic Energy Commission and NASA and their relationships to the Congress, the experience of the Joint Committee on Atomic Energy is analogous to the requirements of the Senate Committee on Aeronautical and Space Sciences, and the House Committee on Science and Astronautics. I understand the experience of members of the Joint Committee on Atomic Energy under this language has been excellent, and certainly our progress in this vital area of scientific endeavor shows it.

In urging adoption of my amendment, Mr. President, let me close by stating my belief that in so doing, we can go a long way toward restoring the confidence of the public in the relationship between NASA and the Congress. We can take a real step toward closing the information gap between NASA and your committee which the record of the Apollo 204 hearings so clearly reveals.

I urge the adoption of the amendment.

Mr. JORDAN of Idaho. Mr. President, will the Senator yield?

Mr. PERCY. I yield to the Senator from Idaho.

Mr. JORDAN of Idaho. Does the Senator agree that the first that we heard of the Phillips report, for example, was through the press, through rumors that had leaked out and were first published in the press? Does the Senator agree with me that the first some members of the committee knew of the existence of such a report was when we read about those rumors?

Mr. PERCY. I agree with the Senator from Idaho. In the hearings that we held, which were public hearings, it was quite apparent that the Phillips report would be extremely important to the comittee to have access to and to study, and yet, while we kept hearing about it through newspaper reports, we could not obtain access to it ourselves.

Mr. JORDAN of Idaho. And when officials of NASA were questioned by members of the committee, does the Senator not agree that they were less than frank with us in opening up the discussion further?

Mr. PERCY. I agree.

Mr. JORDAN of Idaho. Does the Senator agree that they appeared either to have no knowledge of the report, or to feel reluctant to talk about it?

Mr. PERCY. There seemed to be considerable reluctance to discuss it with members of the committee.

Mr. JORDAN of Idaho. Will the Senator agree that it is very difficult for members of the committee to pick up and pursue every facet of all the information having to do with the great NASA program—which we all support and subscribe to—unless leads are furnished us by the NASA officials themselves; that we cannot possibly have sufficient knowledge even to ask intelligent questions about some parts of it unless we are given basic information?

Mr. PERCY. I would certainly agree with the Senator from Idaho. In the capacity in which we were serving, I felt

that if the committee had had access to the report at the time it was issued, there were several very pertinent points in the report that we might have developed further, and we might have been more helpful to NASA and to the space program itself if we had had access to that information.

Mr. JORDAN of Idaho. Mr. President, I agree with the Senator's views and support his amendment. I think it rightly belongs in this authorization bill, and I hope it will be agreed to by the Senate.

Mr. PERCY. I thank the Senator from Idaho.

The PRESIDING OFFICER. Who yields time?

Mr. ANDERSON. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from New Mexico is recognized for 5 minutes.

Mr. ANDERSON. Mr. President, as I mentioned in my opening statement, this amendment was considered in committee and it was determined that its inclusion in the Senate bill was not necessary. The committee did, however, agree that strong language should be included in the Senate report which would express the committee's desire that the Administrator of NASA should keep the space committees of both Houses fully and currently informed of the activities of the National Aeronautics and Space Administration.

I ask unanimous consent to have printed in the RECORD pertinent paragraphs of the committee report with reference to this matter.

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

Your Committee wishes to reemphasize the policy that the Administrator of NASA shall keep the Aeronautical and Space Sciences Committee of the Senate and the Committee on Science and Astronautics of the House of Representatives fully and currently informed with respect to all of the activities of the National Aeronautics and Space Administration. Only in this way can these committees properly perform their responsibilities in connection with our national civilian space program.

Your Committee points out that this policy is the express intent of Section 303 of the National Aeronautics and Space Act of 1958, as amended. This section provides that despite authority in such section which permits the Administrator to withhold from the public, information (1) authorized or requested by Federal statute to be withheld, and (2) classified to protect national security, no such information shall be withheld from the duly authorized committees of the Congress.

Instances have arisen in the past wherein several actions taken by NASA which had a great effect upon its administration of major programs carried out by the agency, did not come to the attention of your Committee at the time such actions occurred. While your Committee does not wish to make decisions for NASA with respect to the manner in which NASA programs are being carried out, it is imperative that the Committee be made currently aware of any problems which may exist in carrying out these programs. Your Committee points out that these are programs for which NASA is requesting of the Congress each year authority to expend vast additional sums of money. It is in this context that your Committee urges the Administrator, in all candor, to keep the members of the Committee fully and currently informed of all problems which NASA encounters in carrying out our national civilian space program.

Mr. ANDERSON. Mr. President, the language in this amendment was considered by the committee during its markup of the bill. It was pointed out in committee that when the Congress in 1958 first considered the means by which our national civilian space program would be administered, similar language was included in the Senate-passed bill.

I say parenthetically that, if my memory serves me right, I believe I authored the language in the Senate-passed bill at that time. Many Senators will recall that the Senate proposed to establish a joint congressional committee on space and this language was in one of the provisions taken from the Atomic Energy Act of 1954 and included in the bill. What is now section 303 of the National Aeronautics and Space Act of 1958, was also included in the Senate-passed bill and the Senate report on such bill, in describing the purpose of what is now section 303, stated:

All information, however, is to be made available promptly to the duly authorized Committees of the Congress.

Taken in the context with the rest of section 303, the word "information" relates to all information obtained or developed by the Administrator in the performance of his functions.

In conference the conferees determined that the policy of the House bill which called for the establishment of separate legislative committees, would be accepted and most of the provisions of the Senate bill which had been patterned after provisions in the Atomic Energy Act of 1954, including the language which is similiar to the language in the proposed amendment, were deleted. There was no feeling on the part of the conferees that the language now designated as section 303 of the Space Act was not sufficient to require the Administrator to inform the authorized committees of the Congress promptly on the activities of NASA.

Mr. President, while there have been some instances in which the committees have not been promptly informed, the language in section 303 is still sufficient to carry out this purpose. There is no need for additional legislative language at this time. The Administrator of NASA should be made aware of the fact that the Congress expects prompt compliance of section 303 of the National Aeronautics and Space Act. This the committee has done by the insertion of strong language in its report.

Mr. President, all I can add is this: It is a hard problem to decide exactly how much information you should ask the agency to give to the committee. We have discussed the amendment of the able Senator from Illinois [Mr. PERCY] at his request. I think he did a very fine job, and other Senators did a fine job, in gathering the information we had.

I think, however, that this is not the way to get at the problem, but that it would be better to leave the act as it now stands, and not put this language in the authorization bill.

I therefore urge that the proposed amendment of the Senator from Illinois be defeated.

Mr. President, I yield to the Senator from Maine.

Mrs. SMITH. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Mrs. SMITH. Mr. President, as the ranking minority member of the committee, I rise in opposition to the amendment.

This amendment was considered and rejected by the committee.

Its origin was with Representative RUMSFELD, who initially presented it to the House Space Committee.

Subsequently, the Senator from Illinois [Mr. PERCY] proposed that the Senate committee adopt the Rumsfeld amendment. When he did so, I requested the counsel of the committee to study the Rumsfeld amendment as proposed by Senator PERCY. The committee counsel did so, and submitted a legal memorandum.

I should first like to read the staff director's memorandum to the chairman:

MEMORANDUM, JUNE 6, 1967, U.S. SENATE

To: Senator Anderson.
From: James J. Gehrig.

As you recall, I told you that I asked Everard Smith to look into the Rumsfeld Amendment. Attached is a memorandum he prepared. The gist of his memorandum is that language very similar to the Rumsfeld Amendment is already part of the National Aeronautics and Space Act of 1958 and no purpose would be served by restating it.

I will now read into the RECORD the memorandum from the counsel of the committee to the Staff Director.

It reads:

MEMORANDUM, JUNE 6, 1967

To: James J. Gehrig.
From: Everard H. Smith, Jr.
Subject: Rumsfeld Amendment.

At the Executive session of the Committee on May 23, Senator Percy suggested that the Committee might wish to consider adding language to the NASA 1968 authorization bill similar to the language known as the Rumsfeld amendment which was adopted as part of the Space Authorization Act, 1968, by the House Space Committee. It reads as follows:

"SEC. 6. Notwithstanding any provision of the National Aeronautics and Space Act of 1958, or any other provision of law, the Administrator of the National Aeronautics and Space Administration shall keep the Committee on Aeronautical and Space Sciences of the Senate and the Committee on Science and Astronautics of the House of Representatives fully and currently informed with respect to all of the activities of the National Aeronautics and Space Administration."

This language is similar to some of the language contained in Section 202 of the Atomic Energy Act of 1954 which is applicable to the Atomic Energy Commission and its relationship to the Joint Committee on Atomic Energy.

Without commenting on the fundamental policy governing such a proposal, I would like to make two observations: (1) The Rumsfeld amendment as written leaves in doubt whether it is intended to be permanent legislation or only governs the period covered by the Authorization Act. If it is intended to be permanent, then it should be re-written as a part of the National Aeronautics and Space Act of 1958, as amended, rather than in the yearly Authorization Act. (2) The Rumsfeld amendment would appear to add nothing to the requirement already

placed upon the Administrator of NASA by permanent legislation contained in Section 303 of the NASA Act of 1958. This section reads as follows:

"SEC. 303. Information obtained or developed by the Administrator in the performance of his functions under this Act shall be made available for public inspection, except (A) information authorized or required by Federal statute to be withheld, and (B) information classified to protect the national security: *Provided*, That nothing in this Act shall authorize the withholding of information by the Administrator from the duly authorized committees of the Congress."

Inasmuch as the requirement has already been made a part of NASA's permanent legislation, it would appear that no purpose could be served by saying the same thing in a little different manner.

Mr. President, my final comment in opposition to this amendment is that it is not needed. What is needed is enforcement and compliance with existing law rather than redundancy in legislation such as this amendment.

The PRESIDING OFFICER. Who yields time?

Mr. PERCY. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 10 minutes.

Mr. PERCY. Mr. President, I certainly respect the judgment of the acting minority leader and the judgment of the committee. However, after sitting in 3 or 4 months of hearings, I find the statements made inconsistent with the statements made in that period.

I do not find as I read the act now the requirement or the necessity for NASA to report the kind of information to us that I feel is needed.

During the course of the hearings, the Senator from Maine [Mrs. SMITH] asked the Administrator of NASA several pertinent questions.

The Senator from Maine said:

I would ask, Mr. Webb and Dr. Mueller and Dr. Seamans, Do you have any guidelines as to when serious situations are to be brought to the attention of this committee?

The reply of Mr. Webb was:

I do not know that we have, Senator SMITH.

Senator SMITH said:

Well, Mr. Chairman, it seems to me that it was certainly NASA's responsibility to bring the North American situation to the attention of this committee at the time General Phillips completed his review. These contracts represent about 25 percent of NASA's budget. This does not necessarily mean that the detailed report had to be provided to the committee, but we should have been apprised of the situation early enough, since it directly affects the budget authorization request and the overall progress of the program.

I think, Mr. Chairman, this involves a communication problem between NASA and the committee that must be corrected for the future, and this was the reason I asked my question about guidelines.

Mr. Webb, I wish you would give that a little consideration. Will you?

Mr. Webb replied:

I certainly will, Senator.

I find that other members of the committee throughout the course of the hearings had considerable difficulty in getting information. For example, our chairman asked if the GE report was available to the public.

The Senator from New Mexico [Mr. ANDERSON] asked:

Has this been published in the newspapers? People ask me questions about this report, and we cannot answer them very well. Has this report been given to the public, or have others examined it?

The chairman of the committee noted that the press had it before the committee did by saying:

One reason that I asked about it is that we understand that NASA did discuss this with the press. I wish they would send some of this information to the Committee sometimes.

The Senator from Florida [Mr. HOLLAND] indicated that the GE report would seem to be an important report and he stated that he hoped that the chairman would insist that the chairman get reports if GE is to make them.

The Senator from Florida said:

It seems to me the regular written reports in this critical field are appropriate and that it is what I suggest, that we insist upon that as to the GE reliability team.

The Senator from Nevada [Mr. CANNON] said:

Mr. Webb, I would like to associate myself with Senator Smith's remarks. I would be very hopeful that you would take it upon yourself to inform the committee if similar situations or situations of any great magnitude come up so that at least we would be advised of what was happening. And as Senator Smith said, we want to be helpful if we can, but we cannot be if we do not learn about these things until after they are accomplished fact.

The Senator from Nevada went on to say further:

Mr. Webb, getting back to Senator Smith's point, I would hope that if you do have at this time any current problems of the magnitude and type that were covered in the Phillips report, you would call those to the attention of the committee in executive session, if need be.

I felt that many other members of the committee would have been able to evaluate the NASA program better and would have been in a position to be more helpful to the NASA administration if we had had information available to us.

I do know that it is an impossible job for a Member of the Senate to try to supervise, and it would be an improper objective to try to supervise the objectives of any program.

I am simply advancing a suggestion that grew out of 10 years and more experience of working with the Atomic Energy Commission. It is a suggestion that has already been adopted by the appropriate committee in the House. I believe that we should incorporate into the pending bill the very language that was included in the report of our committee itself.

If this provision were included in the pending bill, this would give 1 year for NASA to develop the procedures that I think it should develop anyway. It will also give us an opportunity to determine at the end of the year whether we should have this provision embodied in the language of the NASA Act itself.

Mr. President, I yield the floor and suggest the absence of a quorum.

Mr. ANDERSON. Mr. President, I yield 5 minutes to the Senator from Florida.

The PRESIDING OFFICER (Mr. BIBLE in the chair). The Senator from Illinois suggested the absence of a quorum.

Mr. PERCY. Mr. President, I withdraw my request.

Mr. ANDERSON. Mr. President, I yield 5 minutes to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized for 5 minutes.

Mr. HOLLAND. Mr. President, the motive behind the amendment of the Senator from Illinois is, of course, an excellent one.

I merely state for the RECORD, however, that I hope the amendment will not be agreed to because I think it will place a much greater burden upon the members of the two space committees than they would possibly be able to discharge in any effective way. I think the present legislation gives us ample authority and gives ample directions so that the two committees can be adequately informed.

Mr. President, I ask that the provisions of the present law on this subject, which are found in section 303 of existing legislation, be incorporated in the RECORD at this point.

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

ACCESS TO INFORMATION

SEC. 303. Information obtained or developed by the Administrator in the performance of his functions under this Act shall be made available for public inspection, except (A) information authorized or required by Federal statute to be withheld, and (B) information classified to protect the national security: *Provided*, That nothing in this Act shall authorize the withholding of information by the Administrator from the duly authorized committees of the Congress.

Mr. HOLLAND. I shall not quote it in detail. I read, however, the last sentence in section 303:

That nothing in this Act shall authorize the withholding of information by the Administrator from the duly authorized committees of the Congress.

If one looks at the report of the Senate committee—and it was the Senate wording that was adopted by the conference—one finds these provisions:

ACCESS TO INFORMATION

Information that is developed or obtained by the new Space Agency is to be made available for public inspection by the Director, unless the information is classified by statute or otherwise, to protect the national security. All information, however, is to be made available promptly to the duly authorized committees of the Congress.

Senators will find, from checking the conference report, that it is made very clear that the Senate version was adopted. This means that the wording of section 303 of the National Aeronautics and Space Act of 1958—in existing legislation—comes from the Senate version; and it means that the interpretation of the meaning of that provision, as occurring in the Senate report at that time, is a part of the legislative history.

Without laboring the question, and without in any way challenging the good motives of those who offer the proposed

amendment, I want to speak briefly from experience in this matter.

Every Senator is assigned to several committees. If you look at the roster of the space committee of the Senate, you will find this to be the case. Without attempting to go through the full list of the members of that committee, I just call attention, on the majority side only, to the following facts:

The distinguished senior Senator from Georgia is a member of the Senate space committee. He has among his responsibilities the chairmanship of the Committee on the Armed Services. He has the chairmanship of the Subcommittee on Appropriations for Defense Appropriations. He also holds the ranking majority position on the subcommittee which deals with the agricultural appropriation bills, and has various other assignments which I shall not mention.

Mr. President, to ask the distinguished senior Senator from Georgia to accept and carry out the responsibility that would be placed on him by this amendment, and which would require the Space Administration to keep the committees informed "with respect to all of the activities of the National Aeronautics and Space Administration," is asking more than he could possibly live up to, and is asking more, for that matter, than any other member of the Space Committee could possibly live up to.

Frequently, requests for reprograming of certain items for which appropriations have already been made are placed upon our desks. The Senator from Florida has found it rather burdensome to keep up with those requests for reprograming and also to keep up with the important items which are reported to the committee and passed on by the able chairman of the committee, the distinguished Senator from New Mexico, to all members of the committee. To try to keep up with all current business of the Space Administration—and that is what would be required by this amendment which refers to "all of the activities of the National Aeronautics and Space Administration"—is to ask for the performance of duties which could not possibly be performed.

Mr. President, we are not administrators. Our responsibilities are to pass legislation, make appropriations, and supervise, to the extent necessary, the executive branch of our Government. To ask that we exercise such responsibilities as are proposed in this amendment is simply going beyond the limit of what Senators can perform.

The PRESIDING OFFICER (Mr. BROOKE in the chair). The time of the Senator has expired.

Mr. HOLLAND. I ask that I may be allowed to continue for 2 additional minutes.

Mr. ANDERSON. I yield 2 additional minutes to the Senator from Florida.

Mr. HOLLAND. In closing, I call attention to the fact that the situation is not the same in the House of Representatives, where there is a large space committee composed of 32 members. Most of them have no other assignment, and it is quite understandable that they would feel that this new language would be appropriate for them. Even if they wanted to manage the space program, it would be impossible for them to do so; and it would be even more difficult to do this in the Senate. The civilian space program involves more than 100 major contractors. A list of those major contractors is set forth in the semiannual procurement report of the Space Agency, covering the period July 1, 1966, through December 31, 1966, and I ask that that list be printed in the RECORD at this point.

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

TABLE III.—*100 contractors (business firms) listed according to net value of direct awards, July 1, 1966–Dec. 31, 1966*

Contractor and place of contract performance	Rank, July–December 1965	Net value of awards	
		Thousands	Percent of total
Total awards to business		$2,381,767	100.00
1. North American Aviation, Inc., Downey, Calif	1	682,793	28.67
2. Grumman Aircraft Engineering Corp., Bethpage, N.Y	3	356,755	14.98
3. Boeing Co., New Orleans, La	2	187,937	7.89
4. Douglas Aircraft Co., Inc., Santa Monica, Calif	4	138,977	5.84
5. International Business Machines Corp., Huntsville, Ala	8	130,536	5.48
6. General Electric Co., Huntsville, Ala	5	104,571	4.39
7. Bendix Corp., Owings Mills, Md	12	71,017	2.98
8. Chrysler Corp., New Orleans, La	9	51,553	2.16
9. General Motors Corp., Milwaukee, Wis	7	50,115	2.10
10. Aerojet-General Corp., Sacramento, Calif	6	42,020	1.76
11. Radio Corp. of America, Camden, N.J	14	30,119	1.26
12. Lockheed Aircraft Corp., Houston, Tex	15	24,017	1.01
13. General Dynamics Corp., San Diego, Calif	11	24,012	1.01
14. TRW, Inc., Houston, Tex	13	23,813	1.00
15. Sperry Rand Corp., Huntsville, Ala	21	22,949	.96
16. LTV Aerospace Corp., Dallas, Tex	19	21,148	.89
17. Philco Ford Corp., Houston, Tex	23	17,694	.74
18. Hughes Aircraft Co., Culver City, Calif	18	17,620	.74
19. United Aircraft Corp., West Palm Beach, Fla	16	16,102	.68
20. General Precision, Inc., Houston, Tex		15,418	.65
21. Trans World Airlines, Inc., Kennedy Space Center, Florida	81	14,079	.59
22. Honeywell, Inc., Framingham, Mass	30	10,758	.45
23. Federal Electric Corp., Kennedy Space Center, Florida	38	9,988	.42
24. Union Carbide Corp., Sacramento, Calif	22	7,877	.33
25. Air Products & Chemicals, Inc., Long Beach, Calif	31	7,860	.33
26. Bellcomm, Inc., Washington, D.C	25	7,600	.32
27. Catalytic Construction Co., Kennedy Space Center, Florida	68	7,597	.32
28. Brown Engineering Co., Ind., Huntsville, Ala	20	7,370	.31
29. Computer Sciences Corp., Huntsville, Ala	75	7,251	.30
30. Thiokol Chemical Corp., Denville, N.J	26	7,244	.30
31. Brown/Northrop (joint venture) Houston, Tex	86	6,934	.29
32. Graham Engineering Co., Inc., Houston, Tex. (S)	32	5,897	.25
33. Martin Marietta Corp., Denver, Colo	49	5,811	.24
34. Mason-Rust, New Orleans, La	28	5,744	.24
35. Ball Bros. Research Corp., Boulder, Colo	53	5,640	.24
36. Vitro Corp. of America, Huntsville, Ala	33	4,909	.21
37. Basic Construction Co., Hampton, Va		4,710	.20
38. Westinghouse Electric Corp., Baltimore, Md	34	4,701	.20
39. Bechtel Corp., Cape Kennedy, Fla	40	4,539	.19
40. Zia Co., Las Cruces, N. Mex	36	4,346	.18
41. Dow Chemical Co., Titusville, Fla	51	3,839	.16
42. Northrop Corp., Huntsville, Ala	29	3,839	.16
43. Fairchild Hiller Corp., Greenbelt, Md	17	3,331	.14
44. Space, Inc., Huntsville, Ala. (S)	35	3,305	.14
45. Management Services, Inc., Huntsville, Ala	39	3,279	.14
46. Control Data Corp., Minneapolis, Minn	37	3,276	.14
47. Hayes International Corp., Birmingham, Ala	24	3,249	.14
48. Southern Bell Telephone Co., Huntsville, Ala		3,225	.14
49. Documentation, Inc., College Park, Md	44	3,171	.13
50. Western Union Telegraph Co., Washington, D.C		2,779	.12
51. Computer Application, Inc., New York, N.Y	57	2,653	.11
52. Computing & Software, Inc., Greenbelt, Md		$2,557	0.11
53. Aero Spacelines, Inc., Van Nuys, Calif (S)	50	2,538	.11
54. American Telephone & Telegraph Co., Greenbelt, Md	83	2,399	.10
55. Ampex Corp., Redwood City, Calif		2,035	.09
56. Warrior/Natkin/National Electric, Houston, Tex		2,000	.08
57. Greenhut Construction, Inc., Pensacola, Fla		1,960	.08
58. Scientific Data Systems, Greenbelt, Md	92	1,948	.08
59. Wolf Research & Development Corp., Arlington, Va. (S)	69	1,894	.08
60. Pearce De Moss King, Inc., Huntsville, Ala. (S)		1,859	.08
61. Radiation, Inc., Melbourne, Fla	63	1,805	.08
62. Space-General Corp., El Monte, Calif	47	1,722	.07
63. American Science & Engineering Inc., Cambridge, Mass. (S)	43	1,707	.07
64. Warrior Constructors, Inc., Houston, Tex		1,694	.07
65. Electronic Associates, Inc., Mountain View, Calif	54	1,646	.07
66. Garrett Corp., Los Angeles, Calif	52	1,610	.07
67. International Telephone & Telegraph Corp., Fort Wayne, Ind	71	1,587	.07
68. International Latex Corp., Dover, Del		1,557	.07
69. Pacific Crane & Rigging Co., Kennedy Space Center, Florida	42	1,504	.06
70. Dynalectron Corp., Houston, Tex	98	1,438	.06
71. Kaiser Industries Corp., Oakland, Calif		1,424	.06
72. Electro-Mechanical Research, Inc., College Park, Md	84	1,421	.06
73. A–V Corp., Houston, Tex. (S)	87	1,380	.06
74. Memorex Corp., Santa Clara, Calif		1,367	.06
75. Motorola, Inc., Scottsdale, Ariz	66	1,364	.06
76. Keltec Industries, Inc., Alexandria, Va	55	1,352	.06
77. American Radiator & Sanitary Corp., Mountain View, Calif		1,327	.06
78. Consolidated Electrodynamics Corp., Rochester, N.Y		1,292	.05
79. Southwestern Bell Telephone Co., Houston, Tex		1,266	.05
80. Space Ordnance Systems, Inc., El Segundo, Calif. (S)		1,241	.05
81. Klate Holt Co., Houston, Tex. (S)		1,182	.05
82. Melpar, Inc., Greenbelt, Md	62	1,172	.05
83. Electro Optical Systems, Inc., Pasadena, Calif	72	1,131	.05
84. Bissett Berman Corp., Santa Monica, Calif		1,128	.05
85. Virginia Electric Power Co., Hampton, Va	73	1,070	.04
86. Collins Radio Co., Richardson, Tex	27	1,065	.04
87. Avco Corp., Everett, Mass	45	1,015	.04
88. Air Reduction Co., New Orleans, La		985	.04
89. Lawrence, J. H. Co., Greenbelt, Md. (S)		969	.04
90. Xerox Corp., Kennedy Space Center, Florida	96	967	.04
91. ITT World Communication, Inc., New York, N.Y		959	.04
92. Burroughs Corp., Huntsville, Ala		903	.04
93. Perkin-Elmer Corp., Norwalk, Conn		900	.04
94. Asea Electric, Inc., Hampton, Va		897	.04
95. Clark, David Co., Inc., Worchester, Mass	58	885	.04
96. Cleveland Electric Illuminating Co., Cleveland, Ohio		839	.03
97. Kollsman Instrument Corp., Syosset, N.Y	89	837	.03
98. Araco Co., Inc., Sandusky, Ohio (S)		817	.03
99. Texas Instruments, Inc., Dallas, Tex	90	798	.03
100. Systems Engineering Laboratory, Inc., Fort Lauderdale, Fla. (S)		757	.03
Other		107,630	4.52

Mr. HOLLAND. I do not believe the wording of the proposed amendment, in visiting this responsibility upon ourselves by our own action, is reasonable, and I do not think we could possibly perform under a mandate of such legislation.

Mr. President, I feel very keenly about this matter. Under existing law, the chairman and the able ranking minority member of the committee have ample authority to request information on important matters and to get it and to pass it on to other members of the committee. To expect any more of the members of the committee is not only impracticable, but simply impossible.

In closing, I support the chairman and the ranking minority member of the committee and I hope the amendment will be defeated.

Mr. PERCY. Mr. President, I yield myself 2 minutes, and I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. PERCY. Mr. President, I have great regard for the Senator from Florida. He has been an able member of this committee. But I do believe that every question and every objection he has raised have been answered fully in my statement today and yesterday.

We have no intention or desire to run the NASA program. We have an able staff, well qualified to screen material. I want to make absolutely certain, as the committee obviously did in its report, that nothing is embodied in the proposed amendment that was not approved in the committee report itself. There is no question that they said that this committee of the Senate has access to whatever information it feels it needs to sift and sort and screen and then bring the material to our attention in time for us to do something about it, not long after the fact.

I yield to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I have no alternative but to support the proposed amendment, because I am of the same opinion as those who have already spoken on it.

I have had some experience with this kind of language as a member of the Joint Committee on Atomic Energy. This language we have emphasized time and time again—and this language is copied from the language of the atomic energy law. The Senator from New Mexico, as a former chairman of that committee, knows quite well that every time a new nominee comes before our committee, we impress upon him the need to observe and to live up to the requirements of this provision in the law.

I do not see any burden upon the committee at all. As the Senator from Illinois has pointed out, it has an able staff, which will be currently informed and kept up to date with respect to all matters that are transpiring.

It creates a better rapport between the agency and the committee. After all, this agency is asking for almost $5 billion and I do not see any harm or any damage being done, but I do see a lot of good being done if the Administrator of that very important agency is obliged to keep the appropriate committees of Congress informed of the important decisions.

The PRESIDING OFFICER. The time yielded by the Senator from Illinois has expired.

Mr. PERCY. Mr. President, I yield myself 1 minute so that I may propound a question to the Senator from Rhode Island.

Has the Senator from Rhode Island, in his gigantic good workings with the Atomic Energy Commission, found that the language in this law, which has been in effect since 1946, has placed an unreasonable or undue burden on the members?

Mr. PASTORE. The Senator should not ask me that question but he should ask it of the distinguished Senator from New Mexico. He has been one of the greatest supporters of the provision and he has done a marvelous job. He has told the Atomic Energy Commission time and time again to keep us informed. It has worked out well. It has worked to the advantage of the committee; it has worked to the advantage of the Commission; and it has worked to the advantage of the taxpayers. I cannot understand why the distinguished Senator from New Mexico cannot take this proposal to conference.

Mr. STENNIS. Mr. President, will the Senator from New Mexico yield to me?

Mr. ANDERSON. I yield 3 minutes to the Senator from Mississippi.

Mr. STENNIS. Mr. President, it is rather singular that those who have been connected with this problem the longest and carrying the responsibility of committee membership over the years seem to be entirely satisfied with the present law and the present requirements which I am sure have already been read into the RECORD, and the way in which they operate explained.

I shall not go into the works of the Joint Committee on Atomic Energy. That is another field, another role, and another group. But this rule in the present law does work here.

I have been a member of the Space Committee almost since its inception. I had the privilege of holding the first major hearings on all of the space program for 2 consecutive years, and I have been on the committee since then. The program has come along all right and we are blessed now with a very valuable staff, a highly experienced chairman, experienced in all phases of government, administrative, as well as legislative, and an exceptionally capable, active and, if I may say, persistent Minority member as the ranking member on the other side of the aisle, the distinguished Senator from Maine [Mrs. SMITH]. The Senator from Maine has proven over and over again in this, and in many other fields, her complete dedication and unusually high capability. The Senator from Maine is always fully prepared and ready for any problem. There is no room for doubt on that score with respect to these two members and their complete insistence all the way through on anything that pertains to the committee with respect to obtaining correct information. They are ready to share everything at any time with any member of the committee, or even let them meet with the chairman and the Senator from Maine for any conference they might have with NASA.

Mr. President, I feel that I speak with some considerable experience on this subject. If I may refer again to the Senator from Maine, I also serve with her on the Committee on Appropriations and the Committee on Armed Services. In each place she carries a heavy load. I know of no one in the Chamber or in this body who has a finer, better, or more sweeping understanding of the subjects she deals with, or who is more capable in carrying out their duties to the nth degree than is the Senator from Maine.

I wish all Senators were here to hear this argument. I hope that we stick by the present law which is adequate and is serving as well.

Mr. PASTORE. Mr. President, will the Senator from Illinois yield to me for 1 minute?

Mr. PERCY. I yield 1 minute to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I hope we are not being misunderstood. This is not a reflection on the quality of the committee or a reflection on the membership of the committee. The committee is composed of Members who have the best minds and integrity in the Senate. I find no fault with that. I know how assiduous the Senator from Maine is in carrying out her duties.

The point which is being missed here is that this amendment puts the burden on the Administrator. It does not put the burden on the committee to search it out. It puts the burden on the Administrator. He is being asked to keep the committee informed as to what he is doing in spending this money. It would be a boon for the legislative branch and a great thing for the committee.

It has worked since 1946 in the Joint Committee on Atomic Energy beautifully. Our staff, time and time again, has relied upon this provision and has exorted members of the Commission to come forward and keep them appraised as to what is going on. This is a useful thing to do.

Mr. ANDERSON. Mr. President, I wish to remind Senators that the language in the Atomic Energy Act pertaining to the establishment of the Joint Committee on Atomic Energy was used in the Senate-passed version of the Space Act to establish a Joint Committee on Space. In this respect it did place the burden on the Administrator. However, the conferees could not agree on the establishment of a joint committee. This language was strickened and the conferees felt that adequate provision was made for requiring the Administrator to keep the duly authorized committees of Congress informed by section 303 of the Space Act. It does exist but in a little different form. The pending proposal presents new language in the annual authorization bill. Those who believe that the present language is satisfactory have the same objective as the Senator from Illinois but favor the present language and want to work with it as long as we can.

Mr. PERCY. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Illinois has 1 minute remaining.

Mr. PERCY. Mr. President, in closing I wish to say that as I read the language of the act the section requires affirmative disclosure. It is hard to imagine that the section requires affirmative disclosure. Our concern is the need for more information and the difficulty in getting it under the present act. If we did have access to information, why was it necessary to write in the report:

> Your Committee wishes to reemphasize the policy that the Administrator of NASA shall keep the Aeronautical and Space Sciences Committee of the Senate and the Committee on Science and Astronautics of the House of Representatives fully and currently informed with respect to all of the activities of the National Aeronautics and Space Administration.

That insertion was necessary because every single member of the committee felt during the course of the hearings that we were not getting adequate information under the present provisions of the law. I cannot fulfill my responsibility with a lack of information.

The PRESIDING OFFICER. All time has expired.

Mrs. SMITH. Mr. President, I ask unanimous consent that I be allowed to proceed for one-half minute. The time may be taken from the bill, if the chairman will permit it.

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

Mrs. SMITH. Mr. President, I want to thank my distinguished colleague from Mississippi [Mr. STENNIS] for those very, very generous words. Senator STENNIS and I have worked together on this and other committees, as he has so kindly stated. His guidance and assistance has meant much to me. I deeply appreciate his generous words with reference to me.

In his earlier statement the Senator from Illinois is correct in his reference to the Senator from Maine. I was one of the first to bring up the question concerning the Phillips report. In fact, it was as much from my insistence on getting this information from NASA that the executive session of the committee was held. Mr. President, it is clear that what is required is our insistence on compliance of the law, not the passage of redundant legislation.

I urge defeat of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois [Mr. PERCY].

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. GRUENING], the Senator from Oklahoma [Mr. HARRIS], the Senator from Indiana [Mr. HARTKE], and the Senator from Maine [Mr. MUSKIE] are absent on official business.

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 Arkansas [Mr. MCCLELLAN], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Maine [Mr. MUSKIE] would vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from California [Mr. MURPHY], and the Senator from Texas [Mr. TOWER] are absent on official business.

The Senator from Hawaii [Mr. FONG] and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from New York [Mr. JAVITS] and the Senator from South Carolina [Mr. THURMOND] are absent by leave of the Senate.

The Senator from Nebraska [Mr. CURTIS] is detained on official business.

If present and voting, the Senator from California [Mr. MURPHY], the Senator from South Carolina [Mr. THURMOND], and the Senator from Texas [Mr. TOWER] woud each vote "yea."

On this vote, the Senator from Kentucky [Mr. MORTON] is paired with the Senator from Nebraska [Mr. CURTIS]. If present and voting, the Senator from Kentucky would vote "yea" and the Senator from Nebraska would vote "nay."

The result was announced—yeas 32, nays 51, as follows:

[No. 171 Leg.]

YEAS—32

Baker	Griffin	Pastore
Bennett	Hansen	Pearson
Boggs	Hatfield	Pell
Brooke	Hruska	Percy
Case	Jordan, Idaho	Prouty
Church	Kennedy, N.Y.	Proxmire
Cooper	Kuchel	Ribicoff
Dirksen	Miller	Scott
Dominick	Mondale	Williams, Del.
Fulbright	Morse	Yarborough
Gore	Nelson	

NAYS—51

Aiken	Fannin	McIntyre
Allott	Hart	Metcalf
Anderson	Hayden	Monroney
Bartlett	Hickenlooper	Moss
Bayh	Hill	Mundt
Bible	Holland	Randolph
Brewster	Hollings	Russell
Burdick	Jackson	Smith
Byrd, Va.	Kennedy, Mass.	Sparkman
Byrd, W. Va.	Lausche	Spong
Cannon	Long, Mo.	Stennis
Clark	Long, La.	Symington
Cotton	Magnuson	Talmadge
Dodd	Mansfield	Tydings
Eastland	McCarthy	Williams, N.J.
Ellender	McGee	Young, N. Dak.
Ervin	McGovern	Young, Ohio

NOT VOTING—17

Carlson	Inouye	Murphy
Curtis	Javits	Muskie
Fong	Jordan, N.C.	Smathers
Gruening	McClellan	Thurmond
Harris	Montoya	Tower
Hartke	Morton	

So Mr. PERCY's amendment was rejected.

Mr. ANDERSON. Mr. President, at this time may I yield 10 minutes to the Senator from Florida [Mr. HOLLAND] on the bill?

The PRESIDING OFFICER. The Senator from Florida is recognized for 10 minutes.

Mr. HOLLAND. I appreciate the courtesy of the distinguished chairman of our committee, since I have to go to another committee which is meeting and having a markup on an agricultural appropriation bill.

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

Mr. HOLLAND. I yield.

Mr. ANDERSON. Mr. President, I move that the vote by which the last amendment was rejected be reconsidered.

Mrs. SMITH. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, will the Senator yield to me briefly?

Mr. HOLLAND. I yield.

Mr. MANSFIELD. If I may have the attention of Senators, I would like to remind Members of the Senate that we are operating under a time limitation of 40 minutes on each amendment, so if Senators would remain in the Chamber, it would be appreciated, and it will speed action.

Mr. HOLLAND. Mr. President, in May 1961, President John F. Kennedy's message to Congress stated that large solid propellent motors, as well as liquid propellent boosters, would be developed. It was apparent that the late President had seen the potential advantages of solid propellent rocket motors in the national space program as he observed the replacement of the Atlas and Titan ballistic missiles with the solid fueled Minuteman, Polaris, and Pershing missiles. This country's ballistic missile deterrent capability is largely dependent on solid propellent rocket motors.

In August 1963, it was the NASA's expressed view that, in order to provide an adequate technological base in propulsion, it would seem logical to investigate the major new and unknown technologies of the large monolithic motor. Concern was expressed over any action to defer this work.

In December 1963, the NASA again stated its belief that, in the national interest, the program for demonstration of the 260-inch-diameter large solid motor should be continued, and that the NASA should assume responsibility for this project in fiscal year 1965.

In September 1965, Aerojet-General Corp., under contract to the NASA, successfully fired the first 260-inch rocket motor which developed 3.3 million pounds of thrust for the duration of 2 minutes.

In February 1966, Aerojet fired another highly successful 260-inch diameter motor in Dade County, Fla. This first stage booster developed 3.5 million pounds of thrust for a predicted 2 minutes and 10 seconds.

On June 17 of this year, the third 260-inch, short length, rocket motor was test fired at the Dade County plant, Florida. This motor developed 5.7 million pounds of thrust for a planned 80 seconds. Varying percentages of success have been ascribed to the firing, but in my view, it was not successful to the degree that the technology could be called complete.

The 260-inch program from the outset has been under severe funding limitations—limitations not imposed by the Congress but rather by the NASA.

The goal established several years ago for the large solid propellant technology is the design, construction, fabrication, and successful test firing of the full

length 260-inch rocket motor with a thrust vector control nozzle developing 7.5 million pounds of thrust for a duration of 2 minutes. It is not reasonable, prudent, or wise to abandon the solid propellant technology program when we are on the threshold of accomplishing the desired goal.

This technology development program is now approximately 80 percent complete, with an investment to date of about $100 million, $65 million from the Government, and $35 million from private contractors.

The House Subcommittee on Advanced Research and Technology, after weeks of exhaustive studies and hearings this year, recommended "that $12 million be added to this program to develop thrust vector control for the motor or to embark on a full length motor test firing. The subcommittee is convinced that this booster is cheaper, more versatile, simple, and more reliable than the current boost vehicle and that our country should not be caught without adequate available booster technology."

I firmly believe that this vital program providing the United States with a flexible, dependable, and low-cost first-stage booster must be continued for the benefit of our national space effort.

Mr. President, I have made this statement in view of the fact that my understanding is that the bill in the House of Representatives authorizing the program for fiscal 1968 contains a provision for the $12 million appropriation, which would enable the continuation and, I hope, the completion of this test program. I simply wanted to call attention to it in the RECORD, and express the strong hope to the Senator from New Mexico, our able chairman—who will, of course, be on the conference committee and will probably be its chairman—and to the distinguished Senator from Maine [Mrs. SMITH] that in conference this program will be reexamined, with a view, if possible, to completing the research on the solid propellent technology, so that even if it is necessary, at a later time, to put the program on the shelf, it will at least have been completed up to the stage that we will know that this solid booster is available, with its great economy and propulsive strength already demonstrated, so that it may be used as it is needed in the future.

I thank the Senator for yielding.

AMENDMENT NO. 221

Mr. PROXMIRE. Mr. President, I call up my amendment No. 221, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. The Senator from Wisconsin [Mr. PROXMIRE] proposes an amendment, as follows:

On page 9, line 3, strike out "$4,851,006,000" and insert in lieu thereof "$4,534,195,000".

Mr. PROXMIRE. Mr. President, it is my understanding that the Senator from Alabama [Mr. SPARKMAN] requests time at this point to speak against the amendment.

Mr. ANDERSON. I yield the Senator from Alabama 5 minutes.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SPARKMAN. Mr. President, I appreciate the Senator from Wisconsin giving me permission to speak before he speaks on the amendment, because I have an appointment that I must keep in a few minutes.

I am strongly opposed to any further reduction in the NASA authorization for fiscal year 1968.The committee reduction of $248,994,000 is—to describe it in generous terms—more than enough.

The NASA budget is the sum of many related projects and activities carried out by over 20,000 contractors throughout the country under the direction of over 30,000 civil service employees. The efforts of large segments of major sectors of industry employing some of the most highly skilled scientists, engineers, technicians and managers are involved. Drastic budget reductions necessitate the deletion of specific projects and result in contract cancellations, layoffs and dislocations, and, I might add, supremacy in space for the Soviet Union.

NASA came to Congress this year with an authorization request involving an expenditure reduction of over $300 million from the fiscal year 1967 level. This request contemplates a planned reduction of approximately 50,000 people working on the program. This is orderly, and can be absorbed. The committee's action by itself would almost double the reduction in expenditure and thereby accelerate the dislocation of skilled workers employed in the various programs. Let us go no further.

The Committee on Aeronautical and Space Sciences has spent weeks carefully reviewing the NASA program activities in great detail and in its recommendations has sought to achieve what it considers a careful balance between the needs of the program and the interests of the Nation. The committee has also thoroughly probed into the tragic death of the three astronauts, and is insisting on the highest level of competence and the application of the utmost effort to avoid any recurrence of the tragic accident. However, I am certain that Congress and the American people want assurance that our national objectives will be met in an orderly and progressive manner. How paradoxical it would be—how utterly lacking in commonsense it would be—if in one breath we demand the highest level of performance, within the most exacting standards, and in another withhold the funds necessary to get the job done.

We have gone far enough in reducing the NASA authorization. I hope that any amendments aimed at further reductions will be defeated.

The PRESIDING OFFICER. Who yields time?

Mr. SYMINGTON. Mr. President, with the approval of the distinguished Senator from New Mexico and the distinguished Senator from Wisconsin, I ask unanimous consent that I may speak for 5 minutes on another matter, and that my remarks not be counted against the time on the amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri? The Chair hears none, and it is so ordered. The Senator may proceed for 5 minutes.

VIETNAM—LET THE PEOPLE HAVE THE TRUTH

Mr. SYMINGTON. Mr. President, with respect to the utilization of airpower over North Vietnam, something peculiar is currently going on.

Information apparently presented to the American people by various civilian heads with respect to the effectiveness and the results of air attacks against North Vietnam does not coincide with testimony given in executive session to the Armed Services Committee by military people who are doing, and have been doing, the actual fighting.

In the editorial section of the New York Times last Sunday, under the heading "Not Killing Enough" that paper stated:

In the North, the outlook is for de-escalation.

"We have almost no important targets left," one planner said last week. "In an air campaign, there is a tendency toward movement, either it gets more intense or less so. But it seldom remains at the same level for extended periods of time."

The few unbombed targets in the North are not likely to be struck soon, sources indicated, because it is thought to be necessary to leave some sites unblemished as "hostages." In effect, the sources said, greater pressure can be brought on the North Vietnamese by the unspoken threat of hitting these targets than by actually bombing them.

If the testimony that we have received in the above-mentioned hearings however, is true, then these assertions in the Times are not true; and at least those families who have lost their loved ones in Vietnam have the right to know the truth.

In addition, if this and comparable articles apparently the result of these strange leaks are true, then we are losing unnecessarily scores of multimillion dollar airplanes, and killing unnecessarily hundreds of our finest Americans.

If there is some central source responsible for putting out such untruthful and dangerous reports in effort to further denigrate the effectiveness of airpower, that fact should be run down, regardless of from where this information has been originating.

Earlier this week, upon leaving a hearing being conducted before the Armed Services Committee, a news media representative asked me what the Air Force and Navy carrier planes were going to do, now that there were few if any meaningful military targets left in North Vietnam.

I asked him where he got his information. He told me it came from a high military source in the Defense Department. I checked his source and it was flatly denied.

All members of the Joint Chiefs of Staff know there are a great many lucrative military targets remaining in North Vietnam that have never been touched; and also that there are many targets which have been hit, but are now largely if not completely repaired; and have not been hit again.

With for example hundreds of Americans killed by the heavy equipment we permitted to come down the trails from North Vietnam at the time of the Tet

holiday cessation of the bombing, it should be clear to any informed person just how silly is the thinking in this article about targets being left unblemished as "hostages." That type and character of syllogistic reasoning would never be appreciated by the hundreds of thousands of young Americans fighting bravely in South Vietnam.

As long as we have so many military experts, I trust it is proper for me to give my own considered opinion that we have lost hundreds, if not thousands of Americans because of these continuing and inaccurate attacks on airpower and seapower.

Again, however, it is important that the people of the United States have all the truth in this matter which will not help a possible enemy.

Accordingly, with the approval of the chairman of the Senate Armed Services Committee, and in order to find out the truth, I have requested the chairman of the Military Preparedness Subcommittee to have full and complete hearings on this matter; and he has agreed to do just that.

In this way perhaps we can break the military, political, and economic stalemate now characteristic of so much of our operations in Vietnam, operations which are sapping the treasure of the United States, and what is more important, costing the lives of so many young men.

Mr. President, I ask unanimous consent that the article in question be included in full at this point in the RECORD and that an Associated Press article from Mr. Fred S. Hoffman "Some Top U.S. Aides Doubt Viet Air War Effectiveness" from the Washington Star also be inserted at this point in the RECORD.

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

[From the New York Times, June 25, 1967]

VIETMAN: "NOT KILLING ENOUGH"

Something approaching a lull settled over the battlefields of South Vietnam last week—a phenomenon as inexplicable as it was misleading.

No one in Saigon expected the pause to last for long, and, indeed, there was a widespread expectation of increased American commitments to the war in the South. At the same time, a lessening of the air war over North Vietnam seemed probable.

Escalation of the ground war, one senior American said, is almost certain to follow the visit of Defense Secretary Robert S. McNamara to Vietnam. Mr. McNamara had been scheduled to arrive in Saigon last week, but his journey was postponed—probably until this or the week after—because of the Johnson-Kosygin summit meeting and other aspects of the Middle East crisis.

Gen. William C. Westmoreland, the American commander in Vietnam, now has 463,000 men at his disposal, not counting the Air Force personnel based in Thailand or the crews of Seventh Fleet ships in the Gulf of Tonkin. The plan had been to increase this total to 485,000 by the end of 1967.

Because of increased fighting near the demilitarized zone, General Westmoreland asked President Johnson during his trip to the United States in the spring to increase the total to about 600,000, according to informed sources.

It is believed that new troops would be used in three areas, depending on the tactical situation when they arrived and how many reinforcements were sent:

(1) Near the demilitarized zone.

(2) In the area around Saigon, which has been stripped of troops to reinforce "hotter" areas further north, thereby making it impossible to stage massive operations such as "Junction City" and "Cedar Falls" in war zones C and D.

(3) In the Mekong Delta.

The generals have elaborate tactical explanations of the need for more men, but the simplest reason is clear: The ones who are in Vietnam now are not managing to kill enough of the enemy. General Westmoreland describes this as a war of attrition, a wearing-down process, but last week his estimate of enemy strength in South Vietnam reached 295,000, the highest total ever.

In the North, the outlook is for de-escalation.

"We have almost no important targets left," one planner said last week. "In an air campaign, there is a tendency toward movement, either it gets more intense or less so. But it seldom remains at the same level for extended periods of time."

The few unbombed targets in the North are not likely to be struck soon, sources indicated, because it is thought to be necessary to leave some sites unblemished as "hostages." In effect, the sources said, greater pressure can be brought on the North Vietnamese by the unspoken threat of hitting these targets than by actually bombing them.

[From the Evening Star, June 26, 1967]

SOME TOP U.S. AIDES DOUBT VIET AIR WAR EFFECTIVENESS

(By Fred S. Hoffman)

Some top U.S. officials are beginning to think the air war against North Vietnam is yielding diminishing gains while toughened ground defenses are raising the price in U.S. warplanes.

Certain of them believe it might be a good idea to limit the bombing essentially to the supply routes running south through the narrow neck of North Vietnam and to cut down strikes against heavily defended industrial-type targets in the Hanoi and Haiphong areas.

But other authorities argue that to do so would result in swelling the volume of supplies and equipment to Communist forces in South Vietnam.

Those holding this general view say the Communists have been emplacing many more antiaircraft guns in the 150-mile long North Vietnamese panhandle, and that concentrating attacks there would not likely reduce the toll of U.S. planes.

Moreover, they contend that the movement of materiel should be interdicted not only at the lower end of the funnel but at the top where it enters the infiltration pipeline.

Officials inclined toward a slowdown in the air war are not all civilians. Some military men also have doubts about the effectiveness of the bombing.

And those who favor at least continuing the present level of air strikes—and possibly an intensification—are not all military.

It is known, however, that the Joint Chiefs of Staff unanimously and vigorously oppose any easing off of the air attacks on Communist military targets in North Vietnam.

The Air Force and Navy were authorized last Feb. 22 to start hitting what one military source called "more lucrative targets" of an industrial and economic nature.

FEW TARGETS UNTOUCHED

There aren't many major targets left untouched now. Yet the North Vietnamese continue to push their war effort in South Vietnam without any apparent letup.

Many bombed facilities have been rebuilt or put back in shape for least limited use. So U.S. raiders make repeated strikes.

North Vietnam's biggest iron and steel complex, the Thai Nguyen steel mill 38 miles north of Hanoi, is reported to be completely out of production. But it took at least 10 raids.

One of three major MIG jet fields has been bombed and strafed at least nine times. But military officers do not claim that the Kep base, 37 miles northeast of Hanoi, is out of action. They have seen too many examples of North Vietnamese ability to make quick repairs.

The most important targets still untouched are Haiphong harbor and three MIG fields in the Hanoi-Haiphong area.

It is U.S. policy to spare Haiphong harbor and its approaches from attack for fear that raids might force the Soviet Union into a confrontation with the United States.

In about 2½ years of sustained bombing, U.S. military sources said, it is calculated that these major results have been achieved:

More than 75 percent of North Vietnam's petroleum and ammunition dumps and depots destroyed.

More than 75 percent of its power plants ruined. The only one of North Vietnam's 12 major power plants which has not been bombed is at Lao Cai near the North Vietnam-Red China boundary.

U.S. pilots are ordered to stay 25 to 30 miles from the border to prevent overflights of Chinese territory.

More than 50 percent of North Vietnam's bridges are claimed to have been destroyed. However, the North Vietnamese have demonstrated skill at quickly replacing bridges with temporary spans.

More than 30 percent of North Vietnam's cement plant capacity has been destroyed, officers said. Cement is used to repair roads and airfield runways, as well as shattered buildings.

More than 3,500 trucks destroyed and an equal number damaged. Military intelligence sources estimate that U.S. planes have sunk more than 6,500 barges and other vessels and damaged more than 12,000.

The tally of railroad rolling stock destroyed is pegged at more than 1,000 cars and engines. Another 2,000 are claimed as damaged.

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

Mr. SYMINGTON. Mr. President, I am glad to yield to the able Senator from Mississippi.

Mr. STENNIS. Mr. President, I had already read the statement of the Senator from Missouri, and I have listened to it here.

I think it is a splendid statement. I agree wholeheartedly with the points he makes.

As chairman of the Senate Preparedness Investigating Subcommittee, I am delighted that we are now in a position to get off on what I hope will be a meaningful hearing on this very matter of bombings.

There has been no public announcement of it previously, but two members of our subcommittee staff left last week and are already in Vietnam. Very high on their agenda of things that they will look into is this subject matter.

I do not think that I can say anything more than that now. However, certainly the matter is already in motion.

I believe it will be a fruitful inquiry.

I commend the Senator from Missouri again for his statement and his diligent attention and interest in the matter.

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

Mr. SYMINGTON. Mr. President, I ask unanimous consent that I may be

permitted to continue for an additional 2 minutes.

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

Mr. SYMINGTON. Mr. President, I thank the able chairman of the Senate Military Preparedness Subcommittee.

Because of the respect in which he is held, not only by the Senate but also by the people of the United States, I am sure we will now get the truth of this matter. I think that truth is most important to the future security and well-being of our country.

I thank the able Senator from Wisconsin [Mr. PROXMIRE] and the able Senator from New Mexico for their courtesy in yielding time to me.

NASA AUTHORIZATION FOR FISCAL YEAR 1968

The Senate resumed the consideration of the bill (S. 1296) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes.

Mr. PROXMIRE. Mr. President, I yield myself such time as I may require.

The amendment I have just called up, which is now pending before the Senate—I hope to get to the yeas and nays on the amendment—would reduce the space program, modestly.

Congress is faced with a situation in which it is the best judgment of the country's most competent economists that we will either have to vote for a tax increase or reduce spending; otherwise we will have serious inflation and very high interest rates.

Just yesterday, the Chairman of the Council of Economic Advisers testified before the Joint Economic Committee. He is a man of good judgment, a man of temperate statement. I have heard him testify before our committee many times over a period of years, and I have never seen him so emphatic in saying that in his judgment the economic situation called for a tax increase. But he did concede that if Congress should reduce spending correspondingly, we could avoid the tax increase; and, of course, if we reduce spending to any extent, we could reduce the tax increase to that amount.

We are likely to have a deficit that ranges in estimates from $13 billion to $30 billion. The $30 billion figure was arrived at by the distinguished chairman of the House Ways and Means Committee, a very able man. The staff of the Joint Economic Committee, having studied this matter very carefully, says that he may well be right. This would be by far the greatest deficit we have ever had, except, of course, in World War II.

With such a deficit it does not take much economic sophistication to recognize the immense inflationary and interest rate pressures. Under the circumstances, it seems to me that we are bound to cut spending wherever we can.

Yesterday, a number of Senators voted against increasing the debt limit; and when they did so, they made it clear that they were doing this because they believed that spending must be reduced. Others voted for increasing the debt limit, and those who did so said they agreed that spending should be reduced, but said that this decision should responsibly be made on authorization and appropriation bills and not on the debt ceiling.

This is a ripe opportunity to do so. I am not asking for a big cut. The proposed amendment, together with the cuts recommended by the committees in both Houses—that is, all the cuts that are recommended—would reduce the total Space Agency budget request by only a little more than 1 percent. This would not be a meat-cleaver cut; this would be a modest, limited, paring-knife reduction. It is a reduction in areas that I think we can justify.

Mr. ANDERSON. Will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. ANDERSON. Did the Senator say 1 percent?

Mr. PROXMIRE. A little over 1 percent.

Mr. ANDERSON. The total cut?

Mr. PROXMIRE. The total cut.

May I say to the distinguished Senator from New Mexico that I am very happy that he rose to make this correction at this point, because this cut is based on a roughly $5 billion total, give or take $100 million or $200 million.

Mr. ANDERSON. It is an 11-percent cut.

Mr. PROXMIRE. This is not a $500 million cut. It is a cut of $316 million. Added to the cut already made by the House, it is about 11 percent. The Senator is correct. It is a 10- or 11-percent cut. In my judgment, it would still be a paring-knife cut, not a meat-cleaver cut.

It was pointed out in the House the other day that out of every dollar of Federal expenditures proposed in the President's budget message for the coming fiscal year, only 11 cents is left over after deducting the cost of our military requirements, the war in Vietnam, interest on the debt, and other fixed charges. And of that 11 cents, fully one-fourth of it—that we have any discretion to cut—is for the space program.

Again, I am not asking for an overwhelming cut, a billion-dollar cut of the kind I asked for last year. This would be a $316 million cut, which altogether is a cut in the area, including all other reductions, of about 11 percent.

Mr. President, let me be specific in just what this would reduce. The general cut I propose would incorporate cutbacks to the levels recommended by the House Space Committee where these levels were lower than the Senate committee recommended. With respect only to most items in the advanced research and technology category, the amendment incorporates cuts to fiscal 1967 levels. This is based on the argument that an insufficient case has been made for increases here. With respect to Apollo Applications and Advanced Missions, I have cut back to levels for reasons which I shall explain in a moment.

These are the major cuts I propose and the basic reasons for them:

First, in the Apollo program. Although we have decided that a flight to the moon is a national goal, I do not believe this program should be regarded as entirely inviolate. I, therefore, agree with the House Space Committee's recommendation of a $25 million cut here. This is based on the following reasons: Because of the tragic launchpad fire on January 27 which took the lives of three astronauts, the Apollo mission schedule has been set back—almost a year. There will, therefore, be lower mission expenses than originally anticipated. There will also be savings because of anticipated improvements in costs through incentive contracts. An example of the "fat" that may be found in the Apollo program is well illustrated by the fact that after the Apollo accident, NASA was able to absorb the expenses stemming from that tragedy by reducing by $50 million the cost of existing contracts through "effective management."

Second, in the Nerva program, I would cut $29,780,000 from the program to build a nuclear rocket engine. By making this request, NASA is asking for a decision, in effect, on the construction flight hardware for a manned landing on Mars and other Mars-related projects. The Nerva program would take us a long way toward a commitment to put a man on Mars—a program that would cost us, it has been conservatively estimated, some $200 billion.

It would seem to me that Members of Congress would be well advised to think very carefully about engaging a program that we know will be argued for in the future on the ground that we have already made a commitment of millions and millions of dollars and we do not want to let it go down the drain. This program is conservatively estimated as one that could cost $200 billion. Congress could say no to this program in the future, of course; but it is more difficult to say no if we have made a larger commitment of dollars to it.

This cut would eliminate money for immediate production of flight hardware. It would establish a figure of $44.22 million for the nuclear rocket program, which is approximately the figure NASA originally requested for fiscal 1968 before they came in with an amended request on February 28.

I summarize, Mr. President, by saying that I believe this is a cut which is well below the one I suggested last year of a billion dollars. It is a cut which would result, in my judgment, in a declaration that Congress is serious about reducing spending wherever it can; that we have priorities in mind; that we want this program to go ahead; that we feel there are areas of the program reaching out toward Mars and other advanced applications of the Apollo program which can properly be cut back, in view of the war in Vietnam, where we are spending so much money, and with inflation threatening.

I reserve the remainder of my time.

Mr. ANDERSON. Mr. President, I yield myself 3 minutes.

The amendment offered by the Senator from Wisconsin is a dangerous one, and

we should realize what the result would be.

When the Senator stated that the cut would amount to 1 percent, I had to interrupt and say that was incorrect. It would be 11 percent. The committee cut $249 million, and the Senator from Wisconsin wants to cut $316.8 million more.

It is physically impossible to run this type of program on that basis. We reduced the figure by an amount we thought proper, and many people thought we had cut too much. We cut $71,500,000 from the Voyager program. The Voyager program may be a fine program but we felt that this program could be postponed.

We cut $120 million from Apollo applications. Somebody might try to show that this was not cut enough; others think it was cut too much; but that is the figure we believe is the correct amount.

We cut the Electronics Research Center in Massachusetts. We were not opposed to that but the planning was bad and the building designs had to be rejected and they must now redesign. That cut was $6.22 million.

Mr. President, that is true of the entire program all the way through. I hope the Senator realizes that this reduction cannot possibly be obtained. It would only cause trouble for a while with the House committee. We must not cut in this fashion today. A cut of this size, of more than 11 percent, would be far too much.

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

Mr. ANDERSON. I yield.

Mr. BIBLE. Mr. President, I simply rise to ask to be associated with the remarks of the distinguished Senator from New Mexico, who is the chairman of the Committee on Aeronautical and Space Sciences. It seems to me that he does make a good case. My understanding is that this budget, or authorization, has already been reduced a considerable amount of money over the budget request. Is that statement correct?

Mr. ANDERSON. We cut $249 million from the budget request. This is a proposal for a cut of $316 million more. It cannot be done that way.

Mr. BIBLE, Mr. President, in addition, volumes 1 and 2 show very exhaustive hearings. I wish to ask the Senator the following question: Were the findings of the committee in this respect unanimous findings?

Mr. ANDERSON. There was no objection to any of the committee actions with respect to the NASA programs and the bill was reported unanimously. We had very fine cooperation from the members working on the bill. It was difficult for them to come to committee meetings as we had to compete with other committee meetings. For instance, the Senator from Iowa [Mr. HICKENLOOPER] could not always stay with the Space Committee, but he was there and he made a contribution.

Mr. President, it would be a tragic error if we did what is suggested here.

Mr. BIBLE. I know on this particular hearing there were 7 days devoted to the hearing on this particular authorization. I know from my experience in serving with the distinguished senior Senator from New Mexico of the thoroughness with which he goes into these budgets. I am convinced that the cut he suggested of $248 million under the budget request is the minimum that could be made.

I thoroughly support the position the Senator from New Mexico is taking and I shall vote in opposition to the amendment.

Mr. ANDERSON. I thank the Senator. We did a good deal of hard work and we tried to make the cuts reasonable. Some people criticized us for cutting too much.

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

Mr. ANDERSON. I yield.

Mr. LAUSCHE. Does the amendment recommended by the committee exceed, or is it less than, the amount appropriated for fiscal 1967?

Mr. ANDERSON. It is much less.

Mr. LAUSCHE. The amount that this authorizes is less than was appropriated in the last fiscal year? It is not in the report.

Mr. ANDERSON. The last fiscal year, as I remember—and I shall look at it again—was just under $5 billion. It was $4 billion and something. This is $4.851 billion. It is at least $100 million below the other figure. This year it is $248 million under the budget request——

Mr. LAUSCHE. Perhaps the staff man has the figure.

Mr. ANDERSON. I know that the figure was $4,968,000,000, which is just a little below $5 billion.

Mr. LAUSCHE. That was last year's appropriation.

Mr. ANDERSON. The Senator is correct.

Mr. LAUSCHE. Last year's appropriation, then, was more than this year's authorization.

Mr. ANDERSON. The Senator is correct.

Mr. LAUSCHE. By $100 million.

Mr. ANDERSON. I used hurried arithmetic. I think that is correct. About $117 million.

Mrs. SMITH. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mrs. SMITH. Mr. President, I would like 1 minute to say that I agree wholeheartedly with the able and distinguished chairman of the committee.

The committee has provided the building blocks of capability that can be used for the structure of our space program in the future. The program recommended by the committee provides for such things as long-duration manned orbital experience, reusable spacecraft, improved in-space propulsion, funds for better electronic systems and space vehicle systems, funds for improved power system, and Mr. President, the program recommended provides for basic research and development in many of the sciences such as astronomy, geophysics, particles and fields, geodesy and bioscience. The program recommended also provides for applications of space systems to meet the needs of man such as weather, communications, cartography, and earth resources.

Mr. President, the program recommended by the committee is a sound program. It is austere but it provides for those things that we need. I recommend that the Senate reject the amendment of the Senator from Wisconsin.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ANDERSON. Mr. President, I yield back the remainder of my time.

Mr. PROXMIRE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). All time has been yielded back. The question is on agreeing to the amendment of the Senator from Wisconsin.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the role.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. GRUENING], the Senator for Oklahoma [Mr. HARRIS], and the Senator from Indiana [Mr. HARTKE] are absent on official business.

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 Minnesota [Mr. MCCARTHY] and the Senator from New Mexico [Mr. MONTOYA] are necessarily absent.

I further announce that, if present and voting, the Senator from Alabama [Mr. SPARKMAN] would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from California [Mr. MURPHY], and the Senator from Texas [Mr. TOWER] are absent on official business.

The Senator from Hawaii [Mr. FONG] and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from New York [Mr. JAVITS] and the Senator from South Carolina [Mr. THURMOND] are absent by leave of the Senate.

The Senator from Nebraska [Mr. CURTIS] is detained on official business.

If present and voting, the Senator from Nebraska [Mr. CURTIS], the Senator from Kentucky [Mr. MORTON], the Senator from California [Mr. MURPHY], the Senator from South Carolina [Mr. THURMOND], and the Senator from Texas [Mr. TOWER] would each vote "nay."

The result was announced—yeas 35, nays 50, as follows:

[No. 172 Leg.]

YEAS—35

Bayh	Griffin	Nelson
Boggs	Hansen	Pastore
Brewster	Hart	Pell
Burdick	Hatfield	Proxmire
Byrd, Va.	Hollings	Randolph
Case	Hruska	Russell
Church	Kennedy, N.Y.	Spong
Clark	Lausche	Talmadge
Cooper	McGovern	Tydings
Cotton	Miller	Williams, N.J.
Dominick	Morse	Williams, Del.
Fulbright	Moss	

NAYS—50

Aiken	Eastland	Kuchel
Allott	Ellender	Long, Mo.
Anderson	Ervin	Long, La.
Baker	Fannin	Magnuson
Bartlett	Gore	Mansfield
Bennett	Hayden	McClellan
Bible	Hickenlooper	McGee
Brooke	Hill	McIntyre
Byrd, W. Va.	Holland	Metcalf
Cannon	Jackson	Mondale
Dirksen	Jordan, Idaho	Monroney
Dodd	Kennedy, Mass.	Mundt

Muskie	Scott	Symington
Pearson	Smathers	Yarborough
Percy	Smith	Young, N. Dak.
Prouty	Sparkman	Young, Ohio
Ribicoff	Stennis	

NOT VOTING—15

Carlson	Hartke	Montoya
Curtis	Inouye	Morton
Fong	Javits	Murphy
Gruening	Jordan, N.C.	Thurmond
Harris	McCarthy	Tower

So Mr. PROXMIRE's amendment was rejected.

Mr. ANDERSON. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. PROXMIRE. Mr. President, I call up my amendment No. 222, and ask unanimous consent that its reading be dispensed with.

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

Mr. PROXMIRE's amendment is as follows:

On page 9, line 3, strike out "$4,851,006,000" and insert in lieu thereof "$4,752,722,000."

Mr. PROXMIRE. Mr. President, as far as I am concerned, the vote on this amendment will come almost immediately. I am going to take only about 3 minutes of my time.

The amendment reduces the program $100 million below what the committee asked.

Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. PROXMIRE. Mr. President, let me state briefly what this amendment does.

This amendment in the main incorporates cutbacks only where the House committee recommendation was lower than the Senate committee recommendation except in the Nerva nuclear rocket engine item, where the cut in the last amendment is retained because of my belief that to authorize this expenditure now would commit us to do a program of hardware production for a manned Mars mission, which could cost, under conservative estimates, $200 billion before we are through. Although I feel strongly that a larger cut should be made in the Apollo applications program, this amendment accepts the Senate committee's recommendation which constituted a $110 million cut from the House committee recommendation. The amendment does not incorporate cutbacks to fiscal 1967 levels.

The physics and astronomy figure incorporated in this amendment is $2 million lower than the House committee's figure because it includes the astronomical and geophysical observatories cuts recommended by the House committee—which total $15.869 million—as well as the Sunblazer cut of $2 million recommended by the Senate committee, which did not recommend cutting the observatories. The Sunblazer is a new series of small interplanetary probes proposed for initiation in fiscal 1968, with the purpose of studying the solar corona. The figure for launch vehicle procurement reflects these three cuts also, because launch vehicles would not be needed for the programs cut.

The amendment accepts the Senate committee recommendation to retain funds for the Nimbus E and F meteorological satellites, a total of $5 million, which were cut by the House committee, but it retains the House cut of $2.4 million for three additional geodetic satellites to be launched in the 1969–71 period.

The House cuts have not been incorporated in three items—space vehicle systems, electronics systems, and space power and electric propulsion systems—because in each case the House committee recommended $1 million cuts which it did not justify except to say that they were economy cuts. While both my amendments today have been economy cuts basically, I will defer to the Senate space committee's judgment on these items. In each case, the Senate committee restored the $1 million cuts.

Let me say, to conserve time, that the principle that applied to the previous proposed cut certainly applies here. It is a lighter cut, but it is true that if we are going to make any substantial saving, the saving must come from the space program. The cost of this program constitutes literally one-fourth of the funds this Congress has the clear discretion to cut.

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

Mr. PROXMIRE. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. I want to associate myself with what the Senator has said. Yesterday we had a vote on the debt ceiling bill. One amendment which would have cut the ceiling was defeated by only one vote, showing that nearly one-half of the Senators present are concerned with the deficit. We are faced with a deficit of $29 billion, according to the chairman of the House Ways and Means Committee. Yet here is a program which serves a meaningless purpose, which was a mere exercise before we became mired in the war in Vietnam. Not to cut down this program at this time would be an act of irresponsibility.

Mr. ANDERSON. Mr. President, I yield 2 minutes to the Senator from Nevada [Mr. CANNON].

Mr. CANNON. Mr. President, the Senator from Wisconsin, and the Senator from Arkansas as well, would have it appear that there have been no cuts in this proposed program. The facts are quite to the contrary. The Senate committee examined this matter very carefully. We made reductions over those proposed by the House of $141.176 million. So this program was examined in very, very great detail. We attempted to find other possible areas in which we could make reasonable cuts without destroying essential elements of this program.

The Senator has made direct reference to the Nerva program. The committee examined the nuclear rocket program very carefully. This program is not being approved for a Mars flight. It is recommended because of the efficiency with which this type of engine can perform a variety of missions and the fact that a long-lead development time is involved. This is not a new program or production program. It is a continuation of a highly successful research and development program.

I think it would be a serious mistake to enact the amendment the Senator from Wisconsin has proposed. It would have the effect of practically destroying the Nerva program as well as making reductions in areas that we have very carefully examined, and which I think the Senate should support.

I ask unanimous consent that a statement I have prepared be printed in the RECORD at this point.

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

STATEMENT BY SENATOR CANNON

The Amendment, which essentially takes the lowest amount for each line item in the respective House and Senate bills and adds other minor reductions, results in a $98,284,000 reduction from your Committee's recommendation resulting in a total authorization for NASA of $4,752,722,000.

Your Committee, in recommending an authorization of $4,851,006,000 to the Senate, has carefully reviewed the NASA budget request program by program and has also studied the House Committee actions and the rationale therefor which resulted in the House Committee recommendation of $4,992,182,000. Your Committee is basically recommending that the Committee support ongoing programs which this body has approved and supported over the years, and it is recommending these at what we believe is a bare bones level. In support of this I would call to the attention of the Senator from Wisconsin that he is advocating a $25 million cut in the Apollo program in which this Nation has a substantial investment at a time when adequate resources are necessary to recover from a disastrous setback and get this program in condition to realize a return on the investment which has been made in it. I would like to emphasize that the Administration has not requested additional funds to recover from the Apollo 204 accident, but rather has stated to your Committee that it will make every effort to rearrange its planning and scheduling so as to accomplish the program with the minimum financial impact. As has already been stated, this program has passed its funding peak and the program is in such an advanced stage that your Committee is convinced that the estimates now submitted are much more responsive to accurate estimating and in addition, for this same reason, are more susceptible to critical reviews at each level of Government.

Your Committee carefully examined the Apollo Applications program and concluded that the recommended amount is the minimum necessary so as not to deny the Nation the capability to continue to do the things it may desire to do. I would also like to point out that there is a 30-month lead time on the procurement of launch vehicles. This is a very significant factor in making judgments on the needs of this program for FY–1968.

The Senator is also suggesting an approximate $14 million cut in the Physics and Astronomy program based upon House Committee action. I would like to reiterate that there is no new work in this program. Your Committee is only recommending those amounts which are necessary to complete work in process and thereby enable the Nation to capitalize on the investments that have been made based upon earlier decisions to undertake these space science activities. Conversely, I would like to point out that

your Committee has recommended a reduction of $10.1 million in the Mariner program requested to initiate a Mariner-Mars 1971 mission. In view of the 1969 Mariner-Mars mission approved last year, your Committee did not feel that this project, estimated to cost $216 million in total, was justified even though the Committee has serious concern about maintaining an ongoing balanced planetary exploration program for the long-term interest of the Nation. I would also like to point out that the Voyager program—an unmanned mission to Mars with flights in 1973 and 1975 and estimated to cost $2.3 billion, with the initial request of $71.5 million submitted this year—has not been recommended for initiation. This $71.5 million—it goes without saying—is a substantial cut in the Administration's space budget request.

In the Bioscience program, as in the Physics and Astronomy program just mentioned, the House Committee is recommending a cut in a program previously approved and, therefore, for which much work has already been accomplished. We think this is false economy at its best.

In the area of advanced research and technology the House Committee has made several "nominal economy" cuts. It is these programs that push the frontiers of knowledge back and build a base for this Nation's technological strength in the future. These are not hardware programs. These programs represent scientific and technical effort almost completely. Although I am not going to attempt to identify specific items in these programs that have contributed to human betterment, I think there is ample evidence in this Nation today that our advanced research and technology bank is one of our strongest assets, and it is only by maintaining this asset that we will be able to compete, possibly even survive, in the future; and certainly regardless of one's individual feelings, one cannot deny that the improvement in our standard of living and the outlook for future improvements rests on an advanced technological base.

The Senator from Wisconsin is recommending a $7.7 million reduction in the Tracking and Data Acquisition program. I would like to point out that the House Committee has cut this program year after year and that your Committee has been successful in restoring a major portion of this cut in conference because of the demonstrated budgetary performance of NASA in this program over the years. In spite of the reductions which have been made, the Office of Tracking and Data Acquisition has consistently been able to make a supportable case for the allocation of the full amount of its request to carry out this very important function. Without the ultimate in equipment and training in this particular area we would not be able to provide for safe space flights for our astronauts, and we would not be able to obtain the data from not only our scientific missions but also from those earth application spacecraft such as the TIROS and NIMBUS weather satellites, the communications satellites, the advanced technological satellites and the proposed earth resources satellites which are believed to offer significant advances in weather, crop, erosion control and other forecasting for concrete earthbound applications.

In the Construction of Facilities area the Senator is recommending a reduction of $3 million in the construction request for two test stands for the nuclear rocket engine program. This construction program happens to be a control item for this development, and the construction schedule has been very carefully structed to be able to support the engine development program on a timely basis. After careful examination it was the judgment of your Committee that the House Committee cut would seriously impair the entire schedule because of inability to commit sufficient funding to the procurement of the complex, long lead-time items which must be phased into the construction program at a precise point.

I have taken quite a bit of time to review again the work of this Committee in recommending S. 1296 to the Senate, and particularly those actions wherein it was necessary to consider the amounts recommended by the House Committee. This involves a great deal of detailed review and study, and I wonder if the Senator from Wisconsin has examined his recommendations to the same degree. I suggest that he has not. Otherwise, I do not believe in all fairness that he would want to withdraw support from programs which are currently in or very near their payoff point and, therefore, abandon the substantial investment that the Nation has made to date. Further, I do not believe that he would seriously recommend a few million dollar economies if he fully recognized the contribution of these particular efforts to the long-range welfare of the country.

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

Mr. CANNON. I yield.

Mr. HOLLAND. Does not the Senator recall that the committee recommended a cut greater than the House Space Committee and this cut amounts to almost a quarter of a billion dollars—$249 million below the budget?

Mr. CANNON. The Senator is correct. It is $248.9 million. So it is almost one-quarter of a billion dollars, as the Senator has correctly stated, below the budget request. I think it would be very harmful to go in and say "We want to make a cut and we will cut them in whatever areas we want," without a closer examination.

Mr. ANDERSON. Mr. President, I yield 2 minutes to the Senator from Minnesota [Mr. MONDALE.]

Mr. MONDALE. I thank the Senator for yielding.

Mr. President, I approached this authorization as—I think—one of the more critical members serving on the Space Committee of the program. It is, however, my conclusion that this recommendation represents as prudent a cut as could be made. Indeed, it is the largest cut in a recommended NASA authorization in the history of the program—$248 million.

I ask unanimous consent to have printed in the RECORD at this point a table of the cuts represented by Senate committee recommendations since the beginning of the program, which demonstrates that this is the largest and deepest cut in the history of the space program.

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

History of Senate committee funding recommendations

[In thousands of dollars]

Fiscal year	NASA request	Senate committee recommendation	Total cut
1968	5,100,000	4,851,006	248,994
1967	5,012,000	5,008,000	4,000
1966	5,260,000	5,196,826	63,174
1965	5,304,000	5,246,293	57,707
1964	5,712,000	5,511,520	200,480
1963	3,858,276	3,820,515	37,761
1962	1,844,300	1,844,300	0
1961	970,000	970,000	0
1960	485,300	485,300	0
1959	251,154	201,154	50,000

Mr. MONDALE. This is not the time to go into detail about the various cuts which the Senate committee recommends today, but I believe that they are as deep as they can go, and that this is a prudent and frugal budget. I think the chairman of the committee, the distinguished Senator from New Mexico, is to be commended for the care, the judiciousness, and the frugality with which he and the other members of the committee approached that task.

I think to go deeper than the committee recommends would be to do great harm, and eventually would result in the exaction of costs far in excess of any savings we could claim to be making now.

If a committee which acts responsibly, as this committee has, in making deep cuts, is thereafter met on the floor of the Senate with meat ax recisions, I believe it is an invitation to inflated recommendations in the future. I think we have gone as far as we can go, and that the committee's recommendation in its present form should be adopted.

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

Mr. MONDALE. I yield.

Mr. STENNIS. I commend the Senator, not only for his fine statement, but for the splendid work he has done as a member of the committee.

Does the Senator know that this cut applies after taking the lowest figure either from the House bill or the Senate bill, and reporting that to the Senate?

Mr. MONDALE. I did not; and I thank the distinguished Senator from Mississippi for his gracious comments.

I reluctantly disagree with the distinguished Senator from Wisconsin in his approach, because I believe that the committee's recommendation represents months of very hard work by a very responsible committee, which has gone as deep with these cuts as it responsibly can. I feel that the authorization should be adopted in its present form.

I thank the Senator.

Mr. HOLLAND. Mr. President, will the Senator from New Mexico yield me 2 minutes?

Mr. ANDERSON. I yield 2 minutes to the Senator from Florida.

Mr. HOLLAND. Mr. President, I feel exactly as the Senator from Minnesota has expressed himself as feeling. I think additional cuts would be hurtful. I voted for the cut of practically a quarter of a billion dollars off of the budget request with some reluctance; but I think we applied the reductions in the places where cuts could best be made.

One word in reply to the distinguished junior Senator from Arkansas, who, as I recall it, stated we were not receiving any immediate benefits from this program.

Mr. President, the Senator would find it very hard to persuade the people of my State, who are receiving immediate benefits with respect to following the approach of hurricanes, from the weather satellites which are now in orbit, and from additional satellites scheduled to be launched by means of funds from this very authorization.

The Senator would find it hard to convince the Defense Department that they were receiving no benefits from improved communications through the use of satellites of the type now being employed for civilian purposes also. The Senator would find it difficult to get the Defense Department to say that they were not getting any advantage through the use of surveillance satellites.

I have mentioned only a few of the great and immediate benefits, besides the increase in our total knowledge which has proved so advantageous thus far.

I think that this program, while it is a long-range one, and will have more benefits in the future, is by its very nature a continuing program which we must not stop. I believe the committee has done all that can prudently be done in suggesting the reduction of practically a quarter of a billion dollars.

Mr. FULBRIGHT. Mr. President, will the Senator from Wisconsin yield so that I may reply briefly to the Senator from Florida?

Mr. PROXMIRE. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I do not wish to leave the Senator's statement unanswered. I realize, of course, that there are some benefits from the program. I was not precise in my language. I am sure that the State of Florida benefits to a great extent. They must have 50,000 or 100,000 employees in this program. I am in great sympathy with the Senator's position.

I was not thinking of that kind of benefits. I was thinking of the national welfare, and not in benefits to particular States.

Mr. President, the program of development and launching of weather satellites is not dependent whatever on going to the moon. All such activities, which are very useful, are a very minor part of the NASA program. The expensive part, to my mind, is the crash program of putting a man on the moon and sending lunar probes into outer space, which have very questionable practical value now.

My position has never been to stop the program, which the Senator apparently believes was my implication. A $100 million reduction from this total budget certainly is not going to stop it. The appropriation is just under $5 billion. I have always said, as I stated last year, that I have no desire whatever to stop it. I have thought that it ought to proceed on a regular schedule, in an orderly fashion, but not on a crash basis. In the newspapers recently, following the terrible tragedy of the fire which killed some of our finest astronauts, it was clearly indicated the reason for the tragedy was the crash program.

It seems to be the feeling that "We have got to be there before the Russians." Mr. President, that is a silly and childish approach to the program. It should be continued; but I say it should be continued in an orderly way, at about half the speed it is now being conducted. I am for that. I do not believe, under present conditions, with the increase in the national debt limit upon which we just voted, the present enormous deficit, and threatened inflation, this particular program should be pampered and insulated from substantial cuts because it renders special benefits to a few people such as those represented by the Senator from Florida.

Mr. HOLLAND. Mr. President, if the Senator will yield for 1 minute, I wish to make it very clear that, in what I have said, I had no reference to benefits to employment in my State. I have reference to benefits to the entire Nation, and, for that matter, to all the earth as a result of the program. I have referred also to the fact that to cut now, without knowing how it is going to slow down the whole program and increase the cost of the program, beyond the recommendation of the people who have studied the matter and have already cut at least a quarter of a billion dollars from the program, is the worst possible way, in my opinion, to approach the program.

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

Mr. HOLLAND. I yield.

Mr. MAGNUSON. Of course, it must be realized that the Bureau of the Budget cut this program also, at its first presentation. That is a cut which is not in the record here.

I should, however, like to point out something further about the space program. I happen to be chairman of the Independent Offices Subcommittee, which handles the appropriation.

We are always talking about the moon. It is a glamorous thing, and it is there; but after going through this space program over the years, I am convinced that all of us would approve the entire program, even if the moon did not exist. Even without the moon, about 85 percent of the program would be approved by Congress.

Another thing I think we ought to realize, when we talk about benefits, is that while there is a concentration in Florida, that occurred because Florida happened to be the place they could carry out that portion of the program best. It could have been some other State. There is a concentration of part of it in California, where they can handle that portion of the program best, out there near the Pacific.

Ninety-two percent of all the work on the space program is done under contracts with private corporations and private engineering groups engaged in private projects and doing private research. Those contracts are being fulfilled in every single State of the Union. The spin-off for the American people by virtue of the fact that they have a part of the space program, a certain thing being done in a machine shop, in a research laboratory, or in a large manufacturing plant or electrical plant—I could stand up here all afternoon and state item after item after item—is intangible, but nevertheless the benefits exist. It is hard to state it in dollars and cents; but I wish to state that the space program has given great impetus to all of the progress in research in the United States in every field.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The Senator's time has expired.

Mr. ANDERSON. I yield to the Senator from Maine.

Mr. STENNIS. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

The Senator from Maine is recognized.

Mrs. SMITH. Mr. President, the amendment proposed by the senior Senator from Wisconsin would effect an arbitrary reduction of more than a dozen major programs contained in the NASA authorization bill merely on the basis of selecting the lower figure contained in two columns of funding amounts.

I cannot believe that this is a legislative practice the Senate wishes to endorse. In essence, the proposed amendment would negate the long and arduous work of the Senate Space Committee in carefully reviewing and scrutinizing each program funding request before arriving at a considered judgment and making its recommendations to this body based on that judgment.

Your committee has pared the NASA request by approximately one-quarter billion dollars. I believe the authorization recommended by the committee provides a sound and reasonable level of operation for NASA; it provides for continuing the momentum of broad-based, ongoing programs and avoiding commitment to costly new programs which appropriately could be deferred.

I, for one, would welcome suggestions as to any additional areas where funding could be reduced—but only if such suggestions were based on the same careful consideration and judgment your committee has given to this bill.

The final determination of whether our continued efforts in space will produce the dividends many of us perceive probably will not be made for several decades. However, I, for one, believe our present course is the right one. As I stated yesterday, I was recently buoyed and encouraged in this belief when I learned that the following comment was made by an illustrious New York newspaper concerning Samuel Langley's experiments with airplanes just 1 week before the successful flight of the Kitty Hawk by the Wright brothers:

> We hope that Professor Langley will not put his substantial greatness as a scientist in further peril by continuing to waste his time, and the money involved, in further airship experiments. Life is short, and he is capable of services to humanity incomparable greater than can be expected to result from trying to fly. . . . For students and investigators of the Langley type, there are more useful employments.

Mr. President, I therefore urge that my colleagues vote against the amendment.

Mr. PROXMIRE. Mr. President, I yield myself 30 seconds.

The cut from $4.8 billion to $4.7 billion still leaves $4¾ billion, $4,700 million in the space program. It is still a big program.

This would be a cut of 2 percent below what the committee recommended and 5 or 6 percent below what the administration recommended.

It would still leave a vigorous, strong, and immensely expensive program.

Mr. President, I am willing to yield back the remainder of my time if the Senator from New Mexico is willing to do so.

Mr. ANDERSON. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Wisconsin. On this question the yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. GRUENING], the Senator from Oklahoma [Mr. HARRIS], the Senator from Indiana [Mr. HARTKE], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

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 New Mexico [Mr. MONTOYA] and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Alabama [Mr. SPARKMAN] would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from California [Mr. MURPHY], and the Senator from Texas [Mr. TOWER] are absent on official business.

The Senator from Hawaii [Mr. FONG] and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from New York [Mr. JAVITS] and the Senator from South Carolina [Mr. THURMOND] are absent by leave of the Senate.

The Senator from Iowa [Mr. HICKENLOOPER] is detained on official business.

If present and voting, the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Kentucky [Mr. MORTON], the Senator from California [Mr. MURPHY], the Senator from South Carolina [Mr. THURMOND], and the Senator from Texas [Mr. TOWER] would each vote "nay."

The result was announced—yeas 38, nays 46, as follows:

[No. 173 Leg.]

YEAS—38

Bayh	Gore	Nelson
Boggs	Griffin	Pastore
Brewster	Hart	Pell
Burdick	Hatfield	Proxmire
Byrd, Va.	Hollings	Randolph
Byrd, W. Va.	Hruska	Russell
Case	Kennedy, N.Y.	Spong
Church	Lausche	Talmadge
Clark	McGovern	Tydings
Cooper	Miller	Williams, N.J.
Cotton	Monroney	Williams, Del.
Dominick	Morse	Young, N. Dak.
Fulbright	Moss	

NAYS—46

Aiken	Hansen	Metcalf
Allott	Hayden	Mondale
Anderson	Hill	Mundt
Baker	Holland	Muskie
Bartlett	Jackson	Pearson
Bennett	Jordan, Idaho	Percy
Bible	Kennedy, Mass.	Prouty
Brooke	Kuchel	Ribicoff
Cannon	Long, Mo.	Scott
Curtis	Long, La.	Smith
Dirksen	Magnuson	Stennis
Dodd	Mansfield	Symington
Eastland	McCarthy	Yarborough
Ellender	McClellan	Young, Ohio
Ervin	McGee	
Fannin	McIntyre	

NOT VOTING—16

Carlson	Harris	Inouye
Fong	Hartke	Javits
Gruening	Hickenlooper	Jordan, N.C.
Montoya	Smathers	Tower
Morton	Sparkman	
Murphy	Thurmond	

So Mr. PROXMIRE's amendment was rejected.

Mr. ANDERSON. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BIBLE. Mr. President——

The PRESIDING OFFICER. Who yields time?

Mr. BIBLE. May I have 2 or 3 minutes?

Mr. ANDERSON. I yield 2 minutes to the Senator from Nevada.

Mr. BIBLE. Mr. President, I earlier associated myself with the remarks of the distinguished chairman of the committee, the Senator from New Mexico, in resisting the cuts that were suggested by the amendments of the senior Senator from Wisconsin. I am delighted that those amendments did not prevail.

The bill which the committee has brought before the Senate is a realistic one. As I pointed out earlier, it is a program which has been cut substantially from the budget amount, almost $249 million, a substantial cut from the House figures. I believe that this program is well justified. It involved approximately 7 days of hearings—resulting in two full volumes—by a very capable committee, with a unanimous report.

There is powerful persuasion in the economy arguments used to support drastic reductions in our space program as set forth in the NASA authorization bill. But it is the powerful persuasion of oversimplification.

Those who would cut back the authorization say simply, "We cannot afford this program." They say, "Let us put it off for awhile until the time comes when we can afford it."

Mr. President, the time will never come when we will feel that we can afford any expensive project. There will always be a pinch on funds. There will always be something going on that is draining moneys otherwise available.

To approve the kind of reductions that are proposed is to deny the future. We are wasting our time with our current space efforts if we adopt that attitude.

It comes down to this: We are going to continue our space program or we are not going to continue our space program.

The fastest possible development of a nuclear rocket engine, for example, is essential to our space effort. It is not an expensive luxury. It is the only known energy application that can carry man deep into space. If we do not launch a serious developmental program now, we will cripple our overall space effort in the years to come.

But for some reason, this nuclear rocket engine appears to be a favorite target of the budget cutters. They regard it as a sophisticated plaything or at best a far-out device better left to the science fiction writers.

Certainly, it would save money now to postpone a nuclear rocket engine project. It would also save money to postpone buying new tires for a car—but you do not get much mileage out of a car when it is sitting on blocks. That is where our space program will be tomorrow without a nuclear rocket engine—sitting on blocks. We will have idled an extremely costly space program for lack of foresight.

There is no question about the need to develop such an engine. Our scientists are unanimous in that regard. Chemical fuel engines have definite limitations. We can improve then, yes, but unchanging physical limitations permit us to go only so far. Beyond that we must turn to nuclear energy. If we refuse to anticipate that need now, we can jeopardize all we are doing and will be doing in the months ahead.

It is true that an acceleration of our nuclear rocket engine program commits us to what has been termed massive expenses in the future. But I contend, Mr. President, that this Nation is already committed. Our Nation committed itself years ago, when it first seriously took up the challenge of space exploration.

Do we need another Sputnik to refresh our memories and renew our resolve?

The nuclear rocket engine concept is not a far-out idea or a scientific plaything, that should be clear. It has been the subject of serious research for more than two decades. And notable success has already been achieved in test firing the Nerva I prototype. It was this success, in fact, that led the President to recommend a major acceleration in this field.

The urgent need to move forward now with a nuclear rocket engine program is underscored by hard facts. We know, for example, that the lead-time needed in developing a new power application far exceeds that needed for rocket vehicle development or any other mission development work.

If we fail to recognize this fact, we are shunning reality. We will be building a car without an engine—or perhaps, more appropriately, a buggy without a horse.

The late President Kennedy took up the challenge of space and told the Nation and the world that the United States would be first in the race. This was not an idle boast. And now President Johnson has renewed the pledge of his predecessor. We cannot afford to undercut the entire effort solely on the basis of budget cutting.

Mr. President, the committee charged with handling this vital authorization bill has seen fit to endorse the President's requests for key space research development programs, including the $74 million nuclear rocket engine development program and associated construction, despite cuts recommended by its counterpart in the House. This was not done lightly. I urge full support for the committee recommendations.

We are dealing with the future. Let us not haggle.

Mr. DODD. Mr. President, I wish to express my full and wholehearted support for the $4.8 billion authorization of funds for NASA.

Indeed, I wish we could approve the full $5.1 billion originally requested by

NASA, but I believe a modest cut is in order simply because of our overall budgetary problems this year.

Because we are faced with an unusually large deficit in the Federal budget, I believe that whenever it is possible and feasible to do so we should make at least modest cuts in the various domestic and other spending programs.

The Space Committee feels, and I, as a member of that committee, concur, that the $249 million cut we have made will not interfere with NASA's aeronautic and space programs.

Larger cuts are not in order, though.

The January tragedy should not encourage us to try to emasculate the Apollo program or any of the other legitimate efforts in which NASA is deeply and constructively involved.

There have been mistakes in our space programs. The Apollo hearings, we and the House held, clearly demonstrated this.

What we should do is to try to insure that such grievous errors are never again made.

But the way to do this is not by slashing away at NASA's budget request.

The basic soundness and the need for advances in space and aeronautics are just as compelling today as they were a year ago.

We should fund these research and development efforts just as generously as we have in previous years.

And to see to it that costly mistakes leading to a loss of time, money, and most importantly, in human lives, do not occur again. We in Congress have a great obligation, moral as well as legal, to follow and look into NASA's day-to-day activities much more closely than we have in the past.

I urge my colleagues to approve intact the Space Committee's recommendation for $4.8 billion.

Mr. PASTORE. Mr. President, who has control of the time?

Mr. DIRKSEN. I yield 2 minutes to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I merely wish to make an observation. Now that we have been so generous with our effort in space, I hope we will do as well for the depressed people on earth.

The PRESIDING OFFICER. The bill is open to amendment. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment in the nature of a substitute for the bill.

The committee amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

So the bill (S. 1296) was passed.

Mr. ANDERSON. Mr. President, I move to reconsider the vote by which the bill (S. 1296) was passed.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, the NASA authorization just adopted represents another glowing achievement for the senior Senator from New Mexico [Mr. ANDERSON]. The able and immensely talented chairman of the Committee on Aeronautical and Space Sciences devoted his strong efforts and diligent leadership to this bill which is designed to maintain our commitment to outer space. He brought to the Senate a proposal which meets that commitment in every respect. He is to be congratulated for handling the measure in a manner that assured its efficient acceptance by the Senate.

The senior Senator from Maine [Mrs. SMITH] likewise is to be commended for devoting her splendid abilities to assuring Senate approval. As the ranking minority member on the committee, her outstanding efforts on this measure—as on all proposals gaining her support—played a vital role to its prompt and successful disposition.

The senior Senator from Florida [Mr. HOLLAND], the Senator from Mississippi [Mr. STENNIS], the Senator from Nevada [Mr. CANNON], and the Senator from Minnesota [Mr. MONDALE] also offered their clear and persuasive views. They too must be commended for contributing to the success of this measure.

To the senior Senator from Wisconsin [Mr. PROXMIRE] and the junior Senator from Illinois [Mr. PERCY] go our thanks for cooperating to assure final action today. Through their generous efforts the Senate was able to complete action on the measure with dispatch and with full consideration for the views of every Member.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, returned to the Senate, in compliance with its request, the bill (S. 1577) to complement the Vienna Convention on Diplomatic Relations.

The message announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H.R. 4880. An act to extend the time within which certain requests may be filed under the Tariff Schedules Technical Amendments Act of 1965; and

H.R. 5615. An act to continue until the close of June 30, 1969, the existing suspension of duties for metal scrap.

The message also announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 346. Concurrent resolution to authorize the printing as a House document the pamphlet entitled "Our Flag";

H. Con. Res. 348. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs; and

H. Con. Res. 369. Concurrent resolution authorizing certain printing for the Select Committee on Small Business of the House of Representatives.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H.R. 3349. An act to continue until the close of September 30, 1967, the existing suspension of duties on certain forms of nickel;

H.R. 3652. An act to continue until the close of June 30, 1970, the existing suspension of duties on manganese ore (including ferruginous ore) and related products; and

H.R. 10867. An act to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, and for other purposes.

HOUSE CONCURRENT RESOLUTIONS REFERRED

The following concurrent resolutions were severally referred to the Committee on Rules and Administration:

H. Con. Res. 346. Concurrent resolution to authorize the printing as a House document the pamphlet entitled "Our Flag";

H. Con. Res. 348. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs; and

H. Con. Res. 369. Concurrent resolution authorizing certain printing for the Select Committee on Small Business of the House of Representatives.

AMENDMENT OF THE OLDER AMERICANS ACT OF 1965

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 354, H.R. 10730.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 10730) to amend the Older Americans Act of 1965 so as to extend its provisions.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare, with amendments, on page 2, line 6, after "1968", to insert "$16,000,000 for the fiscal year ending June 30, 1969,"; in line 8, after "June 30", to strike out "1969" and insert "1970"; in the same line, after the word "the", to strike out "three" and insert "two"; in line 16, after the word "thereof", to strike out "15" and insert "10"; on page 3, at the beginning of line 5, to insert "$10,000,000 for the fiscal year ending June 30, 1969,"; in line 6, after "June 30", to strike out "1969" and insert "1970"; at the beginning of line 7, to strike out "three" and insert "two"; on page 4, after line 21, to insert:

(g) The first sentence of section 302(b) of the Older Americans Act of 1965 (42 U.S.C. 3022(b)) is amended by striking out "shall be available for reallotment" and inserting in lieu thereof "shall be reallotted."

And, on page 5, after line 2, to insert a new section, as follows:

STUDY OF NEED FOR TRAINED PERSONNEL

SEC. 6. Title V of the Older Americans Act of 1965 (42 U.S.C., ch. 35, subch. V) is amended by adding at the end thereof the following new section:

"STUDY OF NEED FOR TRAINED PERSONNEL

"SEC. 503. (a) The Secretary is authorized to undertake, directly or by grant or contract, a study and evaluation of the immediate and foreseeable need for trained per-

sonnel to carry out programs related to the objectives of this Act, and of the availability and adequacy of the educational and training resources for persons preparing to work in such programs. On or before March 31, 1968, he shall make a report to the President and to the Congress, of his findings and recommendations resulting from such study, including whatever specific proposals, including legislative proposals, he deems will assist in insuring that the need for such trained specialists will be met.

"(b) In carrying out this section the Secretary shall consult with the Advisory Committee on Older Americans, the President's Council on Aging, appropriate Federal agencies, State and local officials, and such other public or nonprofit private agencies, organizations, or institutions as he deems appropriate to insure that his proposals under subsection (a) reflect national requirements."

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, this bill was reported by the committee unanimously. It passed the House of Representatives, I believe, by a vote of 385 to 0.

I ask unanimous consent that the discussion of the bill take place immediately, that the vote occur at 1:30 p.m., and that the provisions of rule XII requiring a quorum be dispensed with.

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. Is there objection to the request of the Senator from Montana?

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the nomination reported favorably earlier today by the Committee on the Judiciary.

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

U.S. DISTRICT JUDGE

The assistant legislative clerk read the nomination of Woodrow W. Jones, of North Carolina, to be U.S. district judge for the western district of North Carolina.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

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

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

LEGISLATIVE SESSION

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

AMENDMENT OF THE OLDER AMERICANS ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 10730) to amend the Older Americans Act of 1965 so as to extend its provisions.

Mr. MANSFIELD. 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.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MANSFIELD. 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.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time for the voting be extended from 1:30 until 1:40 p.m.

Mr. BYRD of West Virginia. Mr. President, reserving the right to object—and I shall not object—may I ask the majority leader if he intends to ask for a waiver of rule XII?

Mr. MANSFIELD. Yes, indeed. That was asked for in the beginning, I had thought.

Mr. BYRD of West Virginia. I thank the Senator.

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

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

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

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

Mr. KENNEDY of Massachusetts. Mr. President, as I understand it, we are under a unanimous-consent agreement to vote at 1:40 p.m. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. KENNEDY of Massachusetts. Under whose control is the time?

The PRESIDING OFFICER. The Senator from Massachusetts controls the time.

Mr. KENNEDY of Massachusetts. Mr. President, it is with pride that I take the floor today to urge the Senate to support H.R. 10730, a bill to amend and extend the older Americans Act of 1965.

The programs and projects developed under the authority of the Older Americans Act have begun operating in 43 States, the District of Columbia and Puerto Rico—where over 90 percent of our seniors live—and they are bringing new opportunities to many millions of seniors all across the country. For this is the mandate the Congress gave the Administration on Aging when it passed the Older Americans Act in 1965: "To assist our older people to secure equal opportunity to the full and free enjoyment" of retirement years.

The evidence we heard in hearings on this extension bill indicate that the Administration on Aging, led by its able Commissioner, William Bechill, is bringing cheer into lonely lives and hope to the hopeless. Further, through a program of research and demonstration grants, the imaginations of those concerned with the problems of the seniors have been excited to develop new approaches to enriching the retirement years of our seniors.

But our hearings also convinced us that the Older Americans Act needs changes as well as extension, and we did not hesitate to amend the bill in a manner designed to work these changes. We heard the testimony of Commissioner Bechill; of representatives of the National Council of Senior Citizens, of the National Council on Aging, of the National Farmers Union, of the Association of State Executives on Aging, of the American Association of Retired Persons; and of State Councils on aging; and from many individuals active in the field of gerontology. It was from this expert and sometimes compassionate testimony that the committee drew its conclusions as to what shape the legislation should have.

One other point was made abundantly clear: That the Older Americans Act is only part of the effort we must make in bringing retirements of dignity to our seniors. The range of problem areas is as broad as life itself; health, food, housing, income, educational and cultural facilities, and transportation. It is only recently that we have begun to move forward in a positive way in these areas, and we must continue to press on. Extensions of medicare coverage, revision and increases in social security, bringing realistic standards into federally supported State welfare programs, tax reform, drug prices, employment opportunities, nursing homes and other extended care facilities—in all these areas, and in many more, much work remains to be done. I know I do not speak only for myself when I urge acceptance of programs designed to bring dignity and meaning to the retirement years of our seniors.

If the Older Americans Act is only a part of our effort for seniors, it is, nevertheless, a part which holds out a promise of a future of great achievement. It is now beginning to stimulate State and local agencies, private organizations, and academic institutions both to serve and to investigate better ways of serving.

As one specific example, a large number of seniors suffer from poor nutrition, either from a financial inability to afford hearty food or from a physical inability to prepare it. This poor nutrition makes these seniors more vulnerable to disease and sickness and personal dependency—those major causes of stilted and stunted retirement years. To meet this situation, during the past 20 months the Administration on Aging has funded several

small pilot projects popularly called "meals on wheels." Under these projects, various methods for the delivery of hot, nutritious meals to elderly shut-ins have been explored. Further, the offpeak use of school lunchrooms, Government and private plant cafeterias, and other institutional facilities has been studied as one way of providing low-cost, nutritious meals to seniors not restricted to their homes. The AOA has plans to expand this program, through State and local and other agencies, building on the enthusiastic reception among seniors and the recognized value among gerontologists.

The example I have just cited—meals on wheels—is only one among a host of others which are being developed under the aegis of the Older Americans Act.

In his January 23, 1967, message to the Congress, Aid for the Aged, President Johnson reaffirmed his belief that "our goal is not merely to prolong our citizens' lives, but to enrich them." This is entirely consonant with the goal enunciated by President Kennedy in 1963, in the first message to the Congress on our senior citizens:

> We can, as a Nation and as individuals, enable our senior citizens to achieve both a better standard of life and a more active, useful, and meaningful role in a society which owes them much and can still learn much from them.

We still have far to go in meeting the goals enunciated by these two Presidents, and enthusiastically endorsed by the 89th Congress.

There are 5.3 million Americans with yearly incomes so low as to force them to live out their lives in poverty. Almost 40 percent of our single senior citizens have assets of less than $1,000—a cushion which provides no security from the ravages of chronic illness. Loneliness stalks the lives of seniors who have lost lifetime partners—loneliness aggravated by the lack of mobility to seek out and enjoy friends.

Mr. President, the Older Americans Act has taken a strong step forward in meeting these needs of our seniors. The 43 States which now have State plans are bringing light to dark lives, and they actively encourage local governments and private agencies to provide a full range of community services to seniors. The hearings on this bill to extend and amend the Older Americans Act, held in June before the Special Subcommittee on Aging of which I am privileged to be chairman, gave me and the other members graphic evidence of the good work being carried on.

The distinguished chairman of the Special Committee on Aging, Senator WILLIAMS of New Jersey, introduced the Older Americans Act amendments of 1967 on February 9 of this year. A companion bill was introduced in the House by the chairman of the Education and Labor Committee [Mr. PERKINS].

I might say, at this point, that the leadership, enthusiasm, and energy the Senator from New Jersey has exerted on behalf of this country's seniors has been outstanding. The work of the Special Committee on Aging has been important in the past, and I believe it is now beginning on a new course of investigations which can only hearten those of us concerned with the lives of seniors.

The House on June 19, after 4 days of hearings and by a vote of 331 to 0, passed the Older Americans Act amendments, with technical and other amendments designed to strengthen the administration of the act.

It is the House bill, H.R. 10730, which the members of the Senate Committee on Labor and Public Welfare considered and which, with amendments, we recommend to the Members of the Senate.

The bill we recommend leaves unchanged, except for certain technical amendments, the titles of the act which establish the administration on aging within the Department of Health, Education, and Welfare, as well as other general provisions relating to the whole act. It does, however, amend the other titles of the act.

Title III establishes a program of grants to States and local governments and private institutions to plan and carry out community service projects for seniors. To date, some 500 community projects are actually underway. Another 176 are pending, and many hundreds of others are under active development.

The administration had requested, for title III, a $10,550,000 authorization for fiscal year 1968 and open-end authorizations for each of the next 4 fiscal years, through 1972. The House voted a 1-year authorization of $10,550,000, and did not accept the administration's request for an open-end authorization for the four succeeding years.

The bill recommended to you today would authorize appropriations for title III, the State grants program, of $10,555,000, for fiscal year 1968, and $16,000,000 for fiscal year 1969. For the three suceeding fiscal years, such sums would be appropriated as the Congress hereafter authorizes. In fiscal year 1968, the authorization will enable the continued support of the projects funded by the close of fiscal year 1967, and will permit the States to fund about 240 to 300 additional community projects.

The authorizations for fiscal year 1969 would permit States and local communities to move toward improved planning and provision for opportunities and services for seniors throughout the Nation. The title III program has demonstrated substantial need and enthusiastic reception for activities encouraged by the act, such as community planning and organization, expansion or initiation of multipurpose senior centers, information and referral services, employment referral, senior volunteer services, and services of direct benefit to older people. The authorizations for 1969 would provide a balanced program that would take into account the need for sufficient funds for continued support of projects approved in previous years, for increased responsibilities of the States in fulfilling their role of Statewide coordination, leadership, planning, and consultation to local communities, and for funds to meet the cost of new community projects being developed by localities for their senior citizens.

The committee believes that a 2-year authorization is the minimum consistent with a logical and orderly growth in the programs authorized by the basic act. The administration on aging must have future authorization figures for use as general planning guides. States, communities, and public and nonprofit private agencies and organizations engaged in the programs supported under the act need the assurance of continuing Federal support and interest, sufficiently beyond the current year for their efforts to have continuity, to be well planned, and to be wisely administered. Therefore, the committee added an amendment to H.R. 10730 which would provide authorizations of $16,000,000 for title III for the fiscal year ending June 30, 1969.

Under the existing law, the funds appropriated to the States are allocated among them—and among the District of Columbia, the Virgin Islands, Puerto Rico, Guam, and American Samoa—on the basis of their respective populations over age 65. States are authorized to utilize 10 percent of their allotment, or $15,000, whichever is larger, to pay one-half of the costs of the State agency in administered programs for seniors. The House bill alters this to 15 percent or $25,000, whichever is larger.

The committee, after careful consideration, modified the administrative cost formula adopted by the House. We agree that the States should be provided with sufficient funds to perform their administrative duties effectively and efficiently. We feel, however, that a provision raising State plan administrative funds to 10 percent of their allotment under title III or $25,000, whichever is the larger, will provide sufficient flexibility without impinging upon the funds available for project grants. This modification of present law will benefit the smaller States which were forced to accept the $15,000 figure, while affording the larger States their present and ample 10-percent figure.

Also under existing law, the Secretary of Health, Education, and Welfare may reallot to other States any funds allotted to a State and not used by that State. Funds appropriated for fiscal years 1966 and 1967 were not reallotted because of a decision made by the executive branch. A balance of $1,800,000 of the combined 1966–67 appropriation of $11,000,000 will lapse back to the Treasury. This is, first, the result of 10 States not having entered the program by the end of fiscal year 1967—$1,250,000—and second, an estimated additional balance of approximately $550,000 which will not be utilized by States which entered the program very late in the year, and were therefore, unable to commit the full amount of their allotment. We believe that the original intent of the law was that such funds should be reallotted. We have therefore amended H.R. 10730, to insure that reallotments will henceforth be made to those States which can utilize the funds, and will not be returned to the Treasury. This will benefit those States which stand ready to move forward aggressively in meeting the needs of their seniors, without affecting those only recently coming into the program.

Title IV of the act authorizes direct financial support, through grants and contracts, to private and public nonprofit organizations for demonstration and research projects in the field. The projects currently funded represent the development of a range of new and improved services and information, which identify new ways of involving older people in community services, employment, and leisure time activities in both urban and rural areas of the Nation.

Under title V, grants are provided to persons, organizations, and institutions engaged in or preparing for employment in the field of aging. These grants are expanding and encouraging programs for both long- and short-term training for persons in the field of aging, to meet the serious manpower shortages in this field. Under the training grant program, support is given for the training of competent and informed personnel to administer retirement housing projects, homes for the aged, multi-purpose senior centers, and planning and administration of programs and services at the local, State, and National levels.

The administration recommended, for titles IV and V, a $6,400,000 authorization for 1968, with open-end authorizations for the 4 succeeding fiscal years. The House adopted a 1-year authorization of $6,400,000 for 1968, requiring further authorizations for 1969 and beyond.

The committee recommended a 2-year authorization for titles IV and V, of $6,400,000 for fiscal year 1968 and $10,000,000 for fiscal year 1969. Such sums as the Congress hereafter authorizes would be appropriated for fiscal years 1970 through 1972.

The authorization for fiscal year 1968 will provide for the continuation of about 49 projects. It will also fund some 70 to 80 new projects including a major new demonstration program of food and nutritional services in senior citizen centers.

The authorizations for fiscal year 1969 would enable the Administration on Aging to undertake more comprehensive demonstrations of community planning and coordination of services for the aging; to continue to explore, through both research and demonstration, new and constructive roles for older Americans to contribute to American society; to permit the continuation and orderly development of the pilot program of nutritional services for senior citizen centers through the year; and to provide for a substantial increase in the number of both training programs and trained personnel known to be needed in many of the programs and services working with older people.

An important issue brought out in the subcommittee's hearings was the serious manpower shortage that exists in the field of aging. The comprehensiveness of the various legislative programs for seniors has created a tremendous need for a pool of professional and technical personnel possessing knowledge about the consequences of aging, and equipped to administer the newly developing programs, to serve older people directly, and to train others for the many new career opportunities in the field. According to expert testimony received by the committee, this pool of manpower is currently nonexistent, for so great is the number of job openings that every available trained person is already employed. To improve the situation, an immediate all-out effort on the part of Government and educational institutions is required.

The committee therefore added the amendment to title V of the act which would authorize the Secretary of HEW to undertake a study and evaluation of the existing and foreseeable need for trained personnel in various programs and services related to the objectives of the Older Americans Act, and to present a report to the President and to the Congress on or before March 31, 1968. In carrying out this study, the Secretary would consult with the Advisory Committee on Older Americans, the President's Council on Aging, appropriate Federal agencies, organizations, or institutions as he deems appropriate to ensure that the proposals made as a result of this study reflect national requirements.

One graphic example of the shortage of trained personnel in the field of aging illustrates the need: One voluntary organization which operates a chain of nursing homes in one city, cannot fill the administrator's job in 20 of these homes because there simply are not trained professionals available.

Mr. President, this is only a brief summary of the bill I am proud to present to the Senate. I am proud to do so because, to me, it reflects a clear and positive determination that the vital work of the administration on aging will be continued and expanded in the years ahead. And I believe it must be, if the years ahead for our seniors are to be bright and meaningful.

I urge all of my colleagues to support the Older Americans Act Amendments of 1967.

Mr. President, I have prepared a short summary of the provisions of H.R. 10730, and I ask unanimous consent that it and an excerpt from the report accompanying the bill be printed at this point in the RECORD.

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

SUMMARY OF H.R. 10730

Section 2 extends the authorizations of the Older Americans Act for Title III (grants to States) through 1972, as follows:

1968	$10,550,000
1969	16,000,000
1970–1972—Such sums as may hereafter be authorized.	

For fiscal years 1966 and 1967, authorizations and appropriations for Title III were as follows:

1966	
Authorization	$5,000,000
Appropriation	5,000,000
1967	
Authorization	$8,000,000
Appropriation	6,000,000

Section 3 changes the present formula for determining the amount of a State's allotment which can be used to pay one-half of the State agencies administrative costs. The present formula is 10 percent of the allotment or $15,000, whichever is larger. The new figure is 10 percent or $25,000, whichever is larger.

Section 4 extends the authorizations of Titles IV and V (Research, Development and Training projects) as follows:

1968	$6,400,000
1969	10,000,000
1970–1972—Such sums as may hereafter be authorized.	

For fiscal years 1966 and 1967, authorizations and appropriations for Titles IV and V were as follows:

1966	
Authorization	$1,500,000
Appropriation	1,500,000
1967	
Authorization	$3,000,000
Appropriation	3,000,000

Section 5 makes a number of technical amendments, including a provision making mandatory a reallotment to other States of funds allotted but unused by any State or States.

Section 6 authorizes a study and evaluation of the need for trained personnel in the field of aging, requiring a report to the President and the Congress by March 31, 1968.

PURPOSE

It is the purpose of H.R. 10730 to extend the grant programs authorized under the Older Americans Act of 1965 (Public Law 89–73) through fiscal year 1972, and to authorize specific amounts to be appropriated for fiscal years 1968 and 1969. For the following 3 fiscal years, 1970 through 1972, authorizations would be as the Congress may hereafter authorize by law.

The bill would also raise the amount of States' allotments available for administrative costs from 10 percent or $15,000, whichever is larger, to 10 percent or $25,000, whichever is larger.

The bill further provides that the amount of any allotment to a State under section 302 for any fiscal year which the State notifies the Secretary will not be required for carrying out the State plan (if any) approved under the Older Americans Act shall be reallotted from time to time to other States.

The Secretary would be authorized to undertake, directly or by grant or contract, a study and evaluation of the immediate and foreseeable need for trained personnel to carry out programs related to the objectives of the act, and of the availability and adequacy of the educational and training resources for persons preparing to work in such programs. He would be required to make a report on this subject to the President and to the Congress on or before March 31, 1968.

Certain technical changes are also made.

This bill will insure that the positive start made under the Older Americans Act to recognize both the needs and contributions of older people will continue to be supported as a major goal of this Nation.

BACKGROUND

In his message of January 23, 1967, to the Congress on older Americans, the President pointed out that an increasing number of our population joins the ranks of the senior citizens each year. The number of older people in the United States is equal to the combined population of some 20 of our States. The American born in 1900 could expect to reach his 47th birthday; the American born today can expect to reach 70 years of age. As the President said, these figures represent both a national triumph and a national challenge.

The Congress recognized this challenge when, under the leadership of two of its late and distinguished colleagues, Congressman John E. Fogarty, of Rhode Island, and

Senator Pat McNamara, of Michigan, it passed the Older Americans Act. The Congress declared that it is the responsibility of the governments at every level to achieve the full and free enjoyment of life in later years.

The Older Americans Act created the Administration on Aging in the Department of Health, Education, and Welfare to serve as a central focus within the Government in all matters of concern to older people. The agency was given the responsibility to—

(1) Serve as a clearinghouse for information related to problems of the aged and aging;

(2) Assist the Secretary in all matters pertaining to problems of the aged and aging;

(3) Administer the grants provided by this act;

(4) Develop plans, conduct, and arrange for research and demonstration programs in the field of aging;

(5) Provide technical assistance and consultation to States and political subdivisions thereof with respect to programs for the aged and aging;

(6) Prepare, publish, and disseminate educational materials dealing with the welfare of older persons;

(7) Gather statistics in the field of aging which other Federal agencies are not collecting; and

(8) Stimulate more effective use of existing resources and available services for the aged and aging.

At the same time, the act created, through a program of grants to the States, a partnership between the Federal Government, the States, and their localities, and voluntary organizations to encourage and support efforts designed to enrich the lives of older people. The Older Americans Act also launched grant programs for demonstration projects for new and innovative approaches to community planning and senior activity centers and for research into various aspects of aging and retirement. Finally, grants were authorized to support efforts to meet the widespread need for qualified personnel in this field.

Mr. WILLIAMS of New Jersey. Mr. President, H.R. 10730, the bill to amend and extend the Older Americans Act of 1965, has the enthusiastic support of the Senator from New Jersey. As Chairman of the Senate Special Committee on Aging, I had a great interest in introducing S. 951, the Senate companion bill in the original version recommended by the administration. Joining me in cosponsoring that measure were Senators CHURCH, KENNEDY of Massachusetts, LONG of Missouri, MILLER, MORSE, MOSS, MUSKIE, RANDOLPH, SMATHERS, YARBOROUGH, and YOUNG of Ohio.

Authorizations and appropriations for the Older Americans Act will expire at the end of this fiscal year, only 2 days from now, unless this legislation is passed to provide an authorization in a specific amount for the fiscal year 1968. Its providing such an authorization is only one of its desirable features.

This legislation was referred to the Committee on Labor and Public Welfare, which referred it to its Special Subcommittee on Aging, the chairman of which is the distinguished senior Senator from Massachusetts [Mr. KENNEDY]. As chairman of the subcommittee before which the bill was pending, Senator KENNEDY left no stone unturned in assuring prompt and thorough consideration of the bill, both in his subcommittee, in the full Committee on Labor and Public Welfare, and, now, on the floor of the Senate.

As perhaps the most important step in the Senate consideration of this legislation, the Senator from Massachusetts scheduled a hearing before his subcommittee for Monday, June 12. At that hearing, an excellent record of testimony was compiled, printed copies of which are available to us as we consider this legislation. I am proud that among the most helpful testimony given at that hearing was that given by two citizens of the State which I am privileged to represent here. I refer to the testimony of Mrs. Eone Harger, Director of our New Jersey State Division on Aging, and president of the National Association of State Executives on Aging, who was accompanied by Mrs. Mildred Krasnow, director of Bergen County programs for the elderly.

The effective leadership provided by the senior Senator from Massachusetts on this needed legislation is only the latest manifestation of his keen interest in older Americans. He was one of the strongest advocates of medicare during the long struggle to enact that landmark legislation. For almost 4 years he has served as chairman of the Subcommittee on Federal, State, and Community Services of the Senate Special Committee on Aging. Under his leadership, that subcommittee conducted hearings during 1964 on "Services for Senior Citizens," as a result of which it issued a report that offered recommendations, including several which were later implemented by enactment of the Older Americans Act of 1965, the basic statute which the bill before us seeks to extend.

Enactment of this bill, Mr. President, will be a significant step in our Nation's continuing progress toward improving the later years. I am certain I speak for the other members of the Senate Special Committee on Aging in urging favorable action.

Mr. MILLER. Mr. President, the Older Americans Act of 1965 was a landmark of congressional recognition of the need for more and better progams to make the golden years of life more meaningful for millions of our fellow citizens. Many Members of Congress of both political parties joined together in bipartisan harmony to make this enlightened step forward.

One of the particularly outstanding features of the act was its emphasis on State and community planning and organization to meet the needs of older Americans. As the committee report points out, the progress has been most encouraging, and it is clear that the act should be continued.

One of the changes proposed in the bill before us is the inauguration of a program to study the need for trained personnel to carry out programs related to the objectives of the act, and the availability and adequacy of the educational and training resources for persons preparing to work in such programs. I hope that, in making this study, the resources of retired teacher personnel and of our college and university extension programs will be most carefully examined, because I believe that therein lies much of the answer to this need.

I certainly intend to support the bill.

Mr. SMATHERS. Mr. President, the bill before us has the wholehearted support of the Senator from Florida. It would provide specific authorizations needed to make grants under the Older Americans Act of 1965, as well as making various other improvements in that act.

The Older Americans Act was signed into law on July 14, 1965. As chairman of the Senate Special Committee on Aging when that legislation was being considered and passed, it was my pleasure to give wholehearted support to this legislation. In September 1964, our committee issued a report entitled "Services for Senior Citizens" in which we strongly recommended enactment of that legislation, among our other recommendations in that report.

After it was enacted and the Administration on Aging became operative, our committee gave all possible support and assistance to that agency and its able and dynamic Commissioner, the Honorable William D. Bechill. I have been pleased to note how much good has been done for America's elderly during the past 21 months under that act, at a relatively small cost.

Mr. President, all Senators who have participated in advancing the bill thus far deserve praise. However, I should like especially to commend the senior Senator from Massachusetts [Mr. KENNEDY] and the junior Senator from New Jersey [Mr. WILLIAMS] for the part they played in steering this bill through committee to Senate floor consideration. The Senator from Massachusetts during the past 4 years has served as chairman of the Subcommittee on Federal, State, and Community Services of the Special Committee on Aging, having first undertaken this responsibility while I was chairman of that committee.

Under his leadership, his subcommittee held hearings and made findings and recommendations upon which our September 1964 report of the full Committee on Aging were based. He is chairman of the subcommittee in the Labor and Public Welfare Committee which had legislative jurisdiction over the bill we have just passed, and had the primary responsibility for steering it through the Labor and Public Welfare Committee.

The Senator from New Jersey since January has ably served as our new chairman of the Committee on Aging and was the principal sponsor in the Senate of legislation to extend and amend the Older Americans Act. His support of this legislation has been valuable not only as chairman of the Committee on Aging, but also as a member of the Committee on Labor and Public Welfare and of its subcommittee to which the bill was referred.

Passage of the extending legislation today will recommit the Nation to programs benefiting the Nation's senior citizens. Through the wide variety of programs carried out under the Older Americans Act, many different needs of our senior citizens will continue to be met if we act favorably on this bill. I am

confident that it will pass and that all Senators who vote for and support this extension of the Older Americans Act will be pleased with the results.

Mr. KENNEDY of Massachusetts. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The PRESIDING OFFICER (Mr. McGOVERN in the chair). Without objection, the committee amendments are considered and agreed to en bloc.

The question is on the engrossment of the amendments and the third reading of the bill.

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

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. GRUENING], the Senator from Oklahoma [Mr. HARRIS], the Senator from Indiana [Mr. HARTKE], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

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 New Mexico [Mr. MONTOYA], the Senator from Florida [Mr. SMATHERS], and the Senator from Maryland [Mr. TYDINGS] are necessarily absent.

I further announce that, if present and voting, the Senator from Florida [Mr. SMATHERS], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Maryland [Mr. TYDINGS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from California [Mr. MURPHY], and the Senator from Texas [Mr. TOWER] are absent on official business.

The Senator from Hawaii [Mr. FONG] and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from New York [Mr. JAVITS] and the Senator from South Carolina [Mr. THURMOND] are absent by leave of the Senate.

The Senator from Iowa [Mr. HICKENLOOPER] is detained on official business.

If present and voting, the Senator from Kansas [Mr. CARLSON], the Senator from Hawaii [Mr. FONG], the Senator from New York [Mr. JAVITS], The Senator from Kentucky [Mr. MORTON], the Senator from California [Mr. MURPHY], the Senator from South Carolina [Mr. THURMOND], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The result was announced—yeas 83, nays 0, as follows:

[No. 174 Leg.]

YEAS—83

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

NAYS—0

NOT VOTING—17

Carlson	Inouye	Smathers
Fong	Javits	Sparkman
Gruening	Jordan, N.C.	Thurmond
Harris	Montoya	Tower
Hartke	Morton	Tydings
Hickenlooper	Murphy	

So the bill (H.R. 10730) was passed.

Mr. KENNEDY of Massachusetts. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. BYRD of West Virginia. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, the senior Senator from Massachusetts [Mr. KENNEDY] is owed a strong vote of thanks for handling this measure which strengthens and extends a program vital to the Nation's senior citizens. He places second to no one in this body when it comes to appreciating their special needs and desires.

Joining Senator KENNEDY of Masachusetts in assuring the Senate's unanimous approval of this measure were the Senator from Iowa [Mr. MILLER] and the Senator from New Jersey [Mr. WILLIAMS], whose strong support is always most welcome.

TOBACCO ALLOTMENT ACREAGE

Mr. MANSFIELD. Mr. President, I move that the Senate turn to the consideration of Calendar No. 348, H.R. 5702.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 5702) to remove the 5-acre limitation on the amount of tobacco allotment acreage which may be leased.

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

The motion was agreed to, and the Senate proceeeded to consider the bill.

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

Mr. MANSFIELD. I yield.

Mr. HOLLAND. Mr. President, the bill was unanimously reported by the Committee on Agriculture and Forestry. It was introduced, as I understand, by the distinguished gentleman from Virginia, Representative ABBITT.

The bill applies to dark tobacco as distinguished from burley tobacco or light tobacco.

The measure seems to have general support from that area.

We found no objection to the bill or to the next bill that will be taken up, H.R. 8265.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 361), explaining the purposes of the bill.

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

PURPOSE

The purpose of H.R. 5702 is to repeal the 5-acre limitation in present law which applies to the lease and transfer on an annual basis of acreage allotments for tobacco (other than a burley tobacco acreage allotment or a cigar filler or cigar binder (types 42, 43, 44, 53, 54, and 55) tobacco acreage allotment). Subsection 316(e) of the Agricultural Adjustment Act of 1938, as amended, presently provides that not more than 5 acres of allotment may be leased and transferred to any single farm. The act provides further that the total acreage allotted to any farm after such transfer shall not exceed 50 percent of the acreage of cropland in the farm. This bill simply removes the 5-acre limitation, but leaves the other limitation of "50 percent of cropland" unchanged.

NEED FOR LEGISLATION

When the legislation authorizing the lease and transfer of tobacco acreage allotments was considered in 1961, it was felt that limits should be placed on the amount that could be leased and transferred to any one farm. The experience of the past 5 years has shown that greater flexibility is necessary and that the "50-percent cropland" limitation will provide adequate safeguards against excessive allotments for farms as long as the lease and transfer remains on an annual basis as provided under existing law.

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

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H. R. 5702) was passed.

AMENDMENT OF THE AGRICULTURAL ADJUSTMENT ACT OF 1938

Mr. MANSFIELD. Mr. President, I move that the Senate turn to the consideration of Calendar No. 349, H.R. 8265.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 8265) to amend the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer to tobacco acreage allotments and acreage-poundage quotas.

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

The motion was agreed to, and the Senate proceeded to consider the bill.

Mr. COOPER. Mr. President, I appreciate very much the courtesy of the chairman of the Subcommittee on Agricultural Production, Marketing, and Stabilization of Prices, Senator HOLLAND, keeping in close touch with me about the bills before the Senate which affect

tobacco growers—and all matters affecting burley tobacco—which were one of my chief concerns as a member of that committee, and in which I maintain my interest.

The bills passed by the House, H.R. 8265 and H.R. 5702, do not affect the burley tobacco programs. They deal with the lease and transfer of tobacco acreage allotments for other types of tobacco, principally the dark tobaccos.

While the House bill was before the Senate Committee on Agriculture, I was consulted, and also had the opportunity to discuss these proposals with farm groups and tobacco associations in Kentucky. I made my views known to the committee, particularly my concern that H.R. 8265 permits the sale of allotments—for the first time for any type of tobacco—and that this step might in the future be considered as establishing a precedent.

When it was proposed by the administration several years ago, I opposed the sale of allotments for any farm commodity. I have always opposed the lease of burley allotments, and have secured amendments making clear that the lease, much less the sale, of burley tobacco allotments is not authorized. It has been my position that the equity of the farm commodity production control programs rests on the premise that the "allotments run with the land," and that to provide for the sale of allotments could tend to substitute a system of federally franchised production.

I know, however, that this bill extending the leasing authority and authorizing the sale of dark tobacco allotments is desired by the grower associations concerned, and supported by Members of Congress representing the areas where it is produced. And it is true that the dark types represent a much smaller share of tobacco production than burley tobacco, for example, and that there are special problems in these types for which I do not believe the allotments are in much demand.

I make no objection to Senate passage of the House bills, but I ask unanimous consent that a statement on this subject, presented by the Kentucky Farm Bureau Federation before the House Committee on Agriculture be included at this point in the RECORD.

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

STATEMENT OF THE KENTUCKY FARM BUREAU FEDERATION

We appreciate the opportunity to present the views of the Kentucky Farm Bureau Federation with respect to the sale and leasing of tobacco allotments.

The Kentucky Farm Bureau Federation is a general farm organization with 84,042 members. We are organized in 115 counties in Kentucky, including every county that produces dark fire-cured and dark air-cured tobacco.

At our last annual meeting on November 17, 1966, in Louisville, Kentucky, the voting delegates, representing the 115 county Farm Bureaus, adopted the following resolution:

"We are opposed to the selling of tobacco allotments. We are opposed to the leasing of burley tobacco allotments."

In light of this action, we, therefore, respectfully request this committee not to act favorably on the bills to permit the selling of tobacco allotments or the bills that would permit the leasing of burley tobacco allotments.

We believe that some changes could be made that would greatly help the producers of dark air-cured, dark fire-cured and burley tobacco.

We recommend that you enact legislation that would permit the exchange of dark air-cured and dark fire-cured tobacco allotments, one for the other, from farm to farm within the same county on an equal basis. We believe this would permit a producer to accumulate an amount of one type of tobacco sufficient for an economical operation yet not concentrate tobacco allotments into the hands of fewer people and on fewer farms.

With respect to burley tobacco, we recommend that legislation be enacted to provide that future downward adjustments in allotments be shared proportionately by all growers.

We urge you to give serious consideration to these recommendations.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 362), explaining the purposes of the bill.

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

PURPOSE

The purpose of H.R. 8265 is to authorize the lease, sale, and transfer of acreage allotments and acreage-poundage quotas for Fire-cured, dark air-cured and Virginia sun-cured tobacco to other farms in the same county. Existing law authorizes the lease and transfer of allotments for these kinds of tobacco on an annual basis. H.R. 8265 extends this authority by providing for lease and transfer for a period not to exceed 5 years and for outright sale and transfer of allotments and acreage-poundage quotas for these kinds of tobacco.

EXCERPTS FROM HOUSE REPORT NO. 225

Need for legislation

The Department of Agriculture advises that 23,856 farms have Fire-cured tobacco allotments, and that the average allotment is 1.50 acres per farm. A total of 23,245 farms have Dark Air-cured tobacco allotments, with an average allotment of 0.55 acre per farm. The average allotment for Virginia Sun-cured tobacco is 1.89 acre per farm, and 1,579 farms have allotments. It is readily apparent these allotments simply do not constitute economic operating units.

The Department advises further that Fire-cured tobacco allotments were leased from 4,093 farms in 1966 under the present authority for leasing on an annual basis. Dark air-cured allotments were leased from 2,121 farms and Virginia sun-cured from 21 farms. Notwithstanding the extensive use made of annual leases, grower representatives have pointed out that leases for a longer period and authority to sell allotments are needed to enable farmers who have land and labor available and desire to continue producing tobacco to acquire machinery and equipment for an economic operation. Likewise, those farmers who do not wish to continue the production of these kinds of tobacco, but want to transfer their resources into some other enterprise, want to sell their allotments rather than execute a lease each year.

The committee feels that the enactment of H.R. 8265 will improve the status of the family farm. At the same time, with the committee amendments, the bill contains adequate safeguards to prevent the accumulation of the allotted acreage on a few farms.

The bill provides that no allotment or quota shall be transferred to a farm in another county.

No allotment or quota can be transferred from a farm which is subject to a mortgage or other lien unless the transfer is agreed to by the lienholder.

No sale of an allotment or quota from a farm is permitted if any sale of allotment or quota has been made to the same farm within the preceding 3 years. This provision is designed to prevent speculation in buying and selling allotments.

A committee amendment limits the acreage of Fire-cured, dark air-cured, and Virginia sun-cured tobacco that can be transferred to any farm to 10 acres and provides that the total acreage allotted to any farm after transfer shall not exceed 50 percent of the acreage of cropland in the farm. The committee specifically intends that the 10-acre limitation shall apply to these kinds of tobacco regardless of whether H.R. 5702, 90th Congress, which removes the present 5-acre limitation, is enacted into law.

Section 2 of H.R. 8265 repeals section 315 of the Agricultural Adjustment Act of 1938, as amended, which provides for a single combined acreage allotment for any farm for which both a Fire-cured and Virginia sun-cured tobacco allotment was established. Section 315 has served the purpose for which it was enacted in 1958. Further, H.R. 8265 would permit the farm owner to lease, buy, or sell the allotment or quota for either kind of tobacco.

Hearings

Hearings were held by the Tobacco Subcommittee on April 18, 1967, on H.R. 5702, H.R. 6496, and H.R. 7256. H.R. 8265 is substantially the same as H.R. 6496 and H.R. 7256, except for (1) clarifying amendments, (2) the limitation of transfers of all types of Fire-cured, dark air-cured and Virginia sun-cured tobacco to farms within the same county, and (3) a committee amendment limiting the acreage that can be transferred to any farm to 10 acres and providing that the total acreage allotted to any farm after such transfer shall not exceed 50 percent of the acreage of cropland in the farm. Testimony given at the hearing overwhelmingly supported these bills. The Tobacco Subcommittee unanimously approved H.R. 8265.

Cost

The Department of Agriculture has informally advised the committee that the enactment of this bill would not require the expenditure of any additional funds and it took the same position in its formal report on H.R. 6339, a similar bill.

DEPARTMENTAL POSITION

A representative of the Department of Agriculture testified at the hearing that the Department favors authority to permit the lease and sale and transfer of tobacco allotments. Department representatives have advised the committee that they are in agreement with the committee amendments and that the Department does not oppose the enactment of H.R. 8265, as amended. The Department advised further that the Bureau of the Budget likewise has no objection.

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

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 8265) was passed.

EXTENSION OF CERTAIN BENEFITS OF THE ANNUAL AND SICK LEAVE ACT, THE VETERANS' PREFERENCE ACT, AND THE CLASSIFICATION ACT TO EMPLOYEES OF COUNTY COMMITTEES ESTABLISHED PURSUANT TO THE SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 352, S. 1028.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 1028) to extend certain benefits of the Annual and Sick Leave Act, the Veterans Preference Act, and the Classification Act to employees of county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, and for other purposes.

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

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Post Office and Civil Service, with amendments, on page 1, line 3, after the word "section", to strike out "802 of the Classification Act of 1949, as amended (5 U.S.C. 1132)" and insert "5534 of title 5, United States Code"; at the beginning of line 7, to strike out "(e)" and insert "(f)"; on page 2, line 3, after the word "this", to strike out "Act" and insert "subchapter"; in line 4, after the word "of", where it appears the first time, to strike out "compensation" and insert "basic pay"; in line 6, after the word "of", to strike out "compensation" and insert "basic pay"; in line 9, after "SEC. 2.", to insert "(a)"; in the same line, after the amendment just above stated, to strike out "The Annual and Sick Leave Act of 1951 (65 Stat. 679–683), as amended (5 U.S.C. 2061 and following)" and insert "Subchapter I of chapter 63 of title 5, United States Code"; at the beginning of line 14, to change the section number from "210" to "6312"; at the beginning of line 21, to strike out "203 (a)" and insert "6303 (a)"; in the same line, after the word "this", to strike out "Act" and insert "title"; in line 222, after the word "employee", where it appears the first time, to strike out "so long as such officer or employee holds an office or position" and insert "in or"; on page 3, line 1, after the word "section". to strike out "205 (c)" and insert "6308"; in the same line, after the word "this", to strike out "Act" and insert "title"; after line 3, to insert:

(b) The analysis of chapter 63 of title 5, United States Code, is amended by adding the following new item immediately after item 6311:

"6312. Accrual and accumulation for former ASCS county office employees."

And, in line 7, after "SEC. 3.", to strike out "Section 12(a) of the Veterans' Preference Act of 1944 (5 U.S.C. 861(a)) is amended by inserting before the period at the end thereof the following: '*And provided further*, That in computing length of total service, credit shall be given for service rendered as an employee of a county committee established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590(b)), or of a committee or an association of producers described in section 10(b) of the Agricultural Adjustment Act of May 12, 1933 (48 Stat. 37) in the case of any employee so long as such employee holds a position under the Department of Agriculture'." and insert "The second sentence of section 3502(a) is amended—

"(1) by striking out the period at the end of subparagraph (B) and inserting in lieu thereof a semicolon and the word 'and'; and

"(2) by adding after subparagraph (B) the following new subparagraph:

"'(C) who is an employee in or under the Department of Agriculture is entitled to credit for service rendered as an employee of a county committee established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)), or of a committee or an association of producers described in section 10(b) of the Agricultural Adjustment Act of May 1, 1933 (48 Stat. 37).'"; so as to make the bill read:

S. 1028

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5534 of title 5, United States Code, is amended by adding at the end thereof the following new subsection:

"(f) An employee of a county committee established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)) may upon appointment to a position under the Department of Agriculture, subject to this subchapter, have his initial rate of basic pay fixed at the minimum rate of the appropriate grade, or at any step of such grade that does not exceed the highest previous rate of basic pay received by him during service with such county committee."

SEC. 2. (a) Subchapter I of chapter 63 of title 5, United States Code, is amended by adding at the end thereof the following new section:

"SEC. 6312. Service rendered as an employee of a county committee established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590(b)), or of a committee or an association of producers described in section 10(b) of the Agricultural Adjustment Act of May 12, 1933 (48 Stat. 37), shall be included in determining years of service for the purpose of section 6303(a) of this title in the case of any officer or employee in or under the Department of Agriculture. The provisions of section 6308 of this title for transfer of annual and sick leave between leave systems shall apply to the leave system established for such employees."

(b) The analysis of chapter 63 of title 5, United States Code, is amended by adding the following new item immediately after item 6311:

"6312. Accrual and accumulation for former ASCS county office employees."

SEC. 3. The second sentence of section 3502 (a) is amended—

(1) by striking out the period at the end of subparagraph (B) and inserting in lieu thereof a semicolon and the word "and"; and

(2) by adding after subparagraph (B) the following new subparagraph:

"(C) who is an employee in or under the Department of Agriculture is entitled to credit for service rendered as an employee of a county committee established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)), or of a committee or an association of producers described in section 10(b) of the Agricultural Adjustment Act of May 12, 1933 (48 Stat. 37)."

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

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 365), explaining the purposes of the bill.

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

PURPOSE AND JUSTIFICATION

S. 1028 will recognize periods of employment service in the county offices of the Agriculture Stabilization and Conservation Service for the purposes of salary adjustment, annual and sick leave, and reductions in force for former county office employees who are appointed to positions as Federal employees in the Department of Agriculture.

Employees in the county offices of the ASCS are not Federal employees. They are employed by the individual county committees and are under the supervision of the county office manager, who is also an employee of the committee. They bear a close relationship to the Federal Government, however. Their salaries are paid entirely out of Federal funds. In recent years, Congress has extended the benefits of the Civil Service Retirement Act, the Federal Employees' Group Life Insurance Act, the Federal Employees Health Benefits Act, and the Severance Pay Act to these employees. They are paid at rates identical to the general schedule at grades 1 through 11, and their salaries are increased by Congress whenever classified and postal employees receive increases.

Even though these employees are not technically and legally Federal employees, their relationship to the Federal Government is much closer than employees in Federal-State cooperative programs who do not have such coverage and who are not paid entirely out of Federal funds. The committee does not believe the recommendation of this legislation should be considered a precedent for any other group.

Under present law, when an employee of a county committee is appointed to a position in the Department of Agriculture, he begins his Federal service at the minimum rate of the appropriate grade of the general schedule, and is in all other respects a beginner. This is true regardless of the number of years he may have served in a county office or the degree of experience he has attained. A county office employee in grade CO–9, step 5, is paid the same salary as a GS–9, step 5—$8,740. But if he is appointed to a Federal position classified at GS–9, he is placed in step 1 at a rate of $7,696. He accumulates annual leave on the basis of a beginning employee at the rate of 13 days a year, regardless of his former rate of accumulation in ASCS service which may have been at the rate of 20 or 26 days a year. For the purposes of determining seniority for a reduction in force, his ASCS service is not considered. Thus a county office employee who moves to the State headquarters after 15 or 20 years' county service is junior to all other headquarters' employees.

The committee believes recognition should be given for this service to farming communities all over America. There is little

incentive to accept a position in the Department of Agriculture when the prospective employee knows that the only difference, insofar as employee benefits are concerned, is that his salary may be reduced, his accumulated annual and sick leave erased, and his seniority abolished.

In recent years, Congress has recognized the need for flexibility in the general rules governing recruitment of personnel. Special salary schedules were authorized in 1962 for the recruitment of personnel in employment areas in which recruiting is most difficult. In 1964, Congress authorized hiring above the minimum rate of the grade in individual cases, GS–13 and above. In the 1966 pay bill, the Civil Service Commission, at its request, was granted permission to use this authority in grades GS–11 and GS–12. Its usefulness to the Government has been proved. The committee believes the principle should be extended to assist the Department of Agriculture in its recruitment of experienced, qualified persons now serving in the ASCS county offices.

Public hearings were held on this bill before the Subcommittee on Civil Service, May 4, 1967. Mr. Horace D. Godfrey, Administrator of the Agriculture Stabilization and Conservation Service, testified in favor of enactment. Civil Service Commission Chairman John W. Macy, Jr., testified that in view of continued congressional interest in ASCS county office employees, the administration would no longer oppose enactment of this legislation.

COST

There is no additional cost involved in this measure. Any loss of savings resulting from its enactment can be measured by the difference between the salary for the first rate of the appropriate grade of the general schedule and the rate at which a former ASCS employee shall be placed, plus the difference, if any, in the cost of annual leave at the beginning rate of accumulation and at the appropriate rate of accumulation.

The Department of Agriculture estimates that about 150 ASCS employees in county offices are appointed to positions in the Department each year. The effect of the amendments made by this bill would probably increase this number to about 400 each year.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 1028) was passed.

The title was amended, so as to read: "A bill to amend title 5, United States Code, to extend certain benefits to former employees of county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, and for other purposes."

VISIT TO THE SENATE BY BRAZILIAN CONGRESSIONAL DELEGATION

Mr. AIKEN. Mr. President, we are highly honored today to receive a visit from five members of the House of Deputies of Brazil and their Ambassador, who is well known to us.

Brazil is one of our great friendly neighbors, one of the great countries of the world, and it is certainly a compliment to us to receive this visit from them today.

I wish to introduce them to the Senate now so that their names may appear in the RECORD of the proceedings of the Senate.

I introduce, first, the Honorable Alipio Ayres de Carvalho, Federal Deputy from Paraná.

The Honorable Paulo Macarini, Federal Deputy from Santa Catarina.

The Honorable Djalma Aranha Marinho, Federal Deputy from Rio Grande do Norte.

The Honorable José Edilson de Melo Tavora, Federal Deputy from Ceará.

The Honorable Adolpho Barbosa Neto de Oliveira, Federal Deputy from Rio de Janeiro.

Finally, His Excellency Vasco Leitao da Cunha, the Brazilian Ambassador, who is so well and favorably known to all of us here. [Applause, Senators rising.]

Mr. MORSE. Mr. President, the majority leader has suggested that I respond on behalf of the Senate. I should like to say, as chairman of the Subcommittee on Latin American Affairs, that we welcome the Brazilian delegation most enthusiastically.

We are honored to have you with us and we want you to know that as you go back to Brazil you go back as our ambassadors, too, to give assurance to your President and your Parliament of our desire to continue the cooperative relationships between our two great governments of self-government on the part of free peoples.

Mr. President, I move that the Senate take a recess for 3 minutes, in order that we may have the pleasure of meeting personally these distinguished visitors.

(The motion was agreed to, and the Senate stood in recess for 3 minutes.)

ORDER FOR ADJOURNMENT UNTIL 10 O'CLOCK TOMORROW

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

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

ORDER FOR RECOGNITION OF SENATOR PERCY, OF ILLINOIS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that immediately after the prayer and reading of the Journal tomorrow, the distinguished Senator from Illinois [Mr. PERCY] be recognized for 30 minutes.

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

AMENDMENT OF TITLE V OF THE HIGHER EDUCATION ACT OF 1965

Mr. BYRD of West Virginia. Mr. President, yesterday the Committee on Labor and Public Welfare reported S. 2028, Calendar No. 350.

Also on yesterday, the House passed a companion bill, which has just been received by the Senate. I ask unanimous consent, therefore, that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 10943) to amend and extend title V of the Higher Education Act of 1965.

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

There being no objection, the Senate proceeded to consider the bill, which was read twice by its title.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent—and this has been discussed with the distinguished Senator from Colorado [Mr. DOMINICK], the distinguished minority leader, and other Senators—that there be a time limitation of 1 hour on each amendment and 2 hours on the pending bill.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MORSE. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is H.R. 10943, an act to amend and extend title V of the Higher Education Act of 1965.

The time is under control—2 hours on the bill, equally divided, and 1 hour on each amendment, equally divided.

Mr. MORSE. Mr. President, for my opening statement, I will take such time as I need, from time allowed on the bill.

The Committee on Labor and Public Welfare has reported to the Senate S. 2028, a bill to extend and expand title V of the Higher Education Act of 1965. The new title will be known as the Education Professions Development Act.

Yesterday afternoon the House passed an identical bill, H.R. 10943, which is now pending before the Senate.

H.R. 10943 is intended to coordinate, broaden, and strengthen programs for the training and improvement of teachers and other educational personnel so as to improve the quality of teaching, and to help meet the critical shortages of adequately trained educational personnel.

H.R. 10943 extends and amends title V of the Higher Education Act of 1965, which presently authorizes the Teachers Corps program and a program of graduate fellowships for elementary and secondary school teachers. In addition to revising and extending these two programs through fiscal year 1970, H.R. 10943 proposes the establishment of a National Advisory Council on Education Professions Development and four new programs which would begin in fiscal 1969. The four programs will provide, first, grants and contracts for the purpose of attracting qualified persons to the field of education; second, grants to local educational agencies experiencing critical shortages of teachers to carry out programs to attract and qualify teachers and teacher aides; third, grants and contracts to provide advanced training and retraining—preservice and inservice training—for personnel serving in programs of elementary and secondary education; and, fourth, fellowships, traineeships, institutes, and preservice and inservice

training for personnel serving as teachers, administrators, or educational specialists in colleges and universities.

At this point, Mr. President, I should like to insert a table showing the authorization figures for the various programs contained in this legislation.

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

Department of Health, Education, and Welfare, Office of Education—Amendments to title V, Higher Education Act (Education Professions Development Act)

	1968 estimate	1969 estimate	1970 estimate
National Advisory Council on Education Professions Development: Authorization	$100,000	$200,000	$200,000
Attracting qualified persons to the field of education: Authorization		$2,500,000	$5,000,000
Teachers Corps:			
Authorization	$33,000,000	$46,000,000	$56,000,000
Number of teachers	6,000	7,500	9,600
Attracting and qualifying teachers to meet critical teacher shortages—Grants to States:			
Authorization		$50,000,000	$65,000,000
Number of trainees		[1] 25,500	[1] 33,200
Elementary and secondary teacher programs:			
Authorization		$195,000,000	$240,000,000
Number of teacher fellowships		14,250	17,350
Number of program development grants		665	800
Improving training opportunities for personnel serving in programs of education other than higher education:			
Authorization		$70,000,000	$90,000,000
Number of trainees		35,000	45,000
Training programs for higher education personnel:			
Authorization		$21,500,000	$36,000,000
Number of trainees		3,825	6,150

[1] Numbers based on average training costs under existing NDEA institutes.

Note.—Table excludes continuation costs authorized beyond 1970.

Mr. MORSE. Mr. President, the legislation which we are considering is at least in part, and a major part, emergency legislation. Without extension of the Teachers Corps before the end of this month, the authorization for the Teachers Corps legislation will cease to exist. An appropriation of approximately $3.7 million which has already been made for the continuance of the Teachers Corps for summer training will revert to the Treasury.

Because of the unusual situation and because of the pending adjournment of Congress, I am asking my colleagues to cooperate in prompt enactment of this legislation, so that it may be sent directly to the President for his signature.

TEACHERS CORPS

Last fall, the Nation was faced with an unprecedented shortage of almost 170,000 qualified teachers. The shortage was most acute in the urban slums and in depressed rural areas.

Testimony and evidence presented to the committee strongly supports an increased and improved program of support by the Federal Government to attract and prepare men and women for teaching in schools serving disadvantaged children.

Part of this bill grows out of a bill that was introduced by the Senator from Wisconsin [Mr. NELSON] and the Senator from Massachusetts [Mr. KENNEDY] 2 years ago. We adopted the form of it heretofore. We are faced this afternoon with the parliamentary decision of deciding to extend it by way of legislation that is pending, so that it will not lapse and go out of existence on July 30.

The Federal involvement to date has been limited. Institutes to provide advanced training for teachers of disadvantaged youth have been supported under title XI of the National Defense Education Act. The National Teachers Corps has been acclaimed by most local educational agencies having a Teachers Corps team; yet the program has been small in comparison to the national need. Recognizing and considering seriously the potential value of the Teachers Corps, the committee has given the utmost attention to this program.

A total of 1,213 Teachers Corps members are engaged in 111 school districts serving in 275 schools across the Nation.

S. 2028 would make the following major changes in the program:

First. Local educational agencies and colleges and universities would be responsible for the recruitment, selection, and enrollment of Teachers Corps members in contrast to the existing procedures which vest these responsibilities in the Office of Education.

Second. State educational agency approval of the local educational agency's request for Corps members would be required, as would State educational agency approval of arrangements for the training of Teachers Corps members.

The two changes I have just outlined are in keeping with the position I have taken on education legislation for a long time. I want to see the maximum of administrative power, consistent with the protection of Federal funds in the carrying out of congressional responsibility, vested at the local level, because I believe that is also the best guarantee that the policies will be determined at the local level. Except for the matter of a constitutional principle involved, I have long argued on the floor of the Senate that policies should be determined at the local level and that Federal funds should be commingled with State funds, to be spent by State and local authorities, in the determination of their own educational policies, together with the use of their local funds.

Third. The Federal contribution for the compensation of Teachers Corps members would represent an amount agreed to by the local educational agency and the Commissioner after consideration of the agency's ability to pay such compensation. The Federal share would be limited to 90 percent, except in exceptional cases, when in the first year of a program the amount might be more when the operation of this provision would be such as to deny the benefits of the Teachers Corps program to educationally disadvantaged students.

Fourth. Teacher interns would be compensated at the lowest rate for teaching full time in the school system in which they teach, or at a rate of $75 per week but $15 per dependent, whichever is less.

Fifth. Undergraduate students who have completed 2 years of study would be eligible for participation in the Teachers Corps.

Sixth. The name of the program would be changed from the National Teachers Corps to the Teachers Corps.

Seventh. Teachers Corps members would be permitted to be assigned to a migrant group not in a regular school, who are taught by a public or other nonprofit agency, if the number of migrant children makes such an assignment feasible.

Eighth. Teachers Corps members would be permitted to be assigned to schools operated by the Bureau of Indian Affairs.

Certain other amendments to the Teachers Corps program are contained in S. 2028. These include a revision in the method of allocating the program throughout the States, and a prohibition against participation by the Teachers Corps members in the NDEA student loan program and the educational opportunity grant program during the time in which they are enrolled in the Corps. For fiscal year 1967, $64,715,000 was authorized for the Teachers Corps program. S. 2028 proposes that $33 million be authorized for fiscal year 1968, $46 million for fiscal year 1969, and $56 million for fiscal year 1970.

With the recommendations proposed in S. 2028, the committee is confident that the Teachers Corps program will be an effective instrument, not only in strengthening and expanding educational opportunity for children in depressed urban and rural areas, but also in broadening and improving teacher preparation programs. As modified by the proposed amendments, the Teachers Corps is a local program designed and carried out by local authorities to meet local needs. To assist in this local effort, the Commissioner of Education is specifically authorized to provide technical assistance to local educational agencies and institutions of higher education. Under this authority, the Commissioner may provide assistance to local agencies in their recruitment and screening of Teachers Corps members. Also, the Commissioner is authorized to carry out a national program of information dissemination on the purposes and objectives of the Teachers Corps. Thus, the Commissioner will be able to provide information to interested persons on programs which are being planned or implemented across the country. The Office of Education may also act as a clearinghouse for applications for referral to the appropriate local educational agency or institution of higher learning.

Mr. President, the second part of the bill before us deals with the matter of the education professions development program.

Mr. NELSON. Mr. President, will the Senator yield at that point?

Mr. MORSE. I yield to the Senator from Wisconsin. Would the Senator from Wisconsin like to have me forgo the discussion of the second part of the bill so that he might comment at this point on the Teachers Corps program?

Mr. NELSON. I would.

Mr. MORSE. Mr. President, I yield on the bill such time as the Senator from Wisconsin may need to discuss the Teachers Corps.

For the benefit of the Senator from Colorado [Mr. DOMINICK], I want him to know the plan for my presentation. After the Senator from Wisconsin has completed his remarks, I shall then discuss the second part of the bill and then yield to him.

Mr. NELSON. Mr. President, I thank the Senator. I shall comment briefly.

At the time the Senator from Massachusetts [Mr. KENNEDY] and myself drafted the Teachers Corps bill, we had in mind two ideas. One idea was to recruit to the teaching profession young people who had their bachelor degrees and who otherwise were not going into the teaching profession; young people who did not have an intention to become teachers. Second, our idea was to bring to deprived schools the interest and creativity of young people who would accept the challenge of working in disadvantaged schools. We were more than encouraged by the number of young people around the country who, when they saw the challenge and the opportunity to go into deprived schools and provide assistance to the students in those schools, decided they would go into the teaching profession. The results as reported from all over the country have been very good.

The only schools I have personally visited have been schools in my State. Each of the principals with whom I talked were highly pleased with the contribution that the young Teachers Corps members were making to their school system with new ideas, and with direct assistance to students who were falling behind and for whom the regular teachers did not have enough time to give personal attention.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of the statement of the Senator from Oregon on the Teachers Corps letters from principals of schools in my State where the Teachers Corps has been working.

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

RUFUS KING HIGH SCHOOL,
Milwaukee, Wis., February 17, 1967.

Hon. GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: I am very happy to restate my sentiments, concerning the National Teacher Corps.

Here at Rufus King High School we have seen the results of a remarkably happy marriage between an ingenious plan and a team of intelligent, sympathetic, energetic, and devoted, young Corps members. There has been a lessening of the work load for all; a marked increase in teacher morale; and, most important, an abrupt about-face in attitudes toward citizenship and scholarship on the part of some of our most difficult pupils.

We have exposed the Corpsmen to the entire scope of school experience, and they have passed each test admirably. Solutions for many of the problems they have tackled are not readily apparent. However, their ideas are fresh, and their concepts are new. They are not tied down to old, worn-out practices. We have every reason to hope that in the forseeable future the National Teacher Corps will contribute valuable insights into methods of dealing with deprived youngsters.

Very truly yours,

J. A. POWERS.

VIEAU SCHOOL,
Milwaukee, Wis., February 17, 1967.

Hon. GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: Last June three interns of the *National Teachers Corps* and a supervisor were assigned to Vieau for the summer session. Since the administrator of the summer school was my vice principal, I received a fine briefing on their performance and thereby had a good idea of what could be expected of them in fall. Then, too, I attended an orientation meeting in late summer which served to acquaint me fully with the program.

My expectations have been more than fulfilled. With the addition of two more interns (in January) we have a fine team of alert, conscientious and energetic young people in the process of learning and practicing the arts of teaching.

These interns, under the excellent immediate supervision of Miss Mary McLaughlin have been a boon to our school and community.

They have done some excellent work in small group and "one-on-one" intensive tutoring and counseling. They have taken "class disturbers" and have given these children a willing ear in which to pour their attention needs. They have increased the self concept—the sense of importance of our love starved problem children, and thereby alleviated the regular classroom teachers' frustrations on this score.

Our interns have organized and rehearsed various groups of children for school programs in connection with special projects and holiday recognition. They have refereed scheduled intramural athletic contests.

They have gone into the community, visited parents and have improved the school-home rapport.

In a word, they have been *invaluable* to our school and community.

Currently, they are engaged in a full scale "practice" teaching. Each intern works under the classroom supervision of a master teacher. While it is impossible to continue the diverse activities afore mentioned while intensively engaged in student teaching, many of the individual tutoring programs are still maintained where there is a need.

In closing let me say that we at Vieau feel very fortunate in having the NTC with us. Their dedication, their flexibility (which is, perhaps, one of their greatest attributes) and their cooperation, have meant much to our school and community. They are valuable members of the team; we hope their training here will make them valuable members of our teaching profession.

Sincerely,

K. G. PLACE,
Principal.

GARFIELD SCHOOL,
Racine, Wis., February 17, 1967.

Hon. GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: Garfield Elementary School in Racine has a Teacher Corps Team on its staff this year. As principal of the school, I feel they have been of much help to us. Garfield is an inner-city school with many socially, educationally, and economically disadvantaged children among its enrollment. The Team has been working in the areas of tutoring individuals and small groups, helping teachers with units of study in the classroom, making home visits and contacts, and operating after school activities for the children.

We have seen positive results educationally for many children because of the individual help the Team has provided. With the help of a Team member, the classroom teachers have been able to try and accomplish some exciting and interesting projects that have motivated learning for their students. The after school activities are correlated with learning situations during the regular school day. Because of these activities many children have a more positive attitude towards school and life in general.

I am looking forward to having this Team with us again for the next school year. I trust funds will be made available for this purpose.

Sincerely,

ROGER M. JONES,
Principal.

N. FIFTH STREET SCHOOL,
Milwaukee, Wis., February 20, 1967.

Hon. GAYLORD NELSON,
State Office Building,
Washington, D.C.

DEAR SENATOR NELSON: The National Teachers Corps interns who have been a part of our teaching staff since September are making a decidedly significant contribution through their work with children. At the same time they are developing understandings and skills that will enable them to work successfully with the disadvantaged.

We have long known that children with serious emotional problems would be greatly benefited by individualized instruction. Twenty-six children are seen daily in tutoring situations by the four members of our teaching corps. This forty minute period in a one-to-one relationship or as a member of a small group represents a most valuable advantage for each child involved both in terms of individualized learning opportunity and the psychological help given the child in the small group inter-change.

Each intern works with class-sized groups in a student teaching situation for a quarter of a day and participates in classroom activities for the entire day on Thursday of each week. This daily contact with the children is enabling them to develop competence with techniques in their training period, that are now usually attained by teachers in service. Interns who develop confidence in their own ability to work successfully with disadvantaged children will be a genuine asset to our profession.

In addition Mr. Whang and Mr. Lawhorn are offering a forty-five minute supervised physical education program after school, two afternoons each week. Miss Owens and Mrs. Roth are setting up a study program for mothers to assist them in helping their children with homework and to encourage them to appreciate the importance of their interest in promoting the progress of their children.

These community-oriented projects will further deepen the interns understanding of the disadvantaged. At the same time, they will be supplying enrichment experiences of real benefit to children and their parents.

The success of this program is significantly sharpened by the constant guidance and evaluations of such experienced team leaders as Mr. Litscher. Teachers in training rarely have this concentrated a degree of guidance.

Those of us who have worked with Central City children for years have been aware of a need for specialized preparation for the teachers of our children.

The approach inaugurated by the National Teachers Corps is truly an encouraging one.

Efforts seem to be directed toward setting up a program that will seek creative solutions for the problem of preparing teachers for their vital task.

Very truly yours,

GLADYS CAUGHLIN,
Principal.

WELLS ST. JUNIOR HIGH SCHOOL,
Milwaukee, Wis, February 15, 1967.

Hon. GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: As we enter the second half of the school year which offered our first experience with the National Teacher Corps, I should like to take this opportunity to report to you on the progress of our Teacher Corps Team.

Wells Street Junior High School is a central city school with a non-white enrollment of approximately 60% and a large number of culturally disadavantaged pupils of various social and ethnic groups. Our total enrollment is 1068. Our Teacher Corps Team consists of four young interns, two men and two women, and a very competent team leader who has had teaching experience at this school.

I must admit that I had some reservation regarding the effectiveness of a National Teacher Corps when I was first approached regarding the assignment of such a group to this school. I questioned the administrative and teaching time involved and the facilities required in relation to expected results. I also considered the matter of relations between the team members and our regular teaching staff. However, my apprehensions proved to be groundless, and the Teacher Corps Team, under the capable direction of its team leader, has proven to be a valuable asset to the school and to its instructional program. Corps members have involved themselves in community activities and home contacts. They have offered valuable assistance in our attempts to improve attendance and tardiness, both of which are severe problems at this school. They have offered academic help to pupils individually and in small groups and have involved themselves in counseling on a one-to-one basis with problem pupils. They have acquainted themselves with pupil control problems by assisting our regular staff in the supervision of corridors and cafeteria.

The one problem which presented itself during the first half of this year was beyond the control of our school system and the University of Wisconsin-Milwaukee. This resulted from the uncertainty of funding when the Congress failed to provide the funds to carry out the program. Should the program continue—and I strongly recommend that it should—it is most advisable that the people in the program be given the status and security that comes with knowledge that their efforts are acceptable. Every effort should be made to provide funds and to plan for the coming year well in advance.

On behalf of the teaching staff of Wells Street Junior High School I wish to offer my sincerest appreciation for your interest and efforts in making the Teacher Corps a reality.

Sincerely yours,

JOHN SCHERTZL,
Principal.

Mr. NELSON. Mr. President, I thank the Senator from Oregon for yielding.

Mr. KENNEDY of Massachusetts. Mr. President, would the Senator from Oregon yield?

Mr. MORSE. I am happy to yield to the Senator from Massachusetts.

Mr. KENNEDY of Massachusetts. I thank my distinguished friend, whom I should like to commend for his work on this bill. I know very well his commitment to improving the quality of this Nation's education, and I have learned a great deal from working with him on the many education bills the Senate Committee on Labor and Public Welfare has considered.

Mr. President, as the distinguished senior Senator from Oregon has said, this bill works major changes in title V of the Higher Education Act of 1965, which authorizes the Teachers Corps.

My interest in the Teachers Corps stems from my work in 1965 to develop the legislation, and from working with the junior Senator from Wisconsin [Mr. NELSON] on a bill which we jointly introduced in 1965. This bill set up the program which, today, has 1,213 Teachers Corps members in 111 school districts serving in 275 schools across the Nation. Senator NELSON and I have continued to support this program, and appeared together a few weeks ago before the Appropriations Committee to urge a supplemental appropriation for the Teachers Corps for 1967.

Mr. President, I think this is an appropriate time to review the need for and the goals of the Teachers Corps.

The most significant challenge to American education over the next decade is going to lie in the schools of the urban slums and rural areas of the nation. The task will be to lift the level of education in these schools to a point at least comparable with the schools of the rest of the nation.

Our country has always been committed to what James Russell Lowell called "Education common to all." The public school has been the primary equalizer of opportunity—the place where children of immigrants and farm families acquired the stimulus and the skills they needed to work their way up from poverty. But the ideal of a common basic education has been breaking down. Certain communities, at great financial sacrifice, have developed superior school systems. Others, because of financial shortcomings, or parental indifference, or the overwhelming problem of the slum, have fallen drastically behind. As a White House Panel on Education stated 2 years ago:

> By all known criteria, the majority of urban slum schools are failures.

Unless we can take the schools in underprivileged areas and make them once again incubators of individual opportunity, the gap between their children and other children will continue to grow. We will see the permanent development, in the United States, of two separate societies—one of the comfortable, who have had a chance to realize the American ideal; the other of the poor, who have not. We have already gone too far down this road. We have seen its consequences, in terms of mounting crime, growing welfare payments, hard-core unemployment, social unrest and riots. It may have been possible, at one point in our history, to shut the doors, draw the shades and isolate ourselves from the consequences of poverty among our fellow citizens. This is no longer possible. Improvement of the educational opportunity of the 11 million children who live in poverty is essential to us all.

Legislation passed by the 89th Congress makes a special effort to help areas of poverty. It provides funds to build new schools, to supply new materials, to improve the salaries of teachers, and to find ways of bringing to education the best techniques of modern science and scholarship. It also, through the Teachers Corps, deals with one problem I believe essential to the entire effort: that of bringing disadvantaged children into contact with superior teachers.

A good teacher is the most vital part of education. The most modern of facilities or teaching aids will not come alive without her influence. With children of the poor, who often have little motivation arising out of their home lives, a fine teacher can light the vital spark that creates a pupil who cares about making a better life for himself. A teacher can spot the gifted child who would otherwise be neglected. Even working with average pupils, she can, by the force of her character and the personal interest she takes in them, stimulate what capabilities they have, and give them some sense of accomplishment.

Yet the sad fact is that areas of poverty have very few such teachers. To make a career in these schools, a teacher must be very brave or very foolish. Why should she work in a school where the pupil-teacher ratio—40 to 1 in some places—creates a crushing load, where half the children drop out of school, and where the maintenance of discipline must often take precedence over the process of learning? Why, indeed, when positions are open in suburban schools, where the salaries are better, conditions of living much more pleasant, and the children easier to teach?

The only answer to that question lies in the fact that the teaching profession, even more than the rest of the citizenry, knows the importance of the job to be done. They know that the battle for quality education in America—a cause to which they have dedicated their careers—has now shifted to the poverty schools. And while they cannot be expected to offer their careers to this service, many of them are willing to devote a year or two, just as do Peace Corpsmen who serve abroad for 2 years.

This was the model on which Senator NELSON and I built the Teachers Corps, which was accepted by the Congress in September of 1965. The Teachers Corps has recruited teachers and interns who worked in school districts with high concentrations of children from low-income families. These teachers have been drawn from four separate pools:

First. The 250,000 retired teachers in the United States, many of whom want to stay active in their profession, and who have a rich fund of teaching experience to draw on;

Second. Men and women now teaching in our better public or private schools, who would be willing to take a leave of absence, or a summer vacation, or a sabbatical year to teach where the need is greatest;

Third. Retired military personnel who have staffed the widespread, and generally enlightened educational programs directed by the Armed Forces. Many of

these men finished their tours of duty while still in their 40's or 50's; and

Fourth. The 5,000 teachers who have served in the Peace Corps and who, having dealt with underprivileged children abroad, are in an excellent position now to make a contribution in their own country.

Prof. John Kenneth Galbraith described the type of persons who serve in the Teachers Corps as those "ready to serve in the most remote areas, tough enough and well trained enough to take on the worst slums, proud to go to Harlan County or to Harlem."

Just as the Peace Corps grew out of the experiences of previous work by voluntary organizations abroad, the inspiration for the Teachers Corps came largely from a number of projects designed to improve the educational opportunities of slum children in the United States. One such project involved the Cardozo High School, in Washington, D.C.

The experiment at Cardozo High School, funded by the President's Committee on Juvenile Delinquency centered around a group of returned Peace Corps volunteers, in training as practice teachers under the direction of experienced master teachers. Cardozo's problems are typical of high schools in slum areas of our cities: 40 percent of the pupils live with only one parent; 20 percent of the adults in the neighborhood are on public assistance; and levels of achievement are low. Lacking motivation from home, unable to discover really meaningful experiences in the classroom, many Cardozo students merely serve their time in school, until they can drop out.

The Peace Corps returnees tried to relate what they teach to the children's lives. They created their own texts, out of materials slum children could understand. They taught about the Boston Massacre by describing it from the viewpoint of Crispus Atticus, a Negro who was there. They used soft-cover books about young people, like "Catcher in the Rye," "A Raisin in the Sun," and "The Loneliness of the Long Distance Runner."

Most teachers in training are put directly into classroom situations, for the most part to fend for themselves. At Cardozo, trainees met with their supervisors every day to discuss the best ways of reaching, and shaping, the minds of their pupils, and to measure their successes or failures.

The potential value such a project can have, in enlisting good teachers for these schools, is shown by the fact that 65 percent of the teacher-interns at Cardozo chose to remain there after their apprenticeship.

Members of the Teacher Corps were recruited by the Office of Education, and they were assigned only to communities which requested them. Their duties were chosen and supervised by these communities. Their salaries were comparable to the salaries paid other teachers in the schools where they worked. They served for a year, or two, not to replace the teachers in the communities—but to help them and supplement their efforts.

With the assistance of the Teachers Corps, school systems have been able to shake loose from reliance on outmoded techniques of education. They have adopted, instead, some of the new methods which our better schools have pioneered. One of the most important of these is team teaching in elementary schools, in which teachers best equipped in certain subjects teach them all day, while other teachers work with individual students. Another is the ungraded classroom. Instead of grouping students by age, with the result that the dull children stay behind and the bright are bored, each student is encouraged to progress as fast as he is able. This has been extremely helpful, where tried, in maximizing achievement. A third is the technique of flexible scheduling, in which the time periods assigned each subject are adjusted according to the needs of the students. None of these methods can fully succeed in the present understaffed and harried conditions of disadvantaged schools.

Teachers Corps members have also helped these schools introduce some of the new teaching methods which have proven so successful—films, slides, educational television, and others. They organized summer programs, and evening programs, to help local teachers learn about these methods. Ranging beyond the classroom, members of the Corps took part in community life, bringing the benefit of the wider horizons they knew to church groups, social organizations, and PTA's. In all these ways, they were a force for good beyond the classroom. But nothing they did in this sphere was as beneficial as the influence they had on students: offering the understanding, the stimulation, and the model that only a teacher gives.

The Teachers Corps began on a small scale. It has not solved the problems of the poverty school. Alone, it cannot accomplish the leavening of education that ultimately will be necessary. But it made a start.

S. 2028 would, as I have said, work major changes in the Teachers Corps. These changes have been ably explained by the distinguished Senator from Oregon, and it is not my intent to go over the same ground.

What I do want to comment upon, however, is the reaffirmation of the purpose of the Teachers Corps. It is well worth quoting, I think, the purpose clause of section 511(a) of the Higher Education Act, as passed by the House and recommended unanimously by the Senate Labor Committee:

> The purpose of this subpart is to strengthen the educational opportunities available to children in areas having concentrations of low-income families and to encourage colleges and universities to broaden their programs of teacher preparation by—(1) attracting and training qualified teachers who will be made available to local educational agencies for teaching in such areas; and (2) attracting and training inexperienced teacher-interns who will be made available for teaching and inservice training to local educational agencies in such areas in teams led by an experienced teacher.

I do not think there can be any doubt but that this continuation of the existing language means what it says—that the disadvantaged schoolchildren of this Nation will continue to have the benefits of instruction by members of the Teachers Corps. This is the point and purpose of the program, and I am happy that it has been continued unchanged.

The provisions of S. 2028 are designed, in the words of the report, to make the Teachers Corps "a local program designed and carried out by local authorities to meet local needs." This is consonant with our long-established tradition of local school boards making their own policies, but I hope that this will not be interpreted to forestall the service of Teachers Corps members in districts far from their homes. This is, of course, the only way at present for most schools in disadvantaged areas to obtain experienced and dedicated teachers.

I am also concerned about the limits on salaries this legislation requires. Seventy-five dollars a week seems to me too low, particularly when members must live in an urban area where living costs are high. I hope that this limitation will not adversely affect the ability of the Teachers Corps to attract experienced teachers.

But just as living with the original legislation for 2 years has revealed ways in which it could be improved, I am sure that maturation of S. 2028, if it is accepted by the Senate, will show ways in which it, too, should be changed. When that time comes, next month or next year or 2 years from now, I am sure the Congress will not hesitate to make the changes.

Mr. President, I think the original legislation has fostered a fine effort at bringing better education to disadvantaged children, and it has been very heartening to me. The bill before us recognizes this, I think, in its increased authorizations requested for 1968, 1969, and 1970. I look for even greater achievement in the future.

Admiral Rickover, a distinguished advocate of increasing our educational capabilities, once said:

> All we have built—all the buildings, bridges and monuments—will eventually crumble to dust. But put an idea into the mind of a child and it stays there forever.

I subscribe to that view, Mr. President, and I consider it part of my responsibility to see that all Americans—not just a few—are given the opportunity to stretch their minds with ideas.

I wish to thank the distinguished Senator from Oregon for yielding to me.

Mr. MORSE. Mr. President, I wish to commend the Senator from Wisconsin [Mr. NELSON] and the Senator from Massachusetts [Mr. KENNEDY] for the leadership they have given us during the last 2 years in connection with the Teachers Corps program.

As Senators know, I have been an enthusiastic supporter of them in the subcommittee, in the full committee, and on the floor of the Senate, for I think their program puts Federal aid to work at a place where it is so sorely needed, and that is for the benefit of the disadvantaged children of this country.

Every disadvantaged child can be educationally rehabilitated, so to speak—to use that as a descriptive term—and a child can be brought back into the stream

of educational normality whereby he can successfully compete with other children who are not disadvantaged. The basis for the disadvantage of many of these children comes from their home environment, from the problems that confront economically poor children in the slums and ghettos of the poor areas, and the slums and ghettos of the rural areas. Even though there may be wide spaces between the homes in rural areas, nevertheless, there may be disadvantaged poor homes, whether they are the homes of share croppers or the homes of economically poor people in any part of the countryside of the Nation.

Therefore, I congratulate the Senator from Wisconsin and the Senator from Massachusetts [Mr. KENNEDY] for their leadership in connection with the Teachers Corps program.

TEACHER IMPROVEMENT

Mr. President, I turn now to the second part of the bill we have before us. The purpose of H.R. 10943, the House bill, and the Senate bill have the same objectives: To coordinate, broaden, and strengthen programs for training and improvement of teachers.

Mr. President, I speak with some bias about the graduate fellowships because as the Senator from Wisconsin and the Senator from Massachusetts know, at the time they introduced the Teachers Corps bill, I introduced the Morse fellowship bill. They will recall that subsequent to that the President addressed the annual convention of the National Education Association at Madison Square Garden and proposed in that speech a Teachers Corps and a fellowship program. He invited me to go with him on that occasion. I was not aware of the proposal he was making until the speech was over.

Talking to him on the way back, I suggested to him that I thought it would be very helpful if we had one bill including the Nelson-Kennedy Teachers Corps program and the Morse fellowship program combined into one, and introduced as the administration bill. The Senators from Wisconsin and Massachusetts will recall this. I had such a bill prepared and it was introduced and considered by our committee as a combined bill on the basis of the administration's underwriting the Nelson-Kennedy Teachers Corps bill and the Morse fellowship bill, and that is part of the legislative history. That is how these two great programs became the law of the land.

Part 2 of the bill presently authorizes the Teachers Corps program and a program of graduate fellowships for elementary and secondary schoolteachers.

In addition to revising and extending these two programs through fiscal year 1970, S. 2028 proposes the establishment of a National Advisory Council on Education Professions Development and four new programs which would begin in fiscal year 1969. The four programs will provide, first, grants and contracts for the purpose of attracting qualified persons to the field of education; second, grants to local educational agencies experiencing critical shortages of teachers to carry out programs to attract and qualify teachers and teacher aides; third, grants and contracts to provide advanced training and retraining (preservice and inservice training) for personnel serving in programs of elementary and secondary education; and, fourth, fellowships, traineeships, institutes, and preservice and inservice training for personnel serving as teachers, administrators, or educational specialists in colleges and universities.

Mr. President, the committee report is on the desk of each Senator. It includes the individual views of the Senator from Colorado [Mr. DOMINICK]. It also includes a brief statement by the Senator from Arizona [Mr. FANNIN], plus individual views of the Senator from New York [Mr. JAVITS], the Senator from Vermont [Mr. PROUTY], the Senator from California [Mr. MURPHY], and the Senator from Michigan [Mr. GRIFFIN].

The committee report should be read by every Senator who may have some questions in regard to the objectives and purposes of the bill.

The third thing I want to say in these opening remarks is that Senators know I never present to the Senate an education bill without seeing to it that I present all the facts I know as to the substance of the bill, and all the facts I know in regard to the procedure for handling the bill.

The hearings before the Senate subcommittee were held from May 25 to June 23, with announcement by the subcommittee that additional statements would be received for printing in the RECORD and considered by the committee—which was done.

Now I want the RECORD to show that the printed hearings speak for themselves so far as the committee having before it—before the voting day before yesterday as a subcommittee, and the full committee before it voted on yesterday—a substantial record in regard to both phases of the proposed legislation before the Senate.

At the same time, the Senate should know that the chairman, and, for that matter, all members of the committee, from whom I heard no dissent, would have supported some amendments to the bill. In fact, subject to a procedure I am about to outline, we did favor an amendment to the Teachers Corps presented by the Senator from Massachusetts [Mr. KENNEDY], and a second amendment to the Teachers Corps presented by the Senator from New York, ROBERT KENNEDY. We also favored certain other amendments not directly related to the Teachers Corps, or related to the education professions development section of the bill, amendments that related to subject matters which had already been passed by the House in the elementary and secondary school bill. Such amendments dealing with 851 funds, impact area funds, the handicapped program, the school disaster program, and the Indian school program. It was agreed that we should report to the full committee the parliamentary situation that confronted us.

And here it is. The Senate has been tied up in its legislative processes for some time, for most of the past 2 weeks, as we had under consideration the so-called Dodd issue. As the Senate knows, committees were not free to meet. Our parliamentary processes practically came to a standstill as far as committee work was concerned.

Therefore, we are confronted with an emergency, which is a time emergency as well as an emergency which deals with legislation. We are confronted with the emergency that the Teachers Corps law, as I said in my opening statement, would lapse, automatically come to an end after June 30, and $3,700,000 would revert to the Federal Treasury.

The House was aware of this, too. The House also had comprehensive hearings. The House passed the Teachers Corps bill and the Education Professions Development Act being made a part of it.

Let me say very frankly that when the bill that was submitted, that is, H.R. 10943, came over to the Senate, the chairman of the subcommittee and the members of the subcommittee did not act in a vacuum. We never do. We had had our consultations with Members of the House. They pointed out to us the parliamentary situation that exists in the House. They had had certain compromises in the Teachers Corps legislation, because the Teachers Corps legislation has been a controversial issue in the House for some time. They have brought forth modifications in the program, which I have already announced to the Senate in my opening statement, and with which I agree, and with which no one on my subcommittee expressed disagreement.

We would have gone a step further. We would have adopted the amendment of the Senator from Massachusetts [Mr. KENNEDY] to the Teachers Corps legislation. That dealt with the proposition that if the corpsmen—these teacher interns—did not have a baccalaureate degree, they would get $75 plus $15 per dependent; but if they had a baccalaureate degree, they would get a pay at least equal to 90 percent of the lowest pay that a regular teacher in that school received.

I thought that was a good amendment. I still think it is a good amendment. As Senators will see as I develop my statement, we have not lost that amendment.

The Senator from New York [Mr. KENNEDY] offered an amendment that some of these corpsmen—100, I think the figure was—should be available to assist in meeting some of the special educational needs of the young men and women in penal institutions from the age of 16 to 24. They are disadvantaged, too. In most instances they would not be there if they had not been disadvantaged. They are educationally rehabilitable. The Senator from New York proposed that amendment. I thought it was a good one. I do not believe anyone on my committee did not think it was a good one.

We said we would discuss it with the full committee. We discussed it quite frankly with the full committee yesterday morning. In the full committee a whole series of amendments were offered and tentatively agreed to. I use the word "tentatively" advisedly, although subsequent events occurred which caused us not to make them final. I pointed out that I was for the amendments, each and

every one, and that my subcommittee was for them. Its members had made clear the day before that they were. But we were confronted with a time problem of getting legislation passed before we recessed for the 10-day period over the Fourth of July, and therefore I did not think we ought to take these amendments to H.R. 10943 until we at least tried to find out if putting them in the bill would put us in the position where we would be automatically killing H.R. 10943.

It is an extraordinary procedure, but it is a procedure for which I think the Committee on Labor and Public Welfare should be highly commended.

It was agreed, after we had a full discussion of it, that, in my capacity as chairman of the subcommittee, I should take with me a group of colleagues on the committee and meet informally with a group of House colleagues on the House Education and Labor Committee; talk over with them what the possibilities were of getting legislation amended through the House before the recess; and if we could not be given any assurance of getting the legislation with the amendments attached to it passed before recess, then we would be authorized by the full committee to drop these amendments and bring to the floor of the Senate the House bill as a committee bill.

That is what we are doing this afternoon.

I want to tell about the conference, which was held in Senator MANSFIELD'S office yesterday afternoon at 5 o'clock. The Senate representatives at that conference were the Senator from Oregon, chairman of the subcommittee, the Senator from Vermont [Mr. PROUTY], the Senator from Texas [Mr. YARBOROUGH], who is the ranking member of the subcommittee on the Democratic side, as Senator PROUTY is on the Republican side, the Senator from West Virginia [Mr. RANDOLPH], the Senator from Massachusetts [Mr. KENNEDY], who, although he is not a member of the subcommittee, is a member of the full committee. I asked him to come in order to be there to explain to us the amendment that he was offering in regard to the salary item.

I had talked with the Senator from New York, who, unfortunately, could not be there at 5 o'clock, but who authorized me to explain to the group the purport of his amendment.

On the House side we had the chairman of the House committee, the Representative from Kentucky, Mr. PERKINS. We had my distinguished and cooperative colleague from the State of Oregon, with whom I have worked over the years on education legislation, EDITH GREEN. We had Representative HATHAWAY. We had Representative BRADEMAS. We had Representative CAREY. We had Representative QUIE. We had Representative GIBBONS, of Florida.

That constituted the informal group that it was agreed should meet and discuss the parliamentary situation that presented itself to the two bodies.

We discussed it at great length. They explained to us the parliamentary procedure in the House. They explained to us their parliamentary rules, by which they could not even get to a conference because there could be an objection. It would have to lay over a day. Theoretically it could be brought up promptly by making a motion, but the possibility of getting a motion was remote, because they have a tendency, unless there is an extraordinary circumstance, to respect any objection for at least a day. Therefore, time was running out. This was yesterday.

They also pointed out to us that they expected today the probability that the House might go out and not even be here tomorrow. They urged us not to press for these amendments, because they did not think there would be much of a chance of getting the legislation passed by having to go back to a conference before the recess.

We talked to them about the education professions development phase of the bill. They said they thought it was a very sound program. We said we thought so too. They thought it was important, from a parliamentary standpoint, that they have the bill as passed by the House by an overwhelming vote. It was passed by a vote of 311 in favor and 88 opposed. They urged us to present H.R. 10943 in this form.

That does not mean that we have lost the amendments to the Teachers Corps bill presented by the Senator from Massachusetts and the Senator from New York. It does not mean that we have lost any of these other amendments dealing with the handicapped, or impacted areas money, or school disaster funds, or Indian schools, or any of the others, because, as the House Members agreed, as far as the House amendments to the Teachers Corps bill offered by the Senator from Massachusetts [Mr. KENNEDY] and the Senator from New York [Mr. KENNEDY] are concerned, they can be considered when we take up the higher education bill.

We will have Teachers Corps legislation; it will be the law of the land, and we can offer amendments to the higher education bill after the Fourth of July recess to cover the very point that the Senator from Massachusetts [Mr. KENNEDY] and the Senator from New York [Mr. KENNEDY] urged upon us, with which we agreed. My prediction is that we will pass those amendments in due course, after the July 4 recess, without any serious parliamentary difficulty or opposition at all. As I have stated, H.R. 10943 passed the House of Representatives by a vote of 311 to 88; that is the bill we are dealing with here this afternoon.

SENATE AMENDMENTS POSTPONED

I refer now to the amendments we tentatively agreed to in committee yesterday, but dropped after our informal conference with the House of Representatives. They are all part of the elementary-secondary school bill. They have already been passed by the House. The hearings in the Senate on the elementary-secondary school bill will start shortly after we reconvene following the July Fourth recess. Every one of those subject matters will be in the elementary-secondary bill before the committee. In my judgment, most if not all of them will be approved by our committee and will be contained in the bill we will bring, in due course of time, to the Senate; and I believe they will also be passed by the Senate.

There is only one problem here. That problem involves the matter of funding, particularly in connection with the handicapped program. But I do not think it is serious, and the important thing is to get the handicapped program adopted. If there is any school disaster in the meantime, we will handle it as we have handled school disasters in the past, when we have not had school disaster legislation on the books. We will handle it on an individual case basis until we get a school disaster section of an elementary-secondary school bill adopted.

So I say in closing this account, Mr. President, that was the situation that confronted the committee. Under the circumstances, I think the committee is to be commended; and I wish particularly to commend the Senator from Alabama [Mr. HILL] for the leadership he gave us in making it possible for me to bring to the floor of the Senate this afternoon H.R. 10943.

One other procedural matter which troubled the House Members—and although I think they had no basis for being troubled about it, I do not blame them. If I were a Member of the House of Representatives, I would do everything I could to see to it that every possible protection, on a parliamentary basis, had been taken to keep me in the strongest possible position, in conference with the Senate, just as you will not find me giving away any parliamentary position of strength I may have prior to going into a conference with the House.

These particular sections of the elementary-secondary bill that have already passed the House—the impacted areas section, the handicapped section, the Indian school problem, the school disaster subject matter—there will be no serious opposition in the Senate, in my judgment.

But I ask my fellow Senators, how would you like to be a House conferee and agree in advance, on a bill such as this, to give away some of the strongest sections of your bill, and then have to confer, in conference with the Senate on some other sections which are highly controversial, and about which you will have to work out some compromises? I think it is a little unreasonable for us—and I have previously expressed that view—to put the House conferees in such a position. Do not forget, Mr. President, we pass education legislation in Congress, as far as I am concerned, by keeping faith with two very important principles. One of those principles is the principle of bipartisanship here in the Senate. As I have been heard to say before, Mr. President, I never have and I never will bring to this floor a bill that does not have strong bipartisan support of the members of my subcommittee and the full committee. The right is reserved to every Democrat and every Republican to come to the floor of the Senate and offer again any amendment he may have

offered in committee, which was defeated in committee. I shall always do everything I can to help get him a roll-call vote.

The second essential principle, Mr. President, is the principle of acting in good faith at all times with our House colleagues. The primary reason, to my way of thinking, why we have gotten along so well with the House of Representatives in working out legislation that represents fair and equitable compromises is because we deal fairly with them, just as we did yesterday afternoon in that conference. After all, they have the same interest that we have in doing what we can to develop and advance the best educational interests of the boys and girls of America. On this issue, I say again, there ought always to be the kind of cooperation I have always sought to extend to the House; and my committee has always supported me in that approach.

So, Mr. President, I close by saying that I hope the Senate will fully appreciate the posture in which the committee holds itself, and will agree with us that under all the circumstances, we have best advanced the educational interests of American boys and girls who will be involved in the application of H.R. 10943 by the course of action we have followed; and I rest my case for the time being, Mr. President, by urging the Senate to pass the bill.

Mr. PROUTY. Mr. President, first of all, I wish to express my deep appreciation to my good friend, the senior Senator from Oregon, whose discerning leadership has made this bill possible. He is, undoubtedly, one of the great champions of American education, and in my opinion has done more than anyone to advance and encourage its cause.

I would also like to compliment all the members of the Senate Labor and Public Welfare Committee on both sides of the aisle for their support and understanding.

The bill before us revises and consolidates the teacher institute programs under the National Defense Education Act and incorporates them into a new section under title V of the Higher Education Act of 1965. Title V is now called the Education Professions Development Act. It includes, besides the Institutes, an amended version of the Teachers Corps.

The concepts that are embodied in this legislation are good. They greatly strengthen existing Federal programs for attracting and educating more men and women for careers in education at every level, from preschool through graduate school.

Many of the controversial parts of the so-called National Teachers Corps have been done away with, but the very essential parts have been kept. There is now local control. It is no longer known as a National Teachers Corps but is known as a Teachers Corps. It is locally recruited, locally trained, locally organized and locally employed.

Mr. President, as you will note in the supplemental views, the Senate was forced to accept the first part of this bill, the education professions development program, as a price to the House of Representatives in order to save the Teachers Corps, the authority for which is expiring tomorrow.

While it is true that the changes proposed are desirable and that all of us in committee supported them, I believe that a record of our own should have been made. It is most distressing that our committee was given neither the opportunity to modify the legislation nor to amend further education legislation which I believe sought our immediate attention. The truth of the matter is that because of the late date, our colleagues in the other body confronted us with an either/or proposition, and any of us who have consistently opposed this agreement could not dismiss it as lacking in substance.

In fairness to all, I believe that the changes made strengthen and improve the program. Besides continuing the programs which I have already mentioned, I had hoped that three amendments to the handicapped children section, title VI of the Elementary and Secondary Education Act, might have been reported to the Senate. The committee originally agreed to do so, but after having met informally with representatives of the other body, it was felt that to include any other amendments other than those already acted upon in H.R. 10943 would jeopardize, if not kill, the Teachers Corps.

Last year, after extensive hearings by the Education Subcommittee, this body wisely enacted a new title to the Elementary and Secondary Education Act designed specifically to meet the needs of handicapped children. Fifty million dollars was authorized to begin the program, but it is most distressing to report that as of now, only $2½ million has been appropriated; and the Administration is seeking only $15 million for fiscal 1968 despite the $150 million that was approved by the Senate as necessary to meet the minimum needs. The failure to make this investment in what I believe to be our most neglected field of education is a luxury we cannot continue to afford.

Almost of equal importance is the financial incentives for the dissemination of information and recruiting and information activities to enlist professional teachers to undertake the training of the handicapped. At present there are approximately only 70,000 in the field where it is estimated that a minimum of 300,000 is needed.

I introduced provisions which would have strengthened, broadened, and improved our federally assisted programs for handicapped children and I am pleased to report that the full committee agreed to these provisions until it was determined that the other body was unprepared to accept them or even modifications at this time.

My proposals would have authorized the establishment of regional resource centers to provide testing and evaluation services to determine whether a child is really physically or mentally handicapped, to accurately ascertain the needs and the extent of the handicapping condition or conditions, and to develop programs that need the child's needs.

No such facility now exists that includes within it specialists in all of the physical and mental disorders and disabilities—and that is thus able and equipped to provide answers, help, and services to the parents of a child who is different from other children, a child that does not seem to fit into the usual and recognizable disability categories.

If we are to provide these children with an educational bill of rights, I believe that diagnostic centers are of primary importance and would result in greatly expanded educational opportunities for the handicapped—that would result in greatly advancing and equalizing the opportunities of physically and mentally handicapped children and adults to create self-reliant, constructive lives.

Further amendments which I had hoped would be possible to report to the Senate for final consideration would have expanded the popular and successful captioned films for the deaf program to include all disability conditions. Also, I would have hoped that arrangements might have been made through Federal support to accelerate recruiting efforts to seek college and university students and general education teachers to enter the special education field.

For all our efforts to provide these children with an educational bill of rights will be lost and wasted if teachers in sufficient numbers cannot be induced to prepare for entry into the special education field.

Finally, Mr. President, the committee also adopted but could not recommend because of the reasons I mentioned previously, an amendment sponsored by the junior Senator from New York [Mr. KENNEDY] and myself which would have established a pilot program designed to rehabilitate youthful first offenders about to be released from prison. This proposal was originally introduced as S. 1789 on May 16 and hearings were held on it on June 8.

The Kennedy-Prouty amendment provided that demonstration projects would be conducted at six prison facilities in the country during the next 3 fiscal years. Members of the Teachers Corps would be based at the prisons working with 10 prisoners at a time between the ages of 16 and 25 during the 6- to 8-month period before their release. VISTA volunteers would then work with caseloads of four offenders each during the 6- to 8-month period following their release, giving them guidance and counseling services.

The VISTA volunteers would get to know their groups prior to their release from prison and would attempt to find jobs which they might fill upon their release. Members of the Teachers Corps would train the prisoners for these positions in addition to giving them intensive educational training and counseling.

I believe that the proposal which was adopted by our full committee was better than the original bill, in that based upon the testimony that we heard at the hearing, our amendment was modified to provide that one of the demonstration projects must be conducted in a rural area of the country. Also, at the suggestion of Senator MORSE, we specifically

provided that this training will be made equally available to youthful female first offenders.

I am convinced that this proposal is an investment which would pay in terms of restoring to society properly oriented young persons who would contribute to, rather than take away from, society. Also, in the long run, many more tax dollars would be saved than it would be necessary to spend to implement this rehabilitation program.

It is my sincere hope that in the very near future the Senate will have a full opportunity to consider these proposals and that they will be made a part of our general education statutes so that those who were denied yesterday's opportunities will be afforded a better opportunity today.

Mr. DOMINICK. Mr. President, I yield myself such time on the bill as I may need.

Mr. President, I have tremendous admiration for the skill of my very distinguished chairman in explaining a piece of legislation and, in the process of doing so, setting up a great number of straw men and knocking them down one by one, so that by the time he has finished, his logic seems irrefutable. I am happy to have had the opportunity to listen to him do that today in connection with this bill. It was a magnificent feat.

I do not suppose there are many of us in this Chamber who have any particular objection to the form of the bill before the Senate today, insofar as the particular provisions of the bill are concerned. But I wish to make some comments, Mr. President, on the procedures by which the bill reached the floor prior to offering an amendment.

Mr. President, the Senate is in fact being forced to ransom the Teachers Corps—the authority for which expires on June 30—by enacting, without due committee deliberation and without amendment, the $775 million of new obligational authority contained in the education professions development program as a legislative companion to continuation of the Teachers Corps. If we should put off enactment of the education professions development program about which the distinguished Senator from Oregon just spoke, which does not begin until July 1, 1968, then, we are told, the House will not pass the Teachers Corps bill.

Regardless of whether we view the Teachers Corps as a blessing or a plague, the Senate should not be forced to enact broad new educational programs without adequate consideration, as the price for any piece of legislation. Congress is a bicameral legislature; neither the executive nor the House should dictate Senate action.

I would like to emphasize that I support in general the goals embodied in the education professions development program. We unquestionably need many more highly trained teachers and steps must be taken to rise the standards of American education. However, I object to the fact that, in order to pass the Teachers Corps, the legislative process is being bypassed and the Senate is being force-fed a new program without proper opportunity for committee deliberation.

Contrast the Senate and the House consideration of the $775 million education professions development program contained in this bill. Beginning on April 17, over a period of 2 months, the House held 7 days of hearings followed by 8 days of subcommittee executive sessions. Some 20 public witnesses were heard. The bill was reported by the House on June 20. In the Senate, one hearing was held on Friday, June 23—which I might say I attended—followed by a Monday, June 26, subcommittee executive session—which I could not attend—lasting less than an hour and a half. Of the seven public witnesses invited to appear before the subcommittee, an opportunity was given for only two to be heard and of these two, only one had sufficient time to complete his statement—all other witnesses scheduled for that day submitted written statements.

Mr. President, I objected to this procedure on that particular hearing day. I brought the matter up with the chairman as to whether we were going to be dealing only with those programs that expired on June 30, or whether all of a sudden we were going to be asked to pass in a great miasma of fog some kind of new program that we did not know anything about because we had not had hearings on it.

It was my understanding when I left the hearings that day that we were going to concentrate on the programs that were going to expire on June 30. However, I saw when I came back that we have this $775 million program hoisted on our shoulders in order to ransom the Teachers Corps.

The subcommittee process was so hurried that the stenographic transcript of the Friday, June 23 hearings, was sent to the Government Printing Office that very day, without correction, to go immediately into page proofs. And at the subcommittee executive session Monday morning, June 26, both Senators and staff members were presented for the very first time with several witness' statements and material supplied by the Office of Education which has since been included in the hearing record.

As a matter of fact, some important material was not available until after the subcommittee executive session. The principal item in this category is a comparison of the House-reported education professions development program and the bill as originally proposed by the administration. The House, for example, had added a 2-year, $115 million program for attracting and qualifying teachers to meet critical teacher shortages. While this is a worthwhile goal, there is a question as to whether the legislation is couched in terms so as to most effectively meet the acknowledged need. The administration bill also includes an authorization which is 3 years longer than the House-reported measure which we are considering today.

The administration has made clear—and the House concurs in this interpretation—that the education professions development program in this bill is intended as a successor to title V–B and XI of the National Defense Education Act, which will now be allowed to expire on June 30, 1968. However, we have had almost no time to consider whether we actually wish to amend or delete these two NDEA titles nor have we deliberated on how the passage of this legislation might affect the future of other NDEA programs. As a matter of fact, both education professions development and continuation of National Defense Education Act programs are contained in other legislation—S. 1126—now pending before our committee on which hearings were begun in Oregon on April 26. However, these subjects have not yet been covered in the hearings on S. 1126. To meet House demands, however, we are now asked to pull out several provisions from this pending higher education measure and enact them separately as a legislative companion to the Teachers Corps rather than to consider all higher education and NDEA proposals together.

Mr. President, just to give some idea of how hurried these procedures were, I have been reading my individual views on pages 37 and 38, which views were subscribed to by the other minority members of the committee.

If we look at pages 38 and 39, we see that the printer could not even get them right. He finished the views on one page even before they had been completed on the second page.

We hope that there will be some correction of this. However, it gives us some idea of the rush that went on in the process of preparing this report.

I shall put the views in order at this point.

The National Defense Education Act has been an effective program since its enactment in 1958. It merits more than a 2-hour hearing to write an obituary for two of its titles. And that is what we would be doing if we were to pass the pending bill.

The Senate committee was unable to add any amendments to this bill; we were obliged to accept the House language intact.

What has occurred this week with respect to this bill brings to mind the events of 1965 when the Senate accepted the five-title Elementary and Secondary Education Act without changing as much as a comma, because we were told that was the only way to get the legislation enacted into law. Now we are told that the only way to pass the Teachers Corps is to accept the $775 million education professions development program without change. And, it will be recalled, within a period of months in 1965 the Congress not once, but twice, enacted changes to the Elementary and Secondary Education Act. It is now indicated that we can make changes to the education professions development program before it goes into effect on July 1, 1968, but after it is signed into law.

We can properly ask whether the Senate will be asked to perform charades such as this in every Congress.

To accept the concept and goals of the legislation before the Senate without carefully considering how the language of the future statute might best achieve these ends is not, in our view, doing justice to the legislative process. It would

seem appropriate to recall the words of the minority members of this committee in their expressed views on the Elementary and Secondary Education Act of 1965:

> Irrespective of the merits and demerits of this particular bill—and there are both—the handling of this issue raises serious questions about the Nation's future constitutional development. Will legislation henceforth originate in the House, to be accepted supinely by the Senate without a murmur? Are conference committees a thing of the past? Will the Senate gradually become an English House of Lords, with power to delay the passage of legislation but not prevent it? Are States no longer an object of constitutional notice, but only individuals? Is the principle of one man, one vote now extended to vitiate the legislative role of this body of Congress founded by the Constitution on the basis of unequal representation? It is our hope that Senators will weigh carefully such questions as these as the bill is discussed on the floor.

Mr. President, I shall give one example of the problems we have in the pending bill, and I think my chairman will be entertained with this, as will the other Senators who are present.

A PROLIFERATION OF ADVISERS

Mr. President, there could well be added to the list of collective nouns—a pride of lions, a bevy of larks, a compendium of laws, a herd of sheep—another descriptive term: "a proliferation of advisers."

The bill before us amends title V of the Higher Education Act to establish a 15-member National Advisory Council on Education Professions Development with its own staff and funding. This Council is to replace the 13-member Advisory Council on Quality Teacher Preparation which was created in 1965—but the members were never appointed.

The new Advisory Council will join other advisory groups created by the Higher Education Act—first, the 20-member National Advisory Council on Extension and Continuing Education; second, the nine-member Advisory Council on College Library Resources; third, the nine-plus-member Advisory Council on Developing Institutions; and, fourth, the nine-member Advisory Council on Insured Loans to Students.

The new Advisory Council will also join the 13-member National Advisory Council on the Education of Disadvantaged Children, the nine-member Advisory Committee on Supplementary Educational Centers and Services, the 13-member National Advisory Committee on Handicapped Children, the Advisory Committee on Graduate Education, and the 14-member Advisory Committee on New Educational Media, and many, many other advisory committees, councils, and task forces.

With all these advisory groups, the Office of Commissioner of Education cannot be termed a lonely job.

Mr. LAUSCHE. Will the Senator yield?

Mr. DOMINICK. I will yield in one moment.

Mr. LAUSCHE. Will the Senator yield for a question?

Mr. DOMINICK. I yield.

Mr. LAUSCHE. That is, will this new committee displace and eliminate all the others and make one committee supervising all the work?

Mr. DOMINICK. I wish this were true. This is another committee, added on to all those about which I have spoken, which replaces only one, the members of which were never appointed, anyway. So we are just adding one more advisory council onto this enormous plethora of advisory councils that we already have.

Mr. President, in 1954, by Public Law 532 of the 83d Congress, there was established a nine-member National Advisory Committee on Education, created to give the Secretary of Health, Education, and Welfare "the advice of a group of representative citizens on the initiation and conduct of studies of problems of national concern in the field of education and on appropriate action as a result thereof." It occurs to me that this National Advisory Committee, which was never appointed, might be altered in such a manner as to absorb the functions of the gaggle of advisory groups already in being and then activated.

In any event, I would ask the distinguished chairman of the Subcommittee on Education, my chairman, the Senator from Oregon, to consider an item in the program of our committee's oversight on education the matter of this proliferation of advisers, so that Congress might somehow cut through the jungle of advisory groups instead of engaging in the planting of new trees in that seemingly impenetrable forest. I wonder whether the chairman can give me some kind of reaction to that.

Mr. MORSE. Mr. President, I speak on my own time.

My answer is that I shall be delighted to do so, because I agree with the Senator from Colorado. I shall be delighted to see that a memorandum goes tomorrow to the Department of Health, Education, and Welfare, to take into account everything that the Senator from Colorado has said in regard to this matter and include it within the oversight program that we are conducting. As the Presiding Officer will recall, it is a 2-year oversight program. I do not know of any other committee that is conducting a more intensive surveillance program than is my committee, in the surveillance of the Department of Health, Education, and Welfare.

Of course, we will have it looked into. But I am not as concerned about these advisory councils as is the Senator from Colorado; because we need to keep in mind—and I should like to have the attention of the Senator from Ohio [Mr. LAUSCHE] with regard to this point, because his whispered conversation to me leads me to believe that I should address this statement to him, also—what are these advisory councils? These are not permanent, full-time jobs. The advisory council will take a professor from the University of Ohio, the University of Oregon, Harvard University, or Columbia University, or some expert in a particular field.

Let us take, for example, the matter of teaching mathematics by visual aids. For such a select committee you do not take anyone who does not have expertise in that field. So you get an advisory council, and they work on the problem. They make a report and they give their advice, and they are through.

Then you have another advisory council or committee that is appointed to advise in regard to the problem of teaching plastics, where you have to get a small group with particular expertise.

You cannot have an overall advisory council and have them advise on a whole gambit of special educational problems that are involved under the new developments that are taking place in education. The trouble is that we are quite unaware, it seems to me, of the miracles that are taking place in the development of educational techniques in this country because of the great modernization that has occurred in so many fields—the entire matter of visual aids to education, the great changes that are taking place in handling the handicapped, the advice in regard to what is needed to improve education for the underprivileged and the disadvantaged. You must have a variety of councils. They are small in number, but they work on the problem as long as they can be helpful on the problem, and then you get another advisory council in some other field.

I am not as concerned as is the Senator from Colorado about the large number of advisory councils; but I believe the matter should be looked into and that we should find out what the facts are.

Mr. DOMINICK. I say to my friend, the Senator from Oregon—and he is my friend, although we may disagree on some matters—that each of these advisers and counselors, by and large, gets $100 a day plus his expenses each time a meeting is held. In dealing with things like continuing education, library resources, developing institutions, and student participation in a college, it seems to me that one advisory council could do better by considering the matter as a whole rather than to have separate councils so that we can spread the taxpayers' wealth even more than we are now doing.

Mr. MORSE. I shall take 1 minute of my own time.

I understand that point of view, Mr. President. But the point to stress is that we cannot get a single group that has the expertise or that is qualified to advise on the whole gambit of subject matters on which the Department of Health, Education, and Welfare needs to be advised.

In view of the qualifications that are necessary in order to serve on these advisory councils, I do not believe that $100 a day is exorbitant. In some craft unions the expertise is so great that the employees come pretty close to getting $100 a day, and I am for that, too.

Let us take a psychiatrist serving on an advisory council in regard to trying to help with the development of educational techniques for teaching and helping, through education, to stabilize the emotionally unbalanced. You do not think that you will get him for less than $100 a day, do you? He sometimes will have an hour conference and charge a patient $100 for that time.

I do not believe we are losing any money by this arrangement. That is all I shall say now.

My reply to my friend, the Senator from Colorado—and I want to say that he is my friend, also—will not be very long. He specifically asked me the question, and I wanted to tell him my opinion of the advisory councils.

Mr. DOMINICK. I gather from what the chairman has said that this will be part of our oversight work.

Mr. MORSE. I assure the Senator that it will be.

Mr. DOMINICK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOMINICK. We are dealing with an important bill. We are under limited time. I have no intention to offer my amendments and make a dramatic speech on behalf of them to an empty house. If we should have a live quorum, would the time come out of my time or could it be taken out of the bill, or could we have unanimous consent not to charge the time against either side?

Mr. MORSE. The Senator knows that I will cooperate with him. If he wishes to suggest the absence of a quorum and makes the unanimous-consent request that the time not be charged against either side, I shall have no objection.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered. The Senator from Colorado may make his request whenever he wishes.

Mr. DOMINICK. Mr. President, before I ask for the quorum, I thought I would offer the first amendment, but first I have another parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOMINICK. The first amendment I plan to offer contains three separate subjects. If that amendment should be defeated, would it be proper to offer another amendment which would have only one of those three subjects incorporated?

The PRESIDING OFFICER. The Chair would advise that it would be proper to offer an amendment that is substantially different, and if the amendment offered only covers one subject of the three in the original amendment, then it would be a substantially different amendment and would be in order.

Mr. DOMINICK. I thank the Chair.

Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to state the amendment.

Mr. DOMINICK. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

At the end of the bill add the following new sections:

"AMENDMENT TO PUBLIC LAW 874, EIGHTY-FIRST CONGRESS

"SEC. 10. Section 7(a)(1)(A) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out 'July 1, 1967' and inserting in lieu thereof 'July 1, 1969'.

"AMENDMENTS TO PUBLIC LAW 815, EIGHTY-FIRST CONGRESS

"SEC. 11. (a) Section 3 of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended by striking out 'June 30, 1967' and inserting in lieu thereof 'June 30, 1969'.

"(b) Section 15(15) of such Act is amended by striking out '1962–1963' and inserting in lieu thereof '1964–1965'.

"(c) Section 16(a)(1)(A) of such Act is amended by striking out 'July 1, 1967' and inserting in lieu thereof 'July 1, 1969'.

"AMENDMENTS TO TITLES I, II, AND III OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

"SEC. 12. Section 203(a)(1)(A) of title I of the Elementary and Secondary Education Act of 1965, section 202(a)(1) of title II of such Act, and section 302(a)(1) of title III of such Act are each amended by striking out 'fiscal year ending June 30, 1967' and inserting in lieu thereof 'fiscal years ending June 30, 1967, and June 30, 1968'."

Amend the title to read as follows: "A bill to amend and extend title V of the Higher Education Act of 1965, and for other purposes."

Mr. FANNIN. Mr. President, I am pleased to cosponsor the amendment of the Senator from Colorado. I am particularly concerned about the extension for 1 year of the authorization under titles I, II, and III of the Elementary and Secondary Education Act to provide for the educational needs of Indian children attending schools operated by the Bureau of Indian Affairs. I offered a similar amendment in committee and feel strongly that this program should not be allowed to lapse.

When Congress last year approved the Elementary and Secondary Education Act, it limited grants to BIA schools to only 1 year, despite the fact that other provisions of the act carried the blessing of a 2-year authorization. Congress did so, however, not because it does not value the importance of Indian education carried on by the Bureau of Indian Affairs, nor because it is unsympathetic to the fact that Indian children, more than most other children, require an increasingly better education if they are to assume their rightful place in our society. Rather, the reasoning behind the 1-year authorization was that Congress, recognizing fully, if belatedly, its responsibility for better education for all American Indians, wanted an additional year to study all aspects of Indian education more fully, including the possibility of transferring Indian education from the Bureau of Indian Affairs. Some of that work has been completed while other aspects of the study are either continuing or soon will begin.

Nevertheless, the important fact remains that unless we act immediately to extend this authorization for 1 additional year, funds for BIA schools will be cut off effective July 1, 1967, and countless worthwhile and needed educational programs will be curtailed, some long before they will have made any worthwhile contribution to the education of Indian children. Many, if not most, of the programs made possible through the Elementary and Secondary Education Act are just getting off the ground, particularly with regard to the BIA schools, which were excluded from the original act and which did not receive any funds for fiscal year 1967 until after November 9, 1966, the date Congress finally passed the necessary appropriations bill. Even if the BIA schools had been prepared to initiate effective educational programs immediately, an assumption that is at best doubtful, they could not have been operational for more than 6 months, hardly sufficient time to make a dent in the educational problems that have confronted Indian children and perplexed educators for more than half a century.

I need not remind my colleagues that Indians are in every way disadvantaged Americans. They remain at the very bottom of the economic ladder, they have the highest rate of unemployment, they live in the poorest housing, and they suffer chronic poverty.

The reason for this national tragedy is obvious to all who care to look: poor education. Indian adults under 45 years of age average less than an eighth grade education, compared to the average for all Americans of approximately 12 years of school. Also, even today more than 50 percent of the Indians who attend school—and no one knows for sure how many Indians are not being educated—drop out before they complete the 12th grade. This figure is almost twice the national average of 28 percent.

As one might logically suspect, many of the new programs in BIA schools being funded under titles I, II, and III of the Elementary and Secondary Education Act are directed at improving education generally and at encouraging Indian children—in large part through the acquisition of the educational skills that lead to success in school and in life—to stay in school.

I think the need for this amendment is clear. The statements of the distinguished chairman of the committee and my colleague from Colorado, Senator DOMINICK, which appear in the hearings before the subcommittee, established this. Likewise, this concern is shared by Commissioner Howe of the Office of Education and Dr. Carl I. Marburger, Assistant Commissioner of Education, BIA. Dr. Marburger pointed out in his statement before the subcommittee that although only $5 million was available for a 6-month period under title I of the Elementary and Secondary Education Act, these programs created a new spirit of enthusiasm among those students it affected. To permit these programs to lapse after June 30 would do irreparable damage.

It would be a tragic mistake, therefore, not to extend for another year the right of BIA schools to receive some funds from the Elementary and Secondary Education Act. We should not, cannot, let these programs lapse. I respectfully and urgently ask that this needed and worthwhile amendment be adopted.

Mr. DOMINICK. Mr. President, I yield myself 10 minutes on the amendment.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). The Senator from Colorado is recognized.

Mr. DOMINICK. Mr. President, the

amendment I have proposed would accomplish three things. First, it would extend the school disaster program, which now expires on June 30, for an additional 2 years. Second, it would extend the temporary provisions of Public Law 815 for an additional 2 years. Finally, it would extend the coverage under titles I, II, III, of the Elementary and Secondary Education Act of 1965 so that children attending Department of Defense schools and Indian children could benefit from the Elementary and Secondary Education Act.

Unless immediate action is taken by us all three of these programs which, in fact, have been passed by the House of Representatives already as a part of their Elementary and Secondary Education Act, will expire as of this coming Friday. I think this is important to keep in mind.

I wish to point out specifically that the proposed amendment would not alter one word of the pending bill. It would add three additional subjects, which, in my opinion, are three times as vital as the bill which we are considering. Why do I say that? I say that because unless we do something about the authorization to include Indians within the titles of the Elementary and Secondary Education Act, those Indian children who are trying to get an education in order to fit into the American pattern of life may be deprived of funds as the schools will be left in the planning stage without knowing whether they will have funds available in September programs in the preliminary planning stage may be dropped. I do not think this is right and I believe we should do something about it.

Mr. President, the same point is true with respect to Department of Defense schools which take care of the children of the servicemen ordered overseas by the President. Unless we do something about that situation and include them in titles I, II, and III of the Elementary and Secondary Education Act of 1965, the authorization for those schools will expire on June 30, which is this coming Friday. It seems to me that this is something on which we should take action.

Why should we be prevented from doing something because a group of Members from the House of Representatives—and I have great respect for each and all of them—comes to us and says, "We cannot be bothered to wait around for a conference; you have to take what we do on this bill; and we are not going to accept other provisions." The Senate falls flat on its face and it says, "OK. We give up. We will take what you say and not do any more." This is a sorry way to legislate and that is why I have tried to add a few programs in education which I think are as important or more important than those we are considering at the edict of the House of Representatives.

The second amendment deals with the temporary provisions of Public Law 815. This provision would extend the time for an additional 2 years and it would take care of school construction where there is a sudden influx of people who are Federal employees, which usually occurs because of a Federal installation which has been brought in, whether it be a defense installation, or space installation. The purpose of the proposal is to try to give the people in that area, who would automatically be enormously affected by this great influx of new people, an opportunity to preplan and meet school construction needs prior to the time when they are overrun with a doubling or quadrupling of new people. Unless we do something in connection with this matter the authority will expire on Friday, June 30.

Mr. President, the third item is of enormous importance and I would be happy to discuss it at great length if anyone wishes. The matter has to do with the school disaster fund. As of Friday, June 30, starting the minute after midnight, there will be no funds available to take care of any of the school destruction caused by a natural disaster. In that event, if there were a destruction each area involved would have to come to Congress and try to get a private relief bill, which is the very thing that we tried to discourage, by passing the bill a year ago.

Unless we do something in this area that authority will expire on Friday, June 30. I would not want to have that as my responsibility in this legislation. I want those school districts that are hit to have the authorization to get funds to make repairs and reconstruct schools which have been wiped out by tornadoes, floods, snow slides, or whatever it may be. Unless we do something there will not be funds. That is why I have proposed these amendments, not to pass on whether the legislation is good or bad, but to say to the Senate that there are other things as important or more important than what we are considering today.

The PRESIDING OFFICER. Who yields time?

Mr. DOMINICK. Mr. President, I suggest the absence of a quorum, and it will be live.

The PRESIDING OFFICER. Under the previous order the time will not be charged to either side. The clerk will call the roll.

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

[No. 175 Leg.]

Aiken	Hickenlooper	Morse
Boggs	Hill	Percy
Byrd, Va.	Hollings	Prouty
Byrd, W. Va.	Kuchel	Ribicoff
Curtis	Lausche	Sparkman
Dominick	Long, La.	Talmadge
Griffin	Mansfield	

The PRESIDING OFFICER. A quorum is not present.

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

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

The motion was agreed to.

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

After a little delay, the following Senators entered the Chamber and answered to their names:

Allott	Fannin	Mondale
Anderson	Fulbright	Monroney
Baker	Gore	Mundt
Bartlett	Hansen	Muskie
Bayh	Hart	Nelson
Bennett	Hatfield	Pastore
Bible	Hayden	Pearson
Brewster	Holland	Pell
Brooke	Hruska	Proxmire
Burdick	Jackson	Randolph
Cannon	Jordan, Idaho	Scott
Case	Kennedy, Mass.	Smith
Church	Long, Mo.	Spong
Clark	Magnuson	Stennis
Cooper	McCarthy	Symington
Cotton	McClellan	Tydings
Dirksen	McGee	Williams, N.J.
Dodd	McGovern	Williams, Del.
Eastland	McIntyre	Yarborough
Ellender	Metcalf	Young, N. Dak.
Ervin	Miller	Young, Ohio

The PRESIDING OFFICER. A quorum is present.

Mr. MORSE. Mr. President, I apologize to the Senate for being off the floor, but I have been at the conference on the railroad matter, and have just returned.

While waiting for the Senator from Colorado [Mr. DOMINICK] to return, Mr. President, I ask for the yeas and nays on the Dominick amendment.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, the assistant of the Senator from Colorado is present, and can advise him as to what I say in my reply. It will be very brief.

Mr. President, I have already stated the fact that the amendment of the Senator from Colorado consists of subject matters already in the elementary-secondary school bill as passed by the House of Representatives. They will be taken up by the Senate when we begin our hearings on elementary and secondary education following the Fourth of July recess.

Mr. President, I have set forth very frankly for the Senate the fact that we are confronted here by a time factor. I say to the Senate that we will simply kill H.R. 10943 if we adopt any amendment to it at this time. I explained to the group of Senators which met with the group of Representatives yesterday afternoon for informal discussions, under instructions of the Senate committee, that we were advised that there was no hope of a bill if we have to go to conference.

I repeat, for the benefit of the Senator from Colorado, who is now present, that the elements in his amendment are in the House elementary-secondary education bill. Those elements we would be perfectly willing to accept and put into the bill, if we could, but we are confronted with a time factor; and, speaking most respectfully, my judgment is that if the Senate agrees to the amendment, it will have killed the bill.

The Senator may call it a ransom or anything else he wishes. I call it legislative reality. The contents of the bill are so important to the schoolchildren of this country that I do not think we should take the chance of adding an amendment when, in my judgment, we will never even be able to get to a conference with the House, and therefore I believe we should wait until after the Fourth of July recess.

Let us assume that we wait. Let me take one of the points the Senator from Colorado stresses, and has stressed most

eloquently: It is true that on July 30, the school disaster provision will lapse. But it will be revived when we pass the elementary-secondary school bill. The Senator says that if anything happens in the meantime, there will be no funds and we will have to go back to the procedure we followed prior to the passage of the school disaster program. We did it then disaster by disaster.

Mr. President, we will have to do it anyway if we do not get a bill passed. I say to the Senate that while I am not a betting man, if I were I would give you 10 to 1 that we can never get a bill passed if we adopt an amendment.

As to school disasters, Mr. President, there is another source of funds. The President has a contingency fund, an emergency fund, and if a serious enough disaster occurs, he could help with that. We could replenish that fund if we had to; but I think it would probably be quicker and easier to pass a special emergency bill on the individual disaster.

Mr. President, as chairman of the committee, I shall be fighting for every one of the programs the Senator from Colorado has mentioned in his amendment, when we take up the elementary-secondary school bill. We will get them. The only thing, really, that will lapse, in the sense that it goes back to the Treasury of the United States, is $3,700,000, which will revert to the Treasury after June 30. That is what the Senator is trying to save.

Lastly, the Senator from Colorado makes the point that after all, this education professions development section of the bill does not go into effect until 1968. Mr. President, as was pointed out in our conference yesterday, that gives us plently of time between now and 1968 to adopt whatever amendments the eventualities may show to be necessary. But, Mr. President, now is the time to adopt both sections of the bill, and I strongly urge that the Senator's amendment be defeated.

I yield back the remainder of my time.

Mr. DOMINICK. Mr. President, I yield myself 10 minutes. I shall probably not use that much time.

I listened with great interest to my distinguished chairman. I wish to show the Senate what this bill does, and then what I am trying to do to accomplish its passage.

This bill takes two titles of the National Defense Education Act out of that act, and puts them into the new education professions development program. Then it adds a whole bunch of other things, and it says we are going to spend $775 million on this, and we are not going to start spending it until July 1968.

But all of a sudden, we have to do it now. I ask, why? The other two titles will continue in effect anyway, if we do not pass the bill. So why is there such great urgency to pass the bill immediately? We could do it next month. We could do it in August. I am not saying that I am against this particular provision. I merely wonder why it is so urgent to get it done right now.

The second matter is the Teachers Corps. Suppose we do not pass it right now. If that is the attitude the House of Representatives takes, this is their proposal; let them worry about it. We are perfectly willing to pass it.

As to the cost of the three things I am trying to add on, $750,000 is all I am asking for on the school disaster program—not millions, thousands; $750,000 a year for each of 2 years. I am asking that so that we can take care, as legislators, of what may happen around this country in connection with our schools, so that we will have authorization to obtain funds to meet emergencies. We will not have any unless we pass this amendment.

The second thing I am asking is that the Indians and the children who are trying to get an education overseas can have the benefit of title I, II, and III funds of the Elementary Education Act. Unless we pass my amendment, that authority will expire. On that particular issue, there is no new money involved; it is already provided in titles I, II, and III of the Elementary Education Act. The authority is still there. The amendment would just permit them to participate in the fund we have already created.

The School Construction Act provision is designed to take care a very difficult situation where Federal impact is extreme and extraordinary, so that, instead of having to wait until after schools are in existence and then trying to obtain the money, plans can be made in advance and the schools can be ready when the Federal installation becomes operative.

We do not have that authority, either, and that is a total of $71 million. I am talking about an amount in the neighborhood of $71¾ million for each of 2 years in trying to get something done which this country has said is what they need and what they want. It is something that has already been in operation.

The committee bill is taking two programs, one of which is brand new, and costs $775 million, and the other of which will cost $33 million, $46 million, and $56 million over 3 years.

That is the Teachers Corps program which is undoubtedly going to be helpful in some areas but which is not of enormous importance on a national scale when measured against the programs contained in my amendment.

It is for that reason that I am trying to add these provisions.

Let us take a look at the situation. Let us take the whole broad view of the need of the programs that are expiring, and let us act as responsible legislators. Let us not let the House tell us what to pass and what not to pass.

Mr. President, I yield back the remainder of my time.

Mr. MORSE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time having been yielded back, the question is on agreeing to the amendment of the Senator from Colorado [Mr. DOMINICK]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. GRUENING], the Senator from Oklahoma [Mr. HARRIS], the Senator from Indiana [Mr. HARTKE], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

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 New York [Mr. KENNEDY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Utah [Mr. Moss], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Utah [Mr. Moss] and the Senator from Florida [Mr. SMATHERS] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from California [Mr. MURPHY], and the Senator from Texas [Mr. TOWER] are absent on official business.

The Senator from Hawaii [Mr. FONG] and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from New York [Mr. JAVITS] and the Senator from South Carolina [Mr. THURMOND] are absent by leave of the Senate.

If present and voting, the Senator from Kentucky [Mr. MORTON], the Senator from California [Mr. MURPHY], the Senator from South Carolina [Mr. THURMOND], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The result was announced—yeas 28, nays 55, as follows:

[No. 176 Leg.]

YEAS—28

Allott	Ervin	Lausche
Baker	Fannin	Long, La.
Bennett	Griffin	Miller
Brooke	Hansen	Mundt
Cotton	Hatfield	Pearson
Curtis	Hickenlooper	Percy
Dirksen	Hollings	Scott
Dominick	Hruska	Young, N. Dak.
Eastland	Jordan, Idaho	
Ellender	Kuchel	

NAYS—55

Aiken	Hayden	Pastore
Anderson	Hill	Pell
Bartlett	Holland	Prouty
Bayh	Jackson	Proxmire
Bible	Kennedy, Mass.	Randolph
Boggs	Long, Mo.	Ribicoff
Brewster	Magnuson	Smith
Burdick	Mansfield	Sparkman
Byrd, Va.	McCarthy	Spong
Byrd, W. Va.	McClellan	Stennis
Cannon	McGee	Symington
Case	McGovern	Talmadge
Church	McIntyre	Tydings
Clark	Metcalf	Williams, N.J.
Cooper	Mondale	Williams, Del.
Dodd	Monroney	Yarborough
Fulbright	Morse	Young, Ohio
Gore	Muskie	
Hart	Nelson	

NOT VOTING—17

Carlson	Javits	Murphy
Fong	Jordan, N.C.	Russell
Gruening	Kennedy, N.Y.	Smathers
Harris	Montoya	Thurmond
Hartke	Morton	Tower
Inouye	Moss	

So Mr. DOMINICK's amendment was rejected.

Mr. MORSE. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I yield myself 1 minute on the bill.

If the leadership may have the attention of the Senate, I do not know how many more amendments will be offered. I understand that at least one more amendment will be offered. We are operating under a time limitation. It would be appreciated by the leadership if as many Members as possible would remain, so that we might get on with this bill, because we have some other legislation we would like to consider after this measure is disposed of one way or the other.

Mr. DOMINICK. I do not plan to take more than 10 minutes to explain this amendment, and perhaps less than that. I do not know how long the Senator from Oregon will take. I shall ask for the yeas and nays.

I offer my next amendment.

The PRESIDING OFFICER. The amendment offered by the Senator from Colorado will be stated.

The legislative clerk proceeded to read the amendment.

Mr. DOMINICK. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

At the end of the bill add the following new sections:

"AMENDMENT TO PUBLIC LAW 874, EIGHTY-FIRST CONGRESS

"SEC. 10. Section 7(a)(1)(A) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out 'July 1, 1967' and inserting in lieu thereof 'July 1, 1969'.

"AMENDMENT TO PUBLIC LAW 815, EIGHTY-FIRST CONGRESS

"SEC. 11. Section 16(a)(1)(A) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress) is amended by striking out 'July 1, 1967' and inserting in lieu thereof 'July 1, 1969'."

Amend the title to read as follows: "A bill to amend and extend title I of the Higher Education Act of 1965, and for other purposes."

Mr. DOMINICK. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DOMINICK. Mr. President, if I may have the attention of my colleagues, I shall try to explain what I am attempting to do.

This bill, as it has been presented to the Senate by the committee, contains only two provisions. It contains a provision for a Teachers Corps over a 3-year period, and it calls for an Education Professions Development Act, which is a new program costing $775 million, and does not go into effect until July 1, 1968.

Mr. LAUSCHE. In 1968?

Mr. DOMINICK. Fiscal 1969. It starts July 1, 1968.

What I am attempting to do is to say that these may be all right but will we please take care of the situation in which we may need money for school disasters, because the authorization for money for school disasters expires on Friday, June 30. If we do not take action to include this provision in the pending bill, we will have no authorization for any money for a school disaster from now until we pass new legislation, whenever that may be, if ever. The only way in which you will be able to get any money in case your school system has a disaster will be to come to Congress and have a special bill passed, or, as the Senator from Oregon has said, to try to get it under the President's contingency fund.

Why are we doing this? Why are we letting it lapse? The House Representatives passed an extension. The administration is in favor of it but the House conferees said they will not accept it on this bill. The House has said that they will not accept it so the Senate is being dictated to by the House conferees. I do not think that is the way to legislate. We have a responsibility to our people in connection with school destruction throughout the country to make it possible for them to have an opportunity to be able to reconstruct their systems. In the event something happens to them, Congress has the responsibility to assist in this field and it is for that reason that I offer the amendment.

Mr. MORSE. Mr. President, I yield myself 2 minutes. I want the Senate to listen to what I have to say because all Senators were not in the Chamber when I explained earlier this afternoon the parliamentary situation that confronts us.

The Senate committee yesterday adopted a series of amendments conditionally and tentatively on the condition that a group of Senators should meet with the members of the House committee and discuss the parliamentary situation with regard to getting amendments added to the bill. We met with them. I listened to Senators who met with me and I listened to members of the House committee, including Mr. QUIE, Mrs. GREEN of Oregon, Mr. GIBBONS, and Mr. BRADEMAS. There were about six of them.

They pointed out that the parliamentary situation is an impossibility. There is no chance of getting any amendment added to the bill this afternoon and getting a bill passed in the House of Representatives. They have parliamentary rules over there whereby an objection can cause a matter to go over for a day. They say that Members are leaving by the droves. They may recess their session by tonight. They are certainly going out of town.

The Senate committee authorized me and my colleagues who met with them to talk this matter over with them and if it were true that we did not have a chance to get the amendments added we would bring in the House bill, get it passed, and proceed with these questions as soon as we come back after the July 4 recess.

The three provisions of the Senator from Colorado [Mr. DOMINICK], plus other provisions which we voted, are already in the Elementary and Secondary Education Act passed by the House of Representatives which has to be taken up by the Senate when we reconvene after the July 4 recess.

I predicted earlier and I predict again that there will be in the elementary and secondary education bill the impacted area money, the school construction money, the school distress money, and the Indian school money; these will be in the elementary and secondary education bill because they have already been passed by the House.

There is a time factor and a parliamentary reality we have to face up to. I do not like to be in this situation but we are in it. If we adopt amendments to the bill we will get no bill. This bill will go down the drain. In my judgment, that is not the way to build up a sound parliamentary relationship with the House of Representatives. I yield to no one in insisting on a cooperative relationship with the House of Representatives.

Let me point out again that after we come back after the July 4 recess we will proceed to hearings and get the bill before the Senate quickly.

But what about this amendment? Only in the last 2 years have we had this kind of procedure for handling school disasters. It was always done by a special bill before. We got along pretty well. This is the test of the pudding, in my judgment. Let us assume that you have a school disaster between now and the time when the elementary and secondary education school bill is passed that contains the provisions in the proposal of the Senator from Colorado. You would go to the White House to get help from the contingency fund and, of course, you will get it for that particular school disaster, as long as it was not burned out.

In order to give Senators an example, 3 days ago—if the Senators from Kansas will give me their attention—there was a disaster in Kansas. That will be handled under existing law. Assume that it happened next week and not 3 or 4 days ago. They would seek money from the President's contingency fund or proceed to come to the Senate to get a special bill, and Senators know how long that would take. A bill would be passed in the Senate and the House as quickly as it would take to call the roll.

I plead with the Senate, on behalf of those who met with me yesterday. They will be my witnesses that that is what we were told by the House of Representatives. I ask the Senate to listen to who they were: The ranking Republican membe of my subcommittee, the Senator from Vermont [Mr. PROUTY], the ranking Democratic member of my subcommittee, the Senator from Texas [Mr. YARBOROUGH], the Senator from West Virginia [Mr. RANDOLPH], and the Senator from Massachusetts [Mr. KENNEDY]. We met with these House conferees.

They want these amendments, too. They have already passed on them in the elementary and secondary education school bill. However, they say, "Senator, time does not permit of it, and we think you would make a great mistake. We cannot get the bill through. We will be with you when you come with the elementary and secondary education school bill afterwards."

I do not like to be in this parliamentary posture either but I am saying that we will accomplish everything that the

Senator from Colorado wants when we bring in the elementary and secondary education school bill.

Mr. PROUTY and Mr. LAUSCHE addressed the Chair.

Mr. MORSE. Mr. President, I yield to the Senator from Vermont.

Mr. PROUTY. Mr. President, I wish to underscore what my friend, the Senator from Oregon [Mr. MORSE] has said. I had an amendment in which I was interested relating to handicapped children which I think is an urgent matter, but because of the parliamentary situation I think we have no alternative if we are interested in getting a bill out now which is impotrant and desirable.

Mr. MORSE. I thank the Senator for his statement. The Senator from Vermont was with me. He has an amendment for the handicapped. That provision is in the House elementary and secondary education school bill. We talked about that amendment. They agree it is a good amendment, but they point out that it cannot be gotten out now in the time situation that confronts us.

We did not have the Senator from Arizona with us. I did look for him but he was not available. We spoke for him in connection with the Indian amendment. We are for the Indian amendment.

However, do not forget that the only thing that reverts to the Treasurer of the United States after June 30 is $3,700,000 on the Teachers Corps and that is needed this summer for training.

Do not forget about what we have done in connection with the Teachers Corps in the past. We placed the administration at the State and local level. We have turned it over where it should have been in the first place, at the local level. These summer programs train these people.

Then, there is the bill that the Senator from Colorado spoke about, the Education Profession Development Act, which is of vital importance for us to pass because of the sound nature of it.

I pointed out that that program goes into effect July 1, 1968, but that gives time to adopt any amendments that time may show we need. I think it is in a sound condition at the present time.

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

Mr. MORSE. I yield.

Mr. COTTON. What is proposed in the new part of the bill?

Mr. MORSE. In round figures $775 million for 2 years.

Mr. COTTON. That is the new part of the bill?

Mr. MORSE. Seven hundred and seventy-five million dollars for 2 years.

Mr. COTTON. These are new programs?

Mr. MORSE. The Senator is correct.

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

Mr. MORSE. I yield.

Mr. LAUSCHE. Mr. President, I direct the Senator's attention to page 11. I am making inquiry to find out what the bill is supposed to do. Does the bill which is now before us contain the authorizations for the Teachers Corps which on page 11 are shown to be $33 million for 1968, $46 million for 1969, and $56 million for 1970?

Mr. MORSE. The answer is "Yes."

Mr. LAUSCHE. On page 11 the material in the columns shows authorizations for 1969 and 1970. That means that the authorization would begin on July 1, 1968. Why are we now passing legislation to become effective on July 1, 1968?

Mr. MORSE. Because we have existing fellowships that run up to that time. The program continues into that time.

Mr. LAUSCHE. These programs beginning on July 1, 1968, tie into existing programs, then?

Mr. MORSE. That is right.

Mr. LAUSCHE. And they will expire at that time?

Mr. MORSE. Well, if we do not authorize it——

Mr. LAUSCHE. If we do not authorize it.

Mr. MORSE. Let me quickly answer the Senator. Do not forget that authorizations are different from appropriations.

Mr. LAUSCHE. Yes, I know that.

Mr. MORSE. I want the RECORD to show that.

Mr. LAUSCHE. In other words, the authorizations for 1969 and 1970 amounting to $385 million for 1969 and about $492 million for 1970 are now practically embraced in programs which are in existence.

Mr. MORSE. Except for the Teachers Corps.

Mr. LAUSCHE. Except for the Teachers Corps. Why has this combination been adopted, labeled as a new program? Why has that been done?

Mr. MORSE. Because we are trying to put all the fellowships, and all the Teachers Corps programs—fellowships go into the Teachers Corps, too, and they are somewhat similar in their objectives—into one package.

Mr. LAUSCHE. The House program does approve of the Teachers Corps?

Mr. MORSE. Oh, yes.

Mr. LAUSCHE. And the Teachers Corps program has been changed, requiring the local boards to put up 10 percent?

Mr. MORSE. Yes; it is now 90 percent Federal aid and 10 percent local aid, which is very important. Let me say to the Senator from Ohio, because I know his views on this matter, and I have discussed this on the floor in other education bills, that, of course, a great change has taken place, which I enthusiastically support, so that we bring the administration of it down to the local level and take it away from the Department of Health, Education, and Welfare.

Mr. LAUSCHE. When the Teachers Corps bill was brought up, I opposed it because I feared the program of having an army of teachers sent out by the Federal Government to local governments. The Senator from Oregon now states that this danger of which I was afraid has been eliminated by putting the program into the hands of the local people.

Mr. MORSE. Through selection of what corpsmen there will be.

Mr. MILLER. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. MILLER. I should like to ask the Senator a question because I understand that the education professions development program is a completely new program that will cost over $700 million for 2 years.

Mr. MORSE. For a total of 2 years, yes.

Mr. MILLER. For a total of 2 years.

Mr. MORSE. Counsel advises me that it is about the same authorization for similar programs in 1967.

Mr. MILLER. What does that program cost?

Mr. MORSE. For a variety of institutes and aids—my fellowship bill, the extension of it, and——

Mr. MILLER. Then it is really not a new program. It is a follow-on program.

Mr. MORSE. It is a new program in that it is in a new format. It is certainly broadened somewhat.

I want to save as much time as possible, but the Senator is entitled to have this example. When we talk about education professions development programs, we are going to have an institute meeting, for example, for those teachers who are going to come in to teach the handicapped. We need the summer institutes to bring in those who are experts in handling the handicapped to show these teachers how to handle handicapped children.

I mentioned earlier the teachers who handle spastics and the miraculous progress which is being made in helping spastics. I hesitate even to talk about it, for my leader on the committee, the Senator from Vermont [Mr. PROUTY], has done a great deal in the past 4 years on my committee to widen our vision and our understanding of what needs to be done for handicapped children. This program we are talking about will provide for institutes and training programs to train teachers to handle spastics and other handicapped children. That is the kind of program we are talking about.

Mr. MILLER. And we do not have any such program now?

Mr. MORSE. Not now, not to the degree that this program seeks to bring about. We have had pilot plant programs—if I may have the attention of the Senator from Vermont——

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

Mr. MORSE. Mr. President, I ask unanimous consent to proceed for 2 additional minutes.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 2 additional minutes.

Mr. MORSE. I want the Senator from Vermont to hear my answer to the Senator from Iowa. We have had so-called pilot plant programs to help with the handicapped. We have not had the broader programs based upon learning from pilot plant programs, so that we can send the experts out into the local school districts in the States and have these summer institutes and fall institutes bring in teachers who can help the handicapped.

Mr. MILLER. This makes sense to me, but what caused my question was the statement of the Senator from Oregon,

which sounded to me as though we were about to enact a new program which is going to cost $700 million in authorizations behind it for 2 years. The Senator from Ohio, I thought, was getting into that in his previous questioning.

The question I had is this: For all practical purposes are we not just legislating a program which will be a follow-on program from what we are doing now—granted that there will be some improvements in it?

Mr. MORSE. There is a difference between the continuation of a program and a follow-on program. This is a broadened program in which we will apply and implement on a broader scale what we have already developed under the limited programs we have had to date. That will take more money.

Mr. MILLER. Let me ask this question: How much will we be spending for the current fiscal year 1968 on programs which will either be carried on or broadened under this proposal?

Mr. MORSE. Counsel points out to me that what the Senator is talking about is appropriations rather than authorizations. We are talking about authorizations with this bill.

Mr. MILLER. How much will the authorization be for the coming fiscal year?

Mr. MORSE. Three hundred and forty-three million dollars in round numbers.

Mr. MILLER. So, they will be following on in fiscal 1969 by, roughly, another $350 million?

Mr. MORSE. Half of $775 million.

Mr. MILLER. Yes. So, we are getting into a new program, in a way, but it is not added onto another $350 million program; is that my correct understanding?

Mr. MORSE. That is correct. The Senator from Oregon tries not to be a wastrel in these matters. That is why we are conducting this surveillance program, making the Department show us what it is doing with the money we have appropriated.

Mr. MILLER. I appreciate very much the Senator's responses. It has clarified in my mind where the program fits.

Mr. LAUSCHE. Mr. President, one more question: Why are we now adopting an authorization which will not become effective until January 1, 1968, for the 1969 year? What is the reason for the haste? Why are we hurrying?

Mr. MORSE. Because of what the witnesses have testified and the school people have told us, that they need it so that they can plan the programs. We cannot, one day, adopt a program and expect them to put it into operation on the next day. They must have some lead-time. They want to have the necessary leadtime so that the school people can plan. They have to take it before the school boards, to the extent that the State departments of education must approve. We do not do that overnight. It takes weeks and weeks to get the planning done.

Mr. MAGNUSON. If the Senator from Oregon will yield, one of the real reasons for this is that we have had so many bad experiences in the Appropriations Committee so that if this is authorized now, toward the end of this session, the budget hearings start for the 1969 budget, beginning in September.

They will want to be ready with their plans although the money will not be coming in until that time. If we wait until next June, the Appropriations Committee will have to pass a supplemental bill. This is just good planning.

Mr. MORSE. The Senator from Washington speaks out of much experience in the Appropriations Committee.

Mr. DOMINICK. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. 26 minutes.

Mr. DOMINICK. I yield myself 3 minutes. I promise I will not take more than that.

I want to say that I am not involved at the moment in trying to discuss with the chairman of the subcommittee the relative merits of the bill itself. What I am saying is that we are passing a bill which is a Teachers Corps bill. It is being ransomed by the other program which is going to cost $775 million, which does not go into operation for 1 year. In the meantime we are letting the school disaster program expire.

What are we doing as Senators when we say we are acting on this program, which does not go into effect for 1 year, and when we are doing nothing for Indian school programs or a program which will be necessary in case of a natural disaster?

I offered a previous amendment, which was rejected, which provided that those teaching in Defense schools overseas would be entitled to certain aid. Similarly as to Indian schools. The majority of the Senate said "No."

Do Senators realize what that means? It means that in making up the budget, just as the Senator from Washington pointed out with respect to appropriations, no longer will these people be able to plan in advance on what money they may receive under a future bill. The current programs expire Friday. They will not get the benefit of that money until we pass another law, which may be too late because they will have made their plans.

We may be able to get away with not providing for schools for Indians for Defense schools overseas, but I do not see how we can say in the opinion of the United States this is what we should do with reference to the school disaster program.

Mr. MORSE. Mr. President, I yield myself 30 seconds.

May I say that all the provisions the Senator points out will be in the elementary-secondary school bill that we will be voting after the July 4 recess, long before we meet in the Appropriations Committee on the budget.

Mr. MILLER. Mr. President, will the Senator yield me 30 seconds?

Mr. MORSE. I yield.

Mr. MILLER. I ask the Senator from Oregon whether or not, with the provisions in the bill, when it comes to be added it will be made retroactive to take care of any gaps?

Mr. MORSE. They will be retroactive to the fiscal year; yes.

Mr. MILLER. So that there will be no gap?

Mr. MORSE. That is right.

The PRESIDING OFFICER. All time on the amendment has been yielded back. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. GRUENING], the Senator from Oklahoma [Mr. HARRIS], the Senator from Indiana [Mr. HARTKE], the Senator from Georgia [Mr. RUSSELL], and the Senator from New Jersey [Mr. WILLIAMS], are absent on official business.

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 New York [Mr. KENNEDY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Utah [Mr. Moss], and the Senator from Florida [Mr. SMATHERS], are necessarily absent.

I further announce that, if present and voting, the Senator from New Jersey [Mr. WILLIAMS], and the Senator from Utah [Mr. Moss], would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from California [Mr. MURPHY], and the Senator from Texas [Mr. TOWER], are absent on official business.

The Senator from Hawaii [Mr. FONG], and the Senator from Kentucky [Mr. MORTON], are necessarily absent.

The Senator from New York [Mr. JAVITS], and the Senator from South Carolina [Mr. THURMOND], are absent by leave of the Senate.

The Senator from Utah [Mr. BENNETT], is detained on official business.

If present and voting, the Senator from Kentucky [Mr. MORTON], the Senator from California [Mr. MURPHY], the Senator from South Carolina [Mr. THURMOND], and the Senator from Texas [Mr. TOWER], would each vote "yea."

The result was announced—yeas 25, nays 56, as follows:

[No. 177 Leg.]

YEAS—25

Allott	Ellender	Long, La.
Baker	Ervin	Mundt
Brooke	Griffin	Pearson
Cotton	Hansen	Percy
Curtis	Holland	Scott
Dirksen	Hollings	Williams, Del.
Dodd	Hruska	Young, N. Dak.
Dominick	Jordan, Idaho	
Eastland	Lausche	

NAYS—56

Aiken	Hatfield	Morse
Anderson	Hayden	Muskie
Bartlett	Hickenlooper	Nelson
Bayh	Hill	Pastore
Bible	Jackson	Pell
Boggs	Kennedy, Mass.	Prouty
Brewster	Kuchel	Proxmire
Burdick	Long, Mo.	Randolph
Byrd, Va.	Magnuson	Ribicoff
Byrd, W. Va.	Mansfield	Smith
Cannon	McCarthy	Sparkman
Case	McClellan	Spong
Church	McGee	Stennis
Clark	McGovern	Symington
Cooper	McIntyre	Talmadge
Fannin	Metcalf	Tydings
Fulbright	Miller	Yarborough
Gore	Mondale	Young, Ohio
Hart	Monroney	

NOT VOTING—19

Bennett	Javits	Russell
Carlson	Jordan, N.C.	Smathers
Fong	Kennedy, N.Y.	Thurmond
Gruening	Montoya	Tower
Harris	Morton	Williams, N.J.
Hartke	Moss	
Inouye	Murphy	

So Mr. DOMINICK'S amendment was rejected.

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

The bill was ordered to a third reading, and was read the third time.

Mr. MANSFIELD. Mr. President, it is my understanding that the Senators managing this bill do not desire a yea-and-nay vote. I should like to obtain confirmation of that fact, because a number of Senators from the Midwest and the agricultural area have a very important engagement, affecting the economy of their region. If the leadership could have the assurance that there would be no rollcall vote, we would like to let those Senators go to the White House to discuss that problem.

Mr. MORSE. Mr. President, I do not ask for a rollcall.

Mr. HOLLAND. Mr. President, I do not desire a rollcall, but I want the RECORD to show I am against the bill, both the Teachers Corps and the new expensive program which, as the Senator from Colorado very appropriately says, is ransoming the Teachers Corps program.

Mr. MANSFIELD. All right. Mr. President, with that assurance, I suggest that the Senators from the dairy States get on their horses, but that they be on call in case anything unforeseen happens.

Mr. PASTORE. Mr. President, I want the RECORD to show I support this bill, and that I am recorded in the affirmative when it comes up for a vote.

Mr. GRIFFIN. Mr. President, taking the floor only for a few minutes to make some legislative history with respect to subparagraph 7——

The PRESIDING OFFICER. Who yields time?

Mr. MORSE. Mr. President, I yield the Senator from Michigan as much time as he requires.

Mr. MANSFIELD. Mr. President, may we have order? The Senator from Michigan is entitled to be heard.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The Senate will please be in order.

Mr. GRIFFIN. I ask for recognition only to engage in a colloquy with the distinguished senior Senator from Oregon for the purpose of making some history concerning the meaning and legislative intent with respect to subparagraph 7 of section 513 of the bill. Contained in that section is the language "for the purpose of carrying out this subpart, the commissioner"—who is the Commissioner of Education—"is authorized to accept and employ, in the furtherance of the purposes of this subpart, (a) voluntary and uncompensated services, notwithstanding the provisions of a particular statute, and accept and employ any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise."

I had considered the advisability of offering an amendment to require the Commissioner of Education, at regular intervals, to report to Congress, or perhaps to the committees, gifts of money or property which he did, in fact, accept and utilize in the administration of this program. It seems to me that Congress should be aware of the fact, if any funds other than appropriated funds are utilized to implement a program which Congress authorized.

However, after discussing this matter in the committee with the Senator from Oregon and other members of the committee, it was our understanding that under existing laws, and particularly with assurance of a representative of the Office of Education, that this information would be readily available upon request—and I ask the Senator from Oregon if that is not his understanding and interpretation of the intent of the Senate members of the committee——

Mr. MORSE. I appreciate the Senator's raising this inquiry, Mr. President, because I am happy to join with him in making this legislative history.

I completely agree with the Senator from Michigan that the committee on the Senate side and the committee on the House side ought to know, annually, what money was voluntarily donated to this program, what money, or property, real, personal, or mixed, tangible or intangible, was received by gift, devise, bequest, or otherwise, or what voluntary and uncompensated services, notwithstanding the provisions of the act, were donated.

We discussed this in committee. We called in Dr. Halperin, of the Department of Health, Education, and Welfare.

We explained to Dr. Halperin what we thought we ought to have. We asked him if he knew of any reason at all why the Secretary of Health, Education, and Welfare should not have a report that would become a public report submitted to the chairman of the Senate Committee on Labor and Public Welfare and to the chairman of the Committee on Labor and Education on the House side.

He said that he knew of no reason why that should not be done. He was sure that we would get their cooperation.

I now say that tomorrow there will go to the Secretary of Health, Education, and Welfare a letter from my committee in behalf of a unanimous committee, in which letter we will request of him that he reply to that memorandum and give us assurance that such a report will be made each year to the Senate Committee on Labor and Public Welfare.

I, of course, am in no position, may I say to the Senator from Michigan, to speak for the House committee. However, I shall say in that letter that we feel it ought to go to both committees, and that I would appreciate it if he would get in touch with Representative PERKINS, who is the chairman of the House committee, and advise the Representative that he would be willing also to give the same information to the House committee.

I shall try to get hold of Representative PERKINS in advance of writing the letter and tell him of the letter I am sending, and tell him that he will probably get such assurance from the Secretary of Health, Education, and Welfare.

That is the legislative history.

In my judgment, I think we know, with that request coming from the committee and the assurance given to us by Dr. Halperin, adviser for the Department of Health, Education, and Welfare—who, of course, does not speak for the Secretary, but who obviously has the confidence of the Secretary or he would not be sent up to advise with us—that there is no question about the fact that such information will be supplied to the two committees once a year.

I thank the Senator from Michigan for his contribution. I told him yesterday that I completely agree with him. I thought that we ought to handle it in this way rather than by amendment to the bill.

Mr. GRIFFIN. I thank the Senator from Oregon.

Mr. DOMINICK. Mr. President, I have not spoken on the substance of the pending bill up to this time except in my opening remarks when few Senators were present.

I want to make a couple of comments now, not by way of trying to appear to create more of a disturbance, but just for the purpose of forecasting some of the problems that I foresee. Under the Teachers Corps, as amended by the House, and as we are about to pass it in the Senate today, there is a provision that undergraduates who are juniors and seniors in college can become, without even having a degree, teacher interns. They can go into any district in the United States where they are asked to go, and they will receive the same salary as the lowest paid certificated teacher in that district or $75 per week plus $15 per dependent, whichever is less.

I would suspect that this will cause all kinds of problems, because it means that an undergraduate who does not even have a degree of any kind will get the same pay in that particular area as the person who has a degree and who has received a certificate under whatever the teacher requirements are in the particular State.

I would say that is one problem.

The second problem that I can foresee at this time is that local school districts, being pressured for funds as they are all over the country, are going to look at this as a bonanza by which they can get more teaching people without having to pressure their own local area to get more money to support them, because the so-called Federal Government is going to pay for the additional help through the Teachers Corps. However, there is no such thing as "Federal" funds.

It will be one more myth on top of the other myths that we have concerning Federal funds. We are still going to have to pay taxes, and we will still have to pay for it in that area. Nevertheless, local responsibility is bound to go down as this practice becomes more and more prevalent in each of the school districts.

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

Mr. DOMINICK. I yield.

Mr. CURTIS. Mr. President, I have supported the various amendments offered by the junior Senator from Colorado. My position coincides with the position of the Senator from Colorado.

Mr. DOMINICK. Mr. President, I appreciate the fine words of the distinguished Senator from Nebraska.

I do not want to stir up any more fight than we have at this particular time.

I think the Senate has defaulted on its obligations under the pending bill because we have taken up programs that are not now necessary. We have forced them through the Senate in the guise that they are necessary. We have left undone the programs which we should have taken up, programs which are important to the country as a whole.

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

Mr. DOMINICK. I yield.

Mr. ALLOTT. Mr. President, I agree completely with my colleague. I do not know how many times I have seen this exact situation rise in the Senate in the some 13 years that I have been a Member.

It is a situation in which the House has delayed action and the Senate has been left in the position of taking a lot of things that we did not want to take in order to get what we did want.

I have heard the distinguished chairman of the committee, the senior Senator from Oregon [Mr. MORSE], who is now on the floor, stand on the floor time after time and argue on the other side of the position that he has argued today, saying: "I will not bend to the other body. It is for us to assume our responsibility to legislate."

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

Mr. ALLOTT. I love to hear his oratory when he gets in that mood.

Mr. MORSE. Mr. President, the difference is that on those occasions they were not cooperating. They are cooperating this time, and it makes all the difference in the world.

Mr. ALLOTT. Mr. President, it does not make that much difference.

My colleague is exactly right in the position he has assumed in this matter in arguing against being loaded down with a $775 million program, part of which we may or may not want, particularly when we consider the brevity of the hearings, the lateness of the printing of the hearings, and the lateness of the report.

Mr. DOMINICK. Mr. President, the hearings have not been printed at all. All we have is the report and even it was printed incorrectly.

Mr. ALLOTT. I have only seen the report.

The position of the Senator is well pointed out in his individual views.

I congratulate my colleague. He has rendered a fine service.

I hope that we get a little consistency from some of these people who talk so greatly about asserting the Senate's position of independence and the Senate's obligation to legislate on its side, and that they recall these things when these circumstances roll around again.

I commend my colleague.

Mr. DOMINICK. Mr. President, I appreciate the support of my distinguished senior colleague.

I think these matters are important or I would not have taken up the time of the Senate.

I do want to forecast one more thing. We will have to reevaluate the NDEA which has been in operation for a long period of time and of which my very distinguished senior colleague was a coauthor. We will have to evaluate the NDEA because we are taking two titles out of the middle of it and putting them into new programs. We do not know what effect they will have on the overall impact of the NDEA.

We have another problem. I would say with all due respect to my distinguished chairman the senior Senator from Oregon, that he is in a very unpleasant and difficult spot, as we know. He has tried to handle it as best he could in order to get some legislation passed.

I think in the interest of doing this, we may have been looking at the trees instead of the forest, and I would very much more like to see us take a year, if need be, and review all of the education programs to see what we ought to do about the advisory committees, to see how they overlap, to see what we can do about the bureau in the Office of Education which is so badly needed for the handicapped children, and to see why the Headstart program is not in the Office of Education instead of the poverty program so that the program will be available to everybody.

This is not done in an effort to kill the Headstart program. It is done in an effort to be able to use the program, expand them, and coordinate them with our public school system.

We should take the rest of the year and study these programs and concentrate on them.

The bill that the Senate will pass today will do nothing more than simply add one more factor of confusion to the many factors of confusion that we already have in the Office of Education.

Mr. MORSE. Mr. President, I yield back the remainder of my time.

Mr. DOMINICK. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, and the bill having been read the third time, the question is on the passage of the bill.

So, the bill (H.R. 10943) was passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 350, S. 2028, be indefinitely postponed, because the Senate has passed the House bill.

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

Mr. MANSFIELD. Mr. President, the Senate has just witnessed another outstanding accomplishment obtained with the deep wisdom and articulate advocacy of the senior Senator from Oregon [Mr. MORSE]. His appreciation of the needs and problems of the Nation's educational institutions is unexcelled in this body. That fact was clearly demonstrated by his handling of this measure which concerns the already proven Teachers Corps. The Senate is grateful once again to Senator MORSE for applying his broad knowledge and immense legislative skill to assuring the success of such a vital proposal.

The Senator from Vermont [Mr. PROUTY] is similarly to be commended for offering his strong support. As always his keen understanding and persuasive views played a vital role in the overwhelming acceptance of this measure.

Noteworthy during the consideration of the proposal was the splendid cooperation exhibited by the Senator from Colorado [Mr. DOMINICK]. His selfless approach—so characteristic—enabled efficient and swift Senate action.

Also to be commended for offering their strong views were the Senator from Ohio [Mr. LAUSCHE] and the Senator from Iowa [Mr. MILLER].

The Senate may be proud of another achievement obtained with orderly and efficient action.

COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may meet tomorrow during the session of the Senate, but that the Committee on Interior and Insular Affairs may be allowed to meet only until 12:30 p.m.

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

ORDER FOR RECOGNITION OF SENATOR HRUSKA TOMORROW

Mr. MANSFIELD. Mr. President, following recognition of the distinguished Senator from Illinois [Mr. PERCY], who has been given the first half hour after the Senate convenes at 10 o'clock tomorrow, I ask unanimous consent that the distinguished Senator from Nebraska [Mr. HRUSKA] be recognized for the next half hour.

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

AUTHORITY TO SIGN BILLS AND RECEIVE MESSAGES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during the adjournment of the Senate this evening, the Secretary of the Senate be authorized to receive messages from the House of Representatives, and that the President pro tempore or the Acting President pro tempore be authorized to sign duly enrolled bills.

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

HISTORY WILL JUDGE PRESIDENT JOHNSON AS THE PEACE-SEEKER

Mr. SPARKMAN. Mr. President—

When the full history of this period is revealed, Americans will find out that President Johnson took further steps to seek peace than anyone had taken before.

This is the point of view of a distinguished American—George A. Wells, na-

tional senior vice commander of the Disabled American Veterans.

In a newspaper interview in the Birmingham Post-Herald, Mr. Wells declared:

I believe (the President) is doing everything possible to get peace.

Mr. Wells speaks as an American who knows firsthand the agonies of war and the sacrifices necessary to maintain peace. I believe his feelings about what President Johnson is trying to do in the Vietnam situation are overwhelmingly endorsed by the majority of Americans.

I commend Mr. Wells for his statement. And I agree with him that history will prove just how hard our President has worked to find an honorable and peaceful solution in Vietnam.

I ask unanimous consent to have printed in the RECORD the article from the Birmingham Post-Herald carrying Mr. Wells' comments.

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

JOHNSON'S PEACE EFFORTS PRAISED BY DAV OFFICIAL

(By William Barclift)

When the full history of this period is revealed, Americans will find out that President Johnson took further steps to seek peace than anyone had taken before, George A. Wells, Disabled American Veterans national senior vice commander, said yesterday.

Mr. Wells, also public relations co-ordinator for the Massachusetts Department of Commerce and Development, is in Birmingham for the annual Alabama D.A.V. convention.

"Critics deride Johnson as little more than a politician," he said. "I believe he is doing everything possible to get peace."

In an interview Wells examined the problems surrounding the Vietnam war and the actions of many public figures.

"Maybe we shouldn't have been there in the first place," he said. "If you could turn history back and vote on it, the vote would probably be we shouldn't have entered. But you can't turn history back."

U.N. Secretary-General U Thant, who has been asked by the U.S. to help get talks started, "has made no serious effort," Wells said, adding:

"Being an Asian he should have a (diplomatic) pipeline into North Vietnam" and Peking.

While Wells said he supported the Johnson Administration's actions in Vietnam, he added, "If it is to continue indefinitely it may be necessary to call it exactly what it is—a war."

Questioned about anti-American attitudes in foreign countries, Wells mentioned the incident when Vice President Humphrey was splattered with eggs in Europe.

"When Humphrey was egged, that was bad enough. But it's worse when you realize we bought the hen for them to throw the eggs. . . . The fact that there's a Europe to go to is because of America.

"We'll get the same treatment in Japan eventually," he said, "We're like the rich uncle—nobody likes us until they need us."

SMALL BUSINESS ACT AMENDMENTS OF 1967

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 1862.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 1862) to amend the authorizing legislation of the Small Business Administration, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency, with amendments on page 6, after line 13, to insert:

(4) The Administration may extend any of the time limits established in paragraph (2) for the benefit of a company which (A) is operating in compliance with this Act and the regulations promulgated thereunder, (B) affirms its intention to reach the levels of private capital specified in this subsection, and (C) submits a feasible plan to the Administration to achieve these levels within a reasonable period of time.

At the beginning of line 22, to strike out "(4)" and insert "(5)"; on page 8, line 22, after the word "of", to insert "$1,000,000"; in the same line, after the amendment just above stated, to strike out "$2,500,000"; in line 23, after the word "has", to strike out "an investment" and insert "investments or legally binding commitments"; on page 9, line 1, after the word "invested", to insert "or committed"; in line 2, after the word "exceed", to insert "$2,000,000"; at the beginning of line 3, to strike out "$5,000,000"; at the beginning of line 5, to insert "$1,000,000"; in the same line, after the amendment just above stated, to strike out "$2,500,000"; on page 10, line 17, after the word "company:", to strike out:

Provided, however, That with respect to obligations or securities acquired prior to the effective date of the Small Business Investment Act Amendments of 1967, and with respect to legally binding commitments issued prior to such date, the provisions of this section as in effect immediately prior to such effective date shall continue to apply."

And insert:

Provided, however, That, for the purpose of this section, the combined paid-in capital and paid-in surplus of any company licensed prior to the effective date of the Small Business Investment Act Amendments of 1967 shall consist of (A) the paid-in capital and paid-in surplus of such company and (B) the following portions of the funds outstanding from the Administration through the issuance of subordinated debentures as of the effective date of the Small Business Investment Act Amendments of 1967, or on January 1 of each of the following calendar years, whichever is less: (i) 100 percent, during 1968; (ii) 75 percent, during 1969; (iii) 50 percent, during 1970; (iv) 25 percent, during 1971; and (v) zero, during 1972 and thereafter; and *Provided further, however,* That, with respect to obligations or securities acquired prior to the effective date of the Small Business Investment Act Amendments of 1967, and with respect to legally binding commitments issued prior to such date, the provisions of this section as in effect immediately prior to such effective date shall continue to apply."

On page 11, after line 21, to insert a new section, as follows:

SEC. 208. Section 307 of the Small Business Investment Act of 1958 is amended by adding the following new subsection:

"(d) Section 23A of the Federal Reserve Act (12 U.S.C. 371c) is amended by adding at the end thereof the following sentence: 'The foregoing limitations shall not apply to loans made by a member bank to an affiliated small business investment company licensed under the Small Business Investment Act of 1958, except that in no event shall any such bank make loans to such affiliated small business investment company in an amount aggregating more than 5 percent of its capital and surplus.'"

On page 12, at the beginning of line 9, to change the section number from "208" to "209"; at the beginning of line 15, to change the section number from "209" to "210"; and, in line 16, after the word "enactment", to change the period to a comma and insert "except that, with respect to section 206, it shall be January 1, 1968."; so as to make the bill read:

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

TITLE I

SEC. 101. This title may be cited as the "Small Business Act Amendments of 1967".

SEC. 102. Paragraph (4) of section 4(c) of the Small Business Act is amended—

(1) by striking out "$1,400,000,000" and inserting in lieu thereof "$1,900,000,000";

(2) by striking out "$400,000,000" and inserting in lieu thereof "$450,000,000";

(3) by striking out "$200,000,000" and inserting in lieu thereof "$300,000,000"; and

(4) by striking out "$100,000,000" and inserting in lieu thereof "$200,000,000".

SEC. 103. Paragraph (4) of section 7(a) is amended by striking out "except that a loan made for the purpose of constructing facilities may have a maturity of ten years" and inserting in lieu thereof "except that such portion of a loan made for the purpose of constructing facilities may have a maturity of fifteen years."

SEC. 104. The subsection added to section 7 of the Small Business Act by the Disaster Relief Act of 1966 (Public Law 89–769), and designated thereby as subsection (e), is redesignated as subsection (f).

SEC. 105. Subparagraph (B) of paragraph (1) of section 8(b) of the Small Business Act is amended to read as follows:

"(B) in the case of any individual or group of persons cooperating with it in furtherance of the purposes of subparagraph (A), (i) to allow such an individual or group such use of the Administration's office facilities and related materials and services as the Administration deems appropriate; and (ii) to pay the transportation expenses and a per diem allowance in accordance with section 5703 of title 5, United States Code, to such an individual or group of persons for travel and subsistence expenses incurred at the request of the Administration in providing gratuitous services to small businessmen in furtherance of the purposes of subparagraph (A) or in connection with attendance at meetings sponsored by the Administration;"

SEC. 106. Paragraph (13) of section 8(b) of the Small Business Act is amended to read as follows:

"(13) to establish such advisory boards and committees as may be necessary to achieve the purposes of this Act and of the Small Business Investment Act of 1958; to call meetings of such boards and committees from time to time; to reimburse the members of such boards and committees in accordance with section 5703 of title 5, United States Code, for travel and other expenses incurred in attending the meetings of such boards and committees; and to rent temporarily, within the District of Columbia or elsewhere, such hotel or other accommodations as are needed to facilitate the conduct of such meetings; and".

SEC. 107. Section 8(b) of the Small Business Act is amended—

(1) by striking out "and" at the end of paragraph (13);

(2) by striking out the period at the end of paragraph (14), by inserting "; and" in lieu thereof, and by adding the following new paragraph:

"(15) to disseminate, without regard to the provisions of section 4154 of title 39, United States Code, data and information, in such form as it shall deem appropriate, to public agencies, private organizations, and the general public."

SEC. 108. The subsection added to section 402 of the Economic Opportunity Act of 1964 by section 405 of the Economic Opportunity Amendments of 1966 (Public Law 89–794), and designated thereby as subsection (b), is redesignated as subsection (c).

TITLE II

SEC. 201. This title may be cited as the "Small Business Investment Act Amendments of 1967".

SEC. 202. (a) Section 302(a) of the Small Business Investment Act of 1958 is amended to read as follows:

"(a)(1) Each company which receives a license after the effective date of the Small Business Investment Act Amendments of 1967 (hereafter referred to in this subsection as the effective date) shall, unless prior to such date the company had applied for the license and in connection with such application had received from the Administration a 'Notice To Proceed,' have a combined paid-in capital and paid-in surplus of $1,000,000.

"(2) Each company which receives a license or a 'Notice To Proceed' before the effective date shall, except as provided in paragraph (3), comply with each of the following minimum standards of paid-in capital and paid-in surplus:

"(A) A company whose combined paid-in capital and paid-in surplus on the effective date is less than $300,000 shall have a combined paid-in capital and paid-in surplus of at least $300,000 by February 28, 1969; of at least $500,000 by February 28, 1971; and of at least $1,000,000 by February 28, 1975;

"(B) A company whose combined paid-in capital and paid-in surplus on the effective date is at least $300,000, but less than $500,000, shall have a combined paid-in capital and paid-in surplus of at least $500,000 by February 28, 1971; and of at least $1,000,000 by February 28, 1975;

"(C) A company whose combined paid-in capital and paid-in surplus on the effective date is at least $500,000, but less than $1,000,000, shall have a combined paid-in capital and paid-in surplus of at least $1,000,000 by February 28, 1971.

"(3) The Administration may by regulation (A) exempt any group or category of companies from the requirements of paragraph (2), and (B) extend any of the time limits established in paragraph (2) for the benefit of all the companies affected by the limit or any group or category of such companies. The Administration shall exercise its powers under this paragraph whenever it determines that such exemption or extension of time (A) is necessary in order to carry out the purposes of this Act with reference to any geographic area or locality of the United States, or (B) is appropriate for certain types of companies by reason of their adequate profitability, financial soundness and assistance provided to small business concerns.

"(4) The Administration may extend any of the time limits established in paragraph (2) for the benefit of a company which (A) is operating in compliance with this Act and the regulations promulgated thereunder, (B) affirms its intention to reach the levels of private capital specified in this subsection, and (C) submits a feasible plan to the Administration to achieve these levels within a reasonable period of time.

"(5) Any company which fails to comply with any of the minimum capital requirements of this subsection applicable to it shall be deemed in violation of this Act."

(b) Section 309(a) of the Small Business Investment Act of 1958 is amended by striking out the period at the end of paragraph (5), by inserting a semicolon in lieu thereof, and by adding the following new paragraph:

"(6) for failure or refusal to comply with any of the minimum capital standards established by section 302(a)".

SEC. 203. Section 302(b) of the Small Business Investment Act of 1958 is amended by striking out "2 percent" and inserting in lieu thereof "5 percent".

SEC. 204. Section 303(b) of the Small Business Investment Act of 1958 is amended to read as follows:

"(b) To encourage the formation and growth of small business investment companies the Administration is authorized (but only to the extent that the necessary funds are not available to the company involved from private sources on reasonable terms) to purchase, either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate basis, the debentures of any such company. Debentures purchased by the Administration under this subsection shall be subordinate to any other debenture bonds, promissory notes, or other debts and obligations of such companies. Such debentures may be issued for a term of not to exceed fifteen years and shall bear interest at a rate not less than (1) a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities on such debentures, adjusted to the nearest one-eighth of 1 per centum, plus (2) such additional charge, if any, toward covering other costs of the program as the Administration may determine to be consistent with its purposes. The debentures shall also contain such other terms as the Administration may fix, and shall be subject to the following restrictions and limitations:

"(1) the total amount of debentures purchased and outstanding at any one time from a company which does not qualify under the terms of paragraph (2) of this subsection, shall not exceed 200 percent of the combined paid-in capital and paid-in surplus of such company. In no event shall the debentures of any such company purchased and outstanding under this paragraph exceed $7,500,000.

"(2) The total amount of debentures which may be purchased and outstanding at any one time from a company which (A) has a combined paid-in capital and paid-in surplus of $1,000,000 or more and (B) has investments or legally binding commitments of 65 percent or more of its total funds available for investment in small business concerns invested or committed in equity capital as defined in section 304(a)(2) of this Act, shall not exceed $2,000,000 plus 300 percent of that portion of the company's paid-in capital and paid-in surplus which exceeds $1,000,000. In no event shall the debentures of any such company purchased and outstanding under this paragraph exceed $10,000,000. Such additional purchases which the Administration makes under this paragraph shall contain conditions to insure appropriate maintenance by the company receiving such assistance of the described ratio during the period in which debentures under this paragraph are outstanding.

"(3) Outstanding amounts of financial assistance provided to a company by the Administration prior to the effective date of the Small Business Investment Act Amendments of 1967 shall be deducted from the maximum amount of debentures which the Administration would otherwise be authorized to purchase under this subsection."

SEC. 205. Section 304 of the Small Business Investment Act of 1958 is amended—

(1) by inserting the paragraph designation "(1)" after "(a)" in subsection (a);

(2) by inserting the following new paragraph (2) in subsection (a);

"(2) For purposes of section 303(b)(2) of this Act the term 'equity capital' shall include such common stock, preferred stock, or other financing with subordination or nonamortization characteristics, as the Administration shall determine to be substantially similar to equity financing."

(3) by repealing subsection (c); and

(4) by redesignating subsection (d) as subsection (c).

SEC. 206. Section 306 of the Small Business Investment Act of 1958 is amended to read as follows:

"SEC. 306. Without the approval of the Administration, the aggregate amount of obligations and securities acquired and for which commitments may be issued by any small business investment company under the provisions of this Act for any single enterprise shall not exceed 20 percent of the combined paid-in capital and paid-in surplus of such company: *Provided, however,* That, for the purpose of this section, the combined paid-in capital and paid-in surplus of any company licensed prior to the effective date of the Small Business Investment Act Amendments of 1967 shall consist of (A) the paid-in capital and paid-in surplus of such company and (B) the following portions of the funds outstanding from the Administration through the issuance of subordinated debentures as of the effective date of the Small Business Investment Act Amendments of 1967, or on January 1 of each of the following calendar years, whichever is less: (i) 100 percent, during 1968; (ii) 75 percent, during 1969; (iii) 50 percent, during 1970; (iv) 25 percent, during 1971; and (v) zero, during 1972 and thereafter; and *Provided further, however,* That, with respect to obligations or securities acquired prior to the effective date of the Small Business Investment Act Amendments of 1967, and with respect to legally binding commitments issued prior to such date, the provisions of this section as in effect immediately prior to such effective date shall continue to apply."

SEC. 207. Section 310(b) of the Small Business Investment Act of 1958 is amended by adding after the first sentence thereof the following new sentence: "Unless waived by the Administration for good cause, each such company shall be examined at least once each year."

SEC. 208. Section 307 of the Small Business Investment Act of 1958 is amended by adding the following new subsection:

"(d) Section 23A of the Federal Reserve Act (12 U.S.C. 371c) is amended by adding at the end thereof the following sentence: 'The foregoing limitations shall not apply to loans made by a member bank to an affiliated small business investment company licensed under the Small Business Investment Act of 1958, except that in no event shall any such bank make loans to such affiliated small business investment company in an amount aggregating more than 5 percent of its capital and surplus.' "

SEC. 209. (a) The section heading of section 302 of the Small Business Investment Act of 1958 is amended to read as follows: "CAPITAL REQUIREMENTS";

(b) The description of section 302 in the table of contents of the Small Business Investment Act of 1958 is amended to read as follows: "Capital Requirements".

SEC. 210. The effective date of this title shall be ninety days after enactment, except, that, with respect to section 206, it shall be January 1, 1968.

Mr. McINTYRE. Mr. President, as we take up consideration of S. 1862, I ask unanimous consent that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Without objection, the amendments are considered and agreed to en bloc.

Mr. McINTYRE. Mr. President, this bill, S. 1862, amends both the Small Business Act and the Small Business Investment Act of 1958. This bill was reported by the Banking and Currency Committee unanimously.

Title I of the bill amends the Small Business Act. This title increases the amount in which SBA may have outstanding in loans and commitments in its various loan programs. The Small Business Administration assured our committee that this increase will enable it to operate these programs until June 30, 1970.

Under the bill, the maturity of regular small business loans would be increased from 10 years to 15 years covering any portion of such loans used for constructing facilities. SBA has found that in many cases the installment payments under the existing 10-year maturities are often so large as to create an excessive drain on the working capital of the borrower. The committee was assured that this new maturity will be used on a very highly selective basis.

The bill also contains amendments to aid SBA's SCORE program. This program, the Service Corps of Retired Executives, aids SBA in providing management counseling to small businesses. Retired executives volunteer their services without charge. However, in many cases small businesses are located in areas beyond commuting distances. The amendment would permit SBA to pay the travel expenses and per diem in lieu of expenses to these people who do such a remarkable service to small business.

The bill also clarifies SBA's ability to establish advisory boards to assist in the operation of both the Small Business Act and the Small Business Investment Act of 1958. It would also grant authority to SBA to rent facilities which would be required for the meetings of these boards. The committee believes that SBA needs and should be granted this authority. The sum involved would be minimal.

The bill also grants discretionary authority similar to that held by the Office of Economic Opportunity to use the mails to distribute information on their programs to people who have not requested it. The committee was assured by the Administrator of Small Business Administration that this authority will not be used to advertise SBA but would restrict it to programs such as the displaced business loan program where many services other than loans are made available to small businessmen.

Title II of the bill amends the Small Business Investment Act of 1958.

Senators will recall that in the last session the Congress enacted legislation which greatly strengthened SBA's regulatory powers over small business investment companies Public Law 89–779. At the time of the consideration of that legislation, it was agreed that the SBA would recommend, and the Congress consider, incentive legislation for SBIC's. Many Senators believed that the program needed strengthening so that it could better perform the services for which it was intended. That is to provide equity capital and long-term loans to small business.

The amendments contained in this bill should go a long way in accomplishing this purpose.

The bill would require an increase in the minimum private capital in an SBIC to $1 million. The present statutory minimum is $300,000, of which one-half may be obtained from the SBA from the sale to SBA of the subordinated debentures of the SBIC.

The recommended increase in minimum capital requirement is the result of a study made by SBA to determine the minimum size SBIC needed to meet the goals of the act. This study indicated that $1 million in private invested capital is required to assure adequate income, to interest competent management, to make the company attractive to private investors, to allow diversification of investments, and to enable an SBIC to have reasonable expectations of a successful long-time operation.

Under the bill SBIC's with less than $300,000 in private capital are required to have at least $300,000 by February 28, 1969, at least $500,000 by February 28, 1971, and at least $1,000,000 by February 28, 1975.

Those SBIC's with more than $300,000 in private capital but less than $500,000 would be required to have at least $500,000 by February 28, 1971, and at least $1,000,000 by February 28, 1975.

It would require those SBIC's with more than $500,000 private capital but less than $1,000,000 to have at least $1,000,000 by February 28, 1971.

It is clear that some groups or category as well as individual SBIC's will not be able to meet these minimum capital standards in the time set out in the amendment. Therefore, the bill gives the Small Business Administration Administrator authority to grant exemptions and extensions of time to groups as well as individual SBIC's in order to give these SBIC's more time to meet these new requirements.

The bill also increases the amount of subordinated debentures which SBA may purchase from an SBIC. The present law provides that subordinated debentures may be purchased from an SBIC in an amount equal to the private capital of the SBIC up to $700,000. This bill provides that subordinated debentures may be purchased from an SBIC in an amount not to exceed 200 percent of the private capital of the SBIC and in no event shall the amount purchased exceed $7,500,000.

The bill also provides for extra leverage for those SBIC's which have $1 million in private capital and have 65 percent or more of its available funds in equity investments on small businesses. Those SBIC's which qualify for this extra leverage may sell debentures in an amount not to exceed $2,000,000 plus 300 percent of that portion of the SBIC's capital and surplus which exceeds $1,000,000. In no event shall the debentures purchased from any such company qualifying for this extra leverage exceed $10,000,000.

This bill also changes the method of computing the amount which an SBIC may advance to any single small business concern.

Present law limits that amount to 20 percent of the SBIC's statutory capital. Statutory capital is defined in the act as being the amount of the SBIC's private capital plus the amount outstanding from the sale of subordinated debentures sold to SBA.

This bill would limit the amount which may be furnished to one small business concern to 20 percent of the SBIC's private capital. However, to soften the blow to the smaller SBIC in the reduction of its investment limit, this bill contains a proviso which would reduce that part of the limit which is attributable to subordinated deventures held by SBA in the SBIC by 25 percent per year.

Thus, while ultimately all SBIC's will be limited to 20 percent of their private capital, the smaller SBIC's will be given time to adjust their lending patterns to the provisions of this bill.

The bill would also increase the amount which a bank may invest in the stock of an SBIC from 2 to 5 percent of the bank's capital and surplus. Banks are an important source of capital to SBIC's, and it is important that banks participate as much as possible in supplying capital to SBIC's.

Mr. President, this is a good bill. I am convinced that it will go far in providing the type and structure of SBIC's which will enable them to vastly improve their services to small business. It is not a panacea, but it will give us a firm base from which to work on future amendments to the Small Business Investment Act of 1958.

Mr. President, I recommend that the Senate approve S. 1862.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. SPARKMAN. Mr. President, I have an amendment which I send to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read the amendment, as follows:

On page 12, between lines 14 and 15, insert the following:

"SEC. 210. The first sentence of section 401(a) of the Small Business Investment Act of 1958 is amended by striking out 'that are (1) eligible for loans under section 7(b)(3) of the Small Business Act, or (2) eligible for loans under title IV of the Economic Opportunity Act of 1964,'."

On page 12, line 15, strike out "210" and insert "211".

Mr. SPARKMAN. Mr. President, before speaking with respect to the amendment, I wish to commend the able Senator from New Hampshire [Mr. McINTYRE] for his presentation of the bill and his handling of the measure in the Committee on Banking and Currency. He has done an excellent job. He has presented a bill here which meets with the approval of the Small Business Administration and which meets with the approval of industry. He has done a remarkable job in working out the bill.

I also wish to commend the junior Senator from Illinois [Mr. PERCY], who is the ranking minority member of the subcommittee who, working together with the leadership of the Senator from

New Hampshire, has done an excellent job.

Mr. President, I do believe this amendment should be added and I hope it will be found to be acceptable. I wish to point out some of the key features which would result from the amendment. This is an amendment to title IV of the Small Business Investment Act.

The amendment would extend the current lease guarantee program to all eligible small business concerns. It would remove the limitations which were originally included for the pilot effort. I sponsored the original lease guarantee legislation in 1965. The legislation, as enacted, limited coverage to small business concerns displaced as a result of Federal action or to disadvantaged applicants qualifying under the economic opportunity loan program.

SBA has made great strides in getting these pilot programs underway. While implementing the legislation as originally enacted, the Small Business Administration has found a demand for broader coverage. Representatives of insurance companies, lending institutions, and the small business community have expressed a need for across-the-board eligibility.

In accordance with the congressional mandate, SBA has, through the use of premiums which include loss reserves and administrative costs, devised a program which is self-sustaining. By broadening the coverage, the number of concerns participating in this program will be increased, thereby spreading the risk and reducing the pro rata share of the premium which goes to the loss reserves and administrative costs. The net effect will probably be a reduction in the premium cost to the small businessman.

Thus, Mr. President, I am pleased to introduce this amendment which will provide opportunity for further service to the small business community and will very likely result in a reduction of the operating costs of the small businessman in a program which will pay its own way.

Mr. McINTYRE. Mr. President, I thank the distinguished chairman of the Committee on Banking and Currency for his kind words concerning the actions of the subcommittee in considering S. 1862.

It is my understanding that his amendment would be fair. The present statute limits only those small businesses which are eligible for loans under SBA's displaced business loan program and those small businessmen who qualify for loans under title IV of the Economic Opportunity Act. This is, as the Senator said, very limited coverage under the present statute. This amendment would, as the Senator suggested, round out the picture in a much better fashion.

Mr. SPARKMAN. That is the purpose of the amendment. The program in the law today has been operating for 2 years, so it has built up some experience.

Mr. McINTYRE. I am pleased to accept my distinguished chairman's amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alabama.

The amendment was agreed to.

Mr. SPARKMAN. Mr. President, I send another amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read the amendment, as follows:

Strike section 208 beginning on page 11, line 22, and substitute a new section 208 as follows:

"SEC. 208. Section 307 of the Small Business Investment Act of 1958 is amended by adding the following new subsection:

" '(d) The third paragraph of section 23A of the Federal Reserve Act (12 U.S.C.. 371c) is hereby amended by adding at the end thereof the following new sentence: "The provisions of the second paragraph of this section shall not apply to loans to a small business investment company licensed under the Small Business Investment Act of 1958 where the lending bank owns a majority of the voting shares of such company".' "

Mr. SPARKMAN. Mr. President, on June 15 the committee requested the views of the Federal Reserve Board on a proposed amendment which would exempt from section 23(a) of the Federal Reserve Act loans by member banks to affiliated small business investment companies. Since the bill was ordered reported, the committee has now received the Board's views on the amendment. The Board supports an increase in the limits on investment by member banks in SBIC's and believes that an amendment should be adopted enabling member banks more readily to make loans to their subsidiary SBIC's. However, the Board suggests that the objective may be accomplished with a different amendment more in keeping with present law. The views of the Board are thoroughly expressed in the letter which I have just received from Chairman Martin. There is no objection to the Board's recommended amendment from either the Small Business Administration or the industry. Accordingly, I have sent the suggested amendment to the desk and recommend its adoption.

I ask unanimous consent that the letter from the Federal Reserve Board, be printed in the RECORD.

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

BOARD OF GOVERNORS,
FEDERAL RESERVE SYSTEM,
Washington, D.C., June 28, 1967.

HON. JOHN SPARKMAN,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your letter of June 15, 1967, requesting the comments of the Board on a proposed amendment to S. 1862, the "Small Business Act Amendments of 1967." The proposed amendment would exempt from section 23A of the Federal Reserve Act (12 U.S.C. 371c) loans by member banks to affiliated small business investment companies.

The Board believes that the considerations that support an increase in the limits on investment by member banks in shares of small business investment companies (as provided in the bill) also warrant an amendment to section 23A to enable member banks more readily to make loans to their subsidiary SBIC's. In our judgment, however, this objective can be accomplished with a less sweeping amendment than that on which you asked for comment. We believe that the first paragraph of section 23A, which limits investments by a member bank in any one affiliate to 10 per cent of the bank's capital and surplus, and limits investments in all affiliates to 20 per cent of its capital and surplus, should continue to apply to investments in affiliated SBIC's. Since these limits apply both to equity investments and to loans, this would mean that a member bank that invested 5 per cent of its capital and surplus in the shares of a subsidiary SBIC could also make loans to the SBIC up to an additional 5 per cent. If the stock investment were smaller the loan limit would be proportionately larger, but always less than 10 per cent. The collateral requirements of the second paragraph of section 23A should be waived, but only where the affiliation between the bank and the SBIC results from bank ownership of a majority of the SBIC's voting shares. Accordingly, we suggest that the proposed amendment be revised to read as follows:

"(d) The third paragraph of section 23A of the Federal Reserve Act (12 U.S.C. 371c) is hereby amended by adding at the end thereof the following new sentence: 'The provisions of the second paragraph of this section shall not apply to loans to a small business investment company licensed under the Small Business Investment Act of 1958 where the lending bank owns a majority of the voting shares of such company.' "

Sincerely yours,

WM. MCC. MARTIN, JR.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the amendment be in order, notwithstanding the fact that the committee amendment which it would change, has already been agreed to.

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

Mr. McINTYRE. Mr. President, the amendment offered by the distinguished chairman of the committee has been studied by both the majority side and the minority side. It is a corrective and helpful amendment, and I am prepared to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alabama.

The amendment was agreed to.

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

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1862

An act to amend the authorizing legislation of the Small Business Administration, and for other purposes

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

TITLE I

SEC. 101. This title may be cited as the "Small Business Act Amendments of 1967".

SEC. 102. Paragraph (4) of section 4(c) of the Small Business Act is amended—

(1) by striking out "$1,400,000,000" and inserting in lieu thereof "$1,900,000,000";

(2) by striking out "$400,000,000" and inserting in lieu thereof "$450,000,000";

(3) by striking out "$200,000,000" and inserting in lieu thereof "$300,000,000"; and

(4) by striking out "$100,000,000"; and inserting in lieu thereof "$200,000,000".

SEC. 103. Paragraph (4) of section 7(a) is amended by striking out "except that a loan made for the purpose of constructing facilities may have a maturity of ten years" and inserting in lieu thereof "except that such

portion of a loan made for the purpose of constructing facilities may have a maturity of fifteen years."

SEC. 104. The subsection added to section 7 of the Small Business Act by the Disaster Relief Act of 1966 (Public Law 89-769), and designated thereby as subsection (e) is redesignated as subsection (f).

SEC. 105. Subparagraph (B) of paragraph (1) of section 8(b) of the Small Business Act is amended to read as follows:

"(B) in the case of any individual or group of persons cooperating with it in furtherance of the purposes of subparagraph (A), (i) to allow such an individual or group such use of the Administration's office facilities and related materials and services as the Administration deems appropriate; and (ii) to pay the transportation expenses and a per diem allowance in accordance with section 5703 of title 5, United States Code, to such an individual or group of persons for travel and subsistence expenses incurred at the request of the Administration in providing gratuitous services to small businessmen in furtherance of the purposes of subparagraph (A) or in connection with attendance at meetings sponsored by the Administration;".

SEC. 106. Paragraph (13) of section 8(b) of the Small Business Act is amended to read as follows:

"(13) to establish such advisory boards and committees as may be necessary to achieve the purposes of this Act and of the Small Business Investment Act of 1958; to call meetings of such boards and committees from time to time; to reimburse the members of such boards and committees in accordance with section 5703 of title 5, United States Code, for travel and other expenses incurred in attending the meetings of such boards and committees; and to rent temporarily, within the District of Columbia or elsewhere, such hotel or other accommodations as are needed to facilitate the conduct of such meetings; and".

SEC. 107. Section 8(b) of the Small Business Act is amended—

(1) by striking out "and" at the end of paragraph (13);

(2) by striking out the period at the end of paragraph (14), by inserting "; and" in lieu thereof, and by adding the following new paragraph:

"(15) to disseminate, without regard to the provisions of section 4154 of title 39, United States Code, data and information, in such form as it shall deem appropriate, to public agencies, private organizations, and the general public."

SEC. 108. The subsection added to section 402 of the Economic Opportunity Act of 1964 by section 405 of the Economic Opportunity Amendments of 1966 (Public Law 89-74), and designated thereby as subsection (b) is redesignated as subsection (c).

TITLE II

SEC. 201. This title may be cited as the "Small Business Investment Act Amendments of 1967".

SEC. 202. (a) Section 302(a) of the Small Business Investment Act of 1958 is amended to read as follows:

"(a)(1) Each company which receives a license after the effective date of the Small Business Investment Act Amendments of 1967 (hereafter referred to in this subsection as the effective date) shall, unless prior to such date the company had applied for the license and in connection with such application had received from the Administration a 'Notice To Proceed', have a combined paid-in capital and paid-in surplus of $1,000,000.

"(2) Each company which receives a license or a 'Notice To Proceed' before the effective date shall, except as provided in paragraph (3), comply with each of the following minimum standards of paid-in capital and paid-in surplus:

"(A) A company whose combined paid-in capital and paid-in surplus on the effective date is less than $300,000 shall have a combined paid-in capital and paid-in surplus of at least $300,000 by February 28, 1969; of at least $500,000 by February 28, 1971; and of at least $1,000,000 by February 28, 1975;

"(B) A company whose combined paid-in capital and paid-in surplus on the effective date is at least $300,000, but less than $500,000, shall have a combined paid-in capital and paid-in surplus of at least $500,000 by February 28, 1971; and of at least $1,000,000 by February 28, 1975;

"(C) A company whose combined paid-in capital and paid-in surplus on the effective date is at least $500,000, but less than $1,000,000, shall have a combined paid-in capital and paid-in surplus of at least $1,000,000 by February 28, 1971.

"(3) The Administration may by regulation (A) exempt any group or category of companies from the requirements of paragraph (2), and (B) extend any of the time limits established in paragraph (2) for the benefit of all the companies affected by the limit or any group or category of such companies. The Administration shall exercise its powers under this paragraph whenever it determines that such exemption or extension of time (A) is necessary in order to carry out the purposes of this Act with reference to any geographic area or locality of the United States, or (B) is appropriate for certain types of companies by reason of their adequate profitability, financial soundness and assistance provided to small business concerns.

"(4) The Administration may extend any of the time limits established in paragraph (2) for the benefit of a company which (A) is operating in compliance with this Act and the regulations promulgated thereunder, (B) affirms its intention to reach the levels of private capital specified in this subsection, and (C) submits a feasible plan to the Administration to achieve these levels within a reasonable period of time.

"(5) Any company which fails to comply with any of the minimum capital requirements of this subsection applicable to it shall be deemed in violation of this Act."

(b) Section 309(a) of the Small Business Investment Act of 1958 is amended by striking out the period at the end of paragraph (5), by inserting a semicolon in lieu thereof, and by adding the following new paragraph:

"(6) for failure or refusal to comply with any of the minimum capital standards established by section 302(a)".

SEC. 203. Section 302(b) of the Small Business Investment Act of 1958 is amended by striking out "2 percent" and inserting in lieu thereof "5 percent".

SEC. 204. Section 303(b) of the Small Business Investment Act of 1958 is amended to read as follows:

"(b) To encourage the formation and growth of small business investment companies the Administration is authorized (but only to the extent that the necessary funds are not available to the company involved from private sources on reasonable terms) to purchase, either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate basis, the debentures of any such company. Debentures purchased by the Administration under this subsection shall be subordinate to any other debenture bonds, promissory notes, or other debts and obligations of such companies. Such debentures may be issued for a term of not to exceed fifteen years and shall bear interest at a rate not less than (1) a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities on such debentures, adjusted to the nearest one-eighth of 1 per centum, plus (2) such additional charge, if any, toward covering other costs of the program as the Administration may determine to be consistent with its purpose. The debentures shall also contain such other terms as the Administration may fix, and shall be subject to the following restrictions and limitations:

"(1) The total amount of debentures purchased and outstanding at any one time from a company which does not qualify under the terms of paragraph (2) of this subsection, shall not exceed 200 percent of the combined paid-in capital and paid-in surplus of such company. In no event shall the debentures of any such company purchased and outstanding under this paragraph exceed $7,500,000.

"(2) The total amount of debentures which may be purchased and outstanding at any one time from a company which (A) has a combined paid-in capital and paid-in surplus of $1,000,000 or more and (B) has investments or legally binding commitments of 65 percent or more of its total funds available for investment in small business concerns invested or committed in equity capital as defined in section 304(a)(2) of this Act, shall not exceed $2,000,000 plus 300 percent of that portion of the company's paid-in capital and paid-in surplus which exceeds $1,000,000. In no event shall the debentures of any such company purchased and outstanding under this paragraph exceed $10,000,000. Such additional purchases which the Administration makes under this paragraph shall contain conditions to insure appropriate maintenance by the company receiving such assistance of the described ratio during the period in which debentures under this paragraph are outstanding.

"(3) Outstanding amounts of financial assistance provided to a company by the Administration prior to the effective date of the Small Business Investment Act Amendments of 1967 shall be deducted from the maximum amount of debentures which the Administration would otherwise be authorized to purchase under this subsection."

SEC. 205. Section 304 of the Small Business Investment Act of 1958 is amended—

(1) by inserting the paragraph designation "(1)" after "(a)" in subsection (a);

(2) by inserting the following new paragraph (2) in subsection (a):

"(2) For purposes of section 303(b)(2) of this Act the term 'equity capital' shall include such common stock, preferred stock, or other financing with subordination or nonamortization characteristics, as the Administration shall determine to be substantially similar to equity financing."

(3) by repealing subsection (c); and

(4) by redesignating subsection (d) as subsection (c).

SEC. 206. Section 306 of the Small Business Investment Act of 1958 is amended to read as follows:

"SEC. 306. Without the approval of the Administration, the aggregate amount of obligations and securities acquired and for which commitments may be issued by any small business investment company under the provisions of this Act for any single enterprise shall not exceed 20 percent of the combined paid-in capital and paid-in surplus of such company: *Provided, however,* That, for the purpose of this section, the combined paid-in capital and paid-in surplus of any company licensed prior to the effective date of the Small Business Investment Act Amendments of 1967 shall consist of (A) the paid-in capital and paid-in surplus of such company and (B) the following portions of the funds outstanding from the Administration through the issuance of subordinated debentures as of the effective date of the Small Business Investment Act Amendments of 1967, or on January 1 of each of the following calendar years, whichever is less: (i) 100 percent, during 1968; (ii) 75 percent, during 1969; (iii) 50

percent, during 1970; (iv) 25 percent, during 1971; and (v) zero, during 1972 and thereafter: *And provided further, however,* That with respect to obligations or securities acquired prior to the effective date of the Small Business Investment Act Amendments of 1967, and with respect to legally binding commitments issued prior to such date, the provisions of this section as in effect immediately prior to such effective date shall continue to apply."

SEC. 207. Section 310(b) of the Small Business Investment Act of 1958 is amended by adding after the first sentence thereof the following new sentence: "Unless waived by the Administration for good cause, each such company shall be examined at least once each year."

SEC. 208. Section 307 of the Small Business Investment Act of 1958 is amended by adding the following new subsections: "(d) The third paragraph of section 23A of the Federal Reserve Act (12 U.S.C. 371c) is hereby amended by adding at the end thereof the following new sentence: 'The provisions of the second paragraph of this section shall not apply to loans to a small business investment company licensed under the Small Business Investment Act of 1958 where the lending bank owns a majority of the voting shares of such company.' "

SEC. 209. (a) The section heading of section 302 of the Small Business Investment Act of 1958 is amended to read as follows: "CAPITAL REQUIREMENTS";

(b) The description of section 302 in the table of contents of the Small Business Investment Act of 1958 is amended to read as follows: "Capital requirements".

SEC. 210. The first sentence of section 401 (a) of the Small Business Investment Act of 1958 is amended by striking out "that are (1) eligible for loans under section 7 (b) (3) of the Small Business Act, or (2) eligible for loans under title IV of the Economic Opportunity Act of 1964,".

SEC. 211. The effective date of this title shall be ninety days after enactment, except that, with respect to section 206, it shall be January 1, 1968.

Mr. McINTYRE. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. SPARKMAN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ADJOURNMENT UNTIL 10 O'CLOCK A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 10 o'clock a.m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 21 minutes p.m.) the Senate adjourned until tomorrow, Thursday, June 29, 1967, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate June 28, 1967:

IN THE AIR FORCE

Maj. Gen. Stanley J. Donovan, [redacted], Regular Air Force,, to be assigned to positions of importance and responsibility designated by the President in the grade of lieutenant general, under the provisions of section 8066, title 10 of the United States Code.

Lt. Gen. Hewitt T. Wheless, [redacted] (major general, Regular Air Force), U.S. Air Force, to be senior Air Force member, Military Staff Committee, United Nations, under the provisions of section 711, title 10 of the United States Code.

IN THE NAVY

Having designated, under the provisions of title 10, United States Code, section 5231, Rear Adm. Ralph L. Shifley, U.S. Navy, for commands and other duties determined by the President to be within the contemplation of said section, I nominate him for appointment to the grade of vice admiral while so serving.

FEDERAL MARITIME COMMISSION

Ashton C. Barrett, of Mississippi, to be a Federal Martime Commissioner for the term expiring June 30, 1972 (reappointment).

CONFIRMATIONS

Executive nominations confirmed by the Senate June 28, 1967:

DISTRICT OF COLUMBIA COURT OF APPEALS

Catherine B. Kelly, of the District of Columbia, to be associate judge of the District of Columbia Court of Appeals for the term of 10 years.

JUVENILE COURT OF THE DISTRICT OF COLUMBIA

John D. Fauntleroy, of the District of Columbia, to be associate judge of the juvenile court of the District of Columbia for the term of 10 years.

DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS

Alfred Burka, of Maryland, to be associate judge of the District of Columbia court of general sessions for the term of 10 years.

IN THE PUBLIC HEALTH SERVICE

The nominations beginning Victor E. Archer, to be medical director, and ending John B. Wiggins, Jr., to be senior assistant health services officer, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on June 21, 1967.

DEPARTMENT OF JUSTICE

Woodrow W. Jones, of North Carolina, to be U.S. district judge for the western district of North Carolina, vice J. Braxton Craven, Jr., elevated.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JUNE 28, 1967

The House met at 11 o'clock a.m.

Rev. Henry Baker Reiley, Jr., Somerset Methodist Church, Somerset, Pa., offered the following prayer:

Give Thy servant an understanding mind to govern Thy people.—I Kings 3: 9a.

Let us pray:

God of our fathers, Thou who art the source for all wisdom and understanding, give to us discerning minds.

Many times instead of endeavoring to understand those who differ with us, we merely tolerate them, so we pray for Thy guidance when impatience causes us to be intolerant of others and of their opinions.

When temptations to revile others come, help us to put them aside so that we may live in love and charity with our neighbors.

Forgive us when we have an unyielding contempt for those who oppose us, and may that forgiveness be accompanied by an understanding mind which will enable us to see ourselves in the light of Thine all-pervading goodness.

In Christ's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H.R. 3349. An act to continue until the close of September 30, 1967, the existing suspension of duties on certain forms of nickel.

H.R. 3652. An act to continue until the close of June 30, 1970, the existing suspension of duties on manganese ore (including ferruginous ore) and related products.

H.R. 10867. An act to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, and for other purposes; and

H.J. Res. 652. Joint resolution making continuing appropriations for the fiscal year 1968, and for other purposes.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 4880. An act to extend the time within which certain requests may be filed under the Tariff Schedules Technical Amendments Act of 1965; and

H.R. 5615. An act to continue until the close of June 30, 1969, the existing suspension of duties for metal scrap.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 944. An act relating to the establishment of parking facilities in the District of Columbia.

PERMISSION FOR SUBCOMMITTEE ON BANK SUPERVISION AND INSURANCE TO SIT TODAY DURING GENERAL DEBATE

Mr. MULTER. Mr. Speaker, I ask unanimous consent that the Subcommittee on Bank Supervision and Insurance of the Committee on Banking and Currency may sit this afternoon during general debate.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PAWNEE INDIAN POWWOW IS NATIONAL ATTRACTION

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to