training aspects of the program, to stress adult education especially for parents of non-English-speaking children, to provide a more flexible criteria or formula for distributing funds for bilingual education and to review the extent of involvement in and contribution toward the overall program by state education authorities.

I trust the Committee will consider these and other ideas as it continues its analysis of the problem, and attempts to devise the best legislative approach to its solution.

In this connection, and as additional evidence of the urgent need for supporting the principle of bilingual education for America's non-English-speaking school children, I would like to draw the Committee's attention to a recent survey on the teaching of Spanish to Spanish-speaking students, entitled "The Invisible Minority", in which the National Education Association found that this group of bilingual and bicultural young people represented what it called "the most acute educational problem in the Southwest."

The N.E.A. study continued: "Many of these young people experience academic failure in school. At best, they have limited success. A large percentage become school dropouts. And little headway is being made against the problem.

"Spanish-speaking children start school with a decided handicap (the almost exclusive use of Spanish), fall behind their classmates in the first grade, and each passing year finds them farther behind.

"They are conditioned to failure in the early years of their schooling, and each additional year only serves to reinforce their feelings of failure and frustration."

The Spanish-speaking student "knows some English but has used it infrequently. The language of his home, his childhood, his first years, is Spanish. His environment, his experiences, his very personality have been shaped by it.

"But he soon discovers that English is the only language acceptable in schools."

In addition to the language barrier, the survey found that children of Spanish-speaking background "encounter a strange and different set of cultural patterns, an accelerated tempo of living, and, more often than not, teachers who, though sympathetic and sincere, have little understanding of the Spanish-speaking people, their customs, beliefs, and sensitivities."

The National Education Association report concluded: "The need is for action—now!

"To meet the problem fully, however, further legislation and substantially increased appropriations are needed. A more intensive effort to recruit additional teachers from among the Spanish-speaking is another imperative. Additional research, especially of a demonstration nature, is yet another. An extended series of needs could be listed. But the urgent need is for action and innovation in local school districts almost everywhere."

Mr. Chairman, I believe the bilingual education proposals you are now considering represent the kind of immediate legislative action recommended by the N.E.A. to help overcome the serious linguistic handicaps suffered by America's 3 million non-English-speaking elementary and secondary schoolchildren.

Also on a positive note, Mr. Chairman, I am convinced that we should begin to think of bilingualism in this country, not so much as a problem, but as a great opportunity and a potential national asset of tremendous value—if we will but develop it as such.

Up to now in our schools, millions of young people who speak a language other than English have been cheated or damaged or both by ill-informed educational policies which have made of their bilingualism an ugly disadvantage in their lives.

It is certainly absurd that our national educational policy has directed the expenditure of an estimated billion dollars a year to teach foreign languages—in our schools, colleges, universities, and government agencies—and yet virtually none of this effort has gone to maintain and develop the already existing cmpetence of American children who speak these same languages as a result of their family background.

For instance, with some 4 million native speakers of French or Spanish in our country, these are the two languages most widely taught, and yet, they are also the ones for which we recognize the greatest unfulfilled need.

It is absolutely incongruous to me that we should continue to largely waste the native-speaking talents and abilities of our own citizens, when there is such an urgent need for those very talents right here in the United States.

But, Mr. Chairman, I believe that your Committee is providing the kind of forward-looking, progressive leadership we need to end, once and for all, this tragic waste, and to begin to utilize the extensive linguistic abilities of our own people.

With endorsements of bilingual education from the Association of Mexican-American Educators, the Affiliated Teacher Organizations of Los Angeles, the Los Angeles City Council, the Los Angeles County Board of Supervisors, and the recent "Neuvas Vistas" Conference sponsored by the California State Department of Education—plus enactment by the California Legislature this Spring of a bill (proposed by the California Teachers Association) to permit school districts to establish bilingual instruction programs when deemed educationally advantageous to their pupils—I believe your Committee should have a friendly reception here on the West Coast, and you can feel assured of the enthusiastic support of all those who are interested in improving the educational opportunities of America's non-English-speaking students.

And, with the wholehearted backing of the National Education Association, the unmistakable evidence of fast-growing nationwide support on the local and State level for this long-needed legislation, and the active contribution of Members of both House and Senate, I am greatly encouraged that our joint efforts will be successful this year.

If such a bright prospect is realized, much of the credit will belong to the pioneering leadership provided by this Committee.

Thank you again for coming to California, and for offering our citizens an opportunity to express their thoughts on this vital subject.

SENATE

WEDNESDAY, JULY 12, 1967

The Senate met at 11 o'clock a.m., and was called to order by Hon. ROBERT C. BYRD, a Senator from the State of West Virginia.

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

Our Father God, whose most searching words are heard in the silences of the soul, give, we beseech Thee, to Thy servants who here wrestle with the Nation's problems, quiet hearts and open minds welcoming all truth from whatever direction it may come.

May the fret and fever of their own spirits not add to the confusion of a bewildered age instead of helping and healing.

Lift our eyes, we pray Thee, above the foggy valley of narrow loyalties and partisan interests to vaster vistas where small things are seen as small and great things as great. Remove far from us even unrecognized bigotries and prejudices based on misunderstanding.

In the crises of our times join us with those who across the waste and wilderness of human hate and need, preparing the way of the Lord, throw up a highway for our God. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., July 12, 1967.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. ROBERT C. BYRD, a Senator from the State of West Virginia, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. BYRD of West Virginia thereupon took the chair as Acting President pro tempore.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States, submitting the nomination of David Statler Black, of Washington, to be Under Secretary of the Interior, was communicated to the Senate by Mr. Geisler, one of his secretaries, which nominating message was referred to the Committee on Interior and Insular Affairs.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, July 11, 1967, was dispensed with.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the following subcommittees were authorized to meet during the session of the Senate today:

The Subcommittee on Military Construction of the Committee on the Armed Services.

The Subcommittee on Government Research of the Committee on Government Operations.

The Special Subcommittee on the Arts and Humanities of the Committee on Labor and Public Welfare.

The Subcommittee on Migratory Labor of the Committee on Labor and Public Welfare.

On request of Mr. BYRD of West Virginia, and by unanimous consent, the following subcommittees were authorized to meet during the session of the Senate today:

The Subcommittee on Employment,

Manpower, and Poverty of the Committee on Labor and Public Welfare.

The Subcommittee on Juvenile Delinquency of the Committee on the Judiciary.

The Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary.

The Subcommittee on Criminal Laws and Procedures of the Committee on the Judiciary.

RECOGNITION OF SENATOR KENNEDY OF NEW YORK

The PRESIDING OFFICER. (Mr. BARTLETT in the chair). Under the order of yesterday, the Chair recognizes the Senator from New York [Mr. KENNEDY].

INDUSTRIAL INVESTMENT IN URBAN POVERTY AREAS

Mr. KENNEDY of New York. Mr. President, I rise for the purpose of introducing, with the junior Senator from Kansas [Mr. PEARSON], a bill for private investment in urban poverty areas. The aim of this bill is to create a new partnership against poverty; to bring the resources and talent of American private enterprise to bear on the most serious domestic challenge before us: the concentrated deprivation, frustration, and decay which tear at the very fabric of life in every major city in the Nation.

The specific purpose of the bill is to stimulate investment—the creation of new jobs and income—in poverty areas. The entire program is to be carried out, not by Government agencies, but by private enterprise. The Federal Government provides only a system of tax incentives, carefully designed to enable private enterprise to make its investments and carry out its operations in the urban poverty areas.

Thus the bill seeks to remedy the greatest failure in our existing poverty efforts: the failure to involve and rely on the private enterprise system which is the basic strength of the Nation. By failing to involve the private sector, we have not only ignored the potential contribution of millions of talented and energetic Americans in tens of thousands of productive enterprises. More dangerously, we have created for the poor a separate economy, almost a separate nation: a second-rate system of welfare handouts, a screen of Government agencies keeping the poor apart from the rest of us. That system—ineffective, inefficient, and degrading—must be changed. This bill would work toward the needed change.

In brief summary, the program will work as follows: An enterprise wishing to avail itself of the bill's provisions will select a site in a poverty area, in cooperation with the city and Federal Government, and the local community affected. The company will agree to create at least 50 new jobs; to fill at least two-thirds of all jobs at this location with residents of the poverty area—or other unemployed persons—and to maintain its investment for at least 10 years. In return, it will receive tax credits against its investment in plant and machinery; accelerated depreciation schedules for that investment; extra deductions for wages paid to previously unemployed persons; liberal carryforward and carryback allowances; and assistance in training the new workers.

After extensive consultation with representatives of business, labor, government, the academic community, and the urban poor themselves, our expectation is that these incentives will give our private enterprise system—the most ingenious and productive the world has ever known—the help it needs to effectively attack the difficult and resistant problems of urban unemployment.

Because it operates through the existing private enterprise system, the bill does not require the creation of new Government departments or agencies. It creates no new systems of welfare handouts. It requires no great new outflows of Government spending. Rather, by generating new investment and creating new jobs, it will increase productivity in the Nation as a whole—putting idle hands to work, turning welfare recipients into taxpayers, and decreasing present financial burdens on State and local governments. And greater productivity will result, in our judgment, in increased overall Federal revenues, even after allowing for the tax relief afforded to businesses which make the desired investment.

I. THE NEED FOR JOBS

This Nation faces many problems. Some are outside our borders, in Vietnam, in the Middle East, in Latin America, and Africa. Some are almost beyond our comprehension: the awful potential of the nuclear weapon, the technical complexities of air and water pollution, the meaning of learning in an age of computers. But of all our problems, none is more immediate—none is more pressing—none is more omnipresent—than the crisis of unemployment in every major city in the Nation.

Trenton, N.J., and Tacoma, Wash.; Lansing, Mich., and Louisville, Ky.; New Haven, Conn., and New Orleans, La.; Mobile, Ala., and Milwaukee, Wis.; East Harlem and East St. Louis, south Los Angeles and north Philadelphia—in all these, and in dozens more, are spreading pockets of poverty and frustration, anger, and despair. These cities are the vital nerve centers of our economy and national life, the capitals of every section and region of the country. Yet every one, at its core, has dangerous symptoms of decay. The poverty pockets may be virtually cities in themselves, areas of as much as 350,000 people. And throughout these areas: welfare and dependency are becoming pervasive, with the bill just for aid to dependent children rising to over $500 million yearly in our five largest cities, $20 million a month in New York City alone. Over 40 percent of housing is substandard, unhealthy, and dilapidated. Education is failing their children, with high school dropout rates which often reach nearly 70 percent. Health is poor and care is inadequate. From one-third to one-half of the families live in poverty. These things we know; and we know of all the consequences: of the broken families and stunted lives, of the crime and violence, most tragically of the children dulled by despair—without prospects, without hope, without the full birthright of American citizenship.

But the measure of the most serious problem of urban poverty—the crisis of unemployment—is that we do not even know how bad it is.

We do know that unemployment in the poverty districts is at least three times the national rate. Negroes in Hough, Mexican Americans in east Los Angeles, Appalachian whites in Chicago, Puerto Ricans in East Harlem, Indians on reservations—in every section, among Americans of every race and background, are groups of people who have lived through the forties and fifties, even through the booming sixties, with an unemployment rate worse than the rest of the Nation knew even in the great depression of the thirties. Yet even this does not measure the full extent of the problem.

Let us look for a moment at what basic Government statistics tell us about this poverty. Let us look at a typical ghetto in one of our larger cities. It will be a hypothetical area, representing the average slum surveyed this winter by the Department of Labor in its special study of unemployment in the ghetto; but let us bear in mind that conditions among Puerto Ricans and Mexican-Americans are even worse than those in this "typical" area. This area, let us assume, contains 230,000 people—larger than Hough or North St. Louis, much smaller than Harlem or Watts or Bedford-Stuyvesant or Southside Chicago. Of this number, according to Census estimates, 56,000 will be adult men, aged 20–64; but neither the Census Bureau nor the Labor Department can find from one-fifth to one-third of these men because they have no fixed address, no job; they drift about the city, separated from their families, as if they were of no greater concern to their fellow citizens than so many sparrows or spent matches. Indeed, a recent study indicates that the last census may have "lost" a full 10 percent of all Negroes. Some are "found" in later life, when they may settle down. Some reappear in our statistics only at death. Others remind us of their presence when we read of rising crime rates. Some, undoubtedly, participate in the riots which flash over our television screens and newspaper front pages. We are all aware of them then.

A total, then, of 56,000 adult men—of whom from 11,000 to 19,000 are in the lost battalions; an average of 15,000 missing and idle men. Of the average 41,000 whom the Labor Department can find, over 11 percent are not in the labor force; they do not work, they have stopped looking for work; there is no work for them. Thus another 4,500 of the men in this area are out of the labor force—which then numbers 36,500. Of these 36,500, 10 percent—3,600—are officially counted by the Labor Department as unemployed. For every person so unemployed now, of course, two more will be out of work during the year; but we will count only the 3,600 unemployed now—which means that 32,900 adult men are at work. Of these, says the Department, 2,300 are only working part-time, though they want and need full-time work; thus

30,600 work full-time. Of these, again according to the special Labor Department survey, at least 6,100 make less than $60 a week—below the poverty line, of course, but also below what a family with four children receives on welfare in many cities.

Thus of the 56,000 adult men in this typical area—by official Government statistics—only 24,500, just 43.7 percent, have full-time employment which pays more than $60 a week. Only 30,600, barely a majority, have full-time work at any rate of pay. Less than three out of five have any work at all. This judgment has been confirmed by every board and commission, expert and amateur, official and layman, which has examined the problem. The McCone Commission looked at Los Angeles—and said that the most serious problem in Watts is unemployment. The Wall Street Journal looked at Oakland and said that the core of Oakland's plight is unemployment. Kenneth Clark's pioneering Haryou study looked at Harlem—and said that Harlem's key problem is unemployment.

This should not be strange to us.

In an age of increasing complaints about the welfare state, it is well to remember that less than 25 percent of those living in poverty receive public assistance. We earn our livings, support our families, purchase the comforts and ease of life with work. To be without it is to be less than a man—less than a citizen—hardly, in a real sense, to be a father or brother or son, to have any identity at all. To be without function, without use to our fellow citizens, is to be in truth the "invisible man" of whom Ralph Ellison wrote so eloquently—the man who John Adams said a century and a half ago, suffers the greatest possible humiliation—"he is simply not seen."

The crisis in unemployment, therefore, is significant far beyond its economic effects—devastating as those are. For it is both measure and cause of the extent to which the poor man lives apart—the extent to which he is alienated from the general community. More than segregation in housing and schools, more than differences in attitudes or life style, it is unemployment which marks the urban poor off and apart from the rest of America. Unemployment is having nothing to do—which means having nothing to do with the rest of us.

Indeed, the effects go deeper—into the very heart of life, into the structure of the family and the souls of men. As Richard Cloward has said:

> Men for whom there are no jobs will nevertheless mate like other men, but they are not so likely to marry. Our society has preferred to deal with the resulting female-headed families not by putting the men to work but by placing the unwed mothers and children on public welfare—substituting check-writing machines for male wage-earners. By this means we have robbed men of manhood, women of husbands, and children of fathers. To create a stable monogamous family, we need to provide men with the opportunity to be men, and that involves enabling them to perform occupationally.

But this is what we have not done. This simple task—affording men the opportunity to contribute to themselves, to support their families, to contribute to their community—this is the task we have failed to accomplish. Most of all we have failed for the young men of the poverty ghetto, who struggle with unemployment rates of forty and fifty percent and more. In the city of Buffalo last month, there were serious riots—as there had been before in 21 cities in a dozen States. And what was the revolutionary cause, what were the incendiary slogans these young men shouted? They did not ask for welfare. They did not want gifts. They were not concerned with the mayor, or the police, or the schools. "Jobs," they said. "Give us work." They asked only for the chance to contribute to this Nation, to do their part as others do. That is the least chance we can afford to our fellow Americans.

II. THE NEED FOR PRIVATE ENTERPRISE PARTICIPATION

In the last 7 years, we have tried to solve this terrible problem. Almost every Congress has enacted another bill designed to put people to work: the Area Redevelopment Act, the Manpower Development and Training Act, the Investment Credit Act, the Economic Development Act, and the landmark Elementary and Secondary Education Act, to provide the educational base which is often so sadly neglected. But as President Johnson reminded us in his great Howard University address of 1966, the test is results: whether we in fact achieve true equality of opportunity for all our people. And by that test, our past measures, necessary and effective as they have often been, have not been adequate to the urban crisis. For the fact is that despite all our efforts, despite the uninterrupted rise in prosperity experienced by the rest of the Nation these past 7 years, the 1967 manpower report states flatly that:

> Economic and social conditions are getting worse, not better, in slum areas.

Between April 1960 and November 1966, the proportion of adult men in the work force in these areas dropped from 74 to 65 percent. From 1960 to 1965, while family income nationwide was increasing by 14 percent, family income in Watts—and probably in other comparable areas—dropped by 8 percent. From June of 1965 to June of 1966, according to the Department of Labor, 950,000 new jobs were created for young men. But only 33,000, about 3.7 percent, went to the youth of the poverty ghetto.

Many analysts have tried to explain why our present efforts have failed to provide adequate employment for the poverty areas. The Subcommittee on Executive Reorganization heard dozens of witnesses with varying answers; and certainly all agreed that there is no single cause—that improved programs for education, for political organization, for training, for housing, all must play their part.

But if there is one single shortcoming, one thing we have done hardly at all, it is to enlist the energies and resources and talents of private enterprise in this most urgent national effort. Our training programs, our educational programs, our poverty programs, our housing programs—all these have been Government financed, and most have been Government run. They have been designed in Washington. Their funds have been voted by appropriation. Their implementation has been through Government agencies existing or newly created. I have supported these efforts, and called for their expansion. I have believed, and continue to believe, that while improvement in their organization and function is needed, they are often worth while and necessary, and deserve far greater support than they now receive. But their strongest advocate must admit that they are not enough.

To rely exclusively, even primarily, on Government efforts is not only to ignore the shaping traditions of American life and politics. To ignore the potential contribution of private enterprise is to fight the war on poverty with a single platoon, while great armies are left to stand aside. For private enterprise is not just another part of America; in a significant sense, private enterprise is the very sinew and strength of America. Our productive assets, our machines and money and plants are owned by private enterprise. The entire intricate chain of the economy—the means by which we join with our fellows to produce goods and roads, to bring food to our tables and clothes to our backs—all this is organized by private enterprise. Private enterprise has built our cities, and industries; it has created jobs for over 60 million Americans now at work. But it has not rebuilt the centers of poverty, nor put their people to work. And in my judgment, the lack of private enterprise participation is the principal cause for our failure to solve the problem of employment in urban poverty areas.

It is not for want of a sense of responsibility, nor out of willful ignorance, that private enterprise has not played its full role. The Subcommittee on Executive Reorganization heard from many businessmen aware of the challenge and eager to meet it. Corporations such as Smith Kline & French in Philadelphia, U.S. Gypsum in New York, and U.S. Plywood in Cleveland, have begun their own experiments in the Nation's war on poverty. The National Association of Manufacturers is carrying out an interesting and seemingly successful job-training program. It has been my own privilege over the last year to work with a group of unusually concerned and energetic businessmen, together with the local community, in a major effort to develop the Bedford-Stuyvesant area of Brooklyn. I know at first hand the ability and spirit of these men, and of their wish to engage the resources of their corporations for the benefit of the other Americans.

And in recent months, I have talked with other businessmen and academicians, labor leaders, and city planners. Almost unanimously, they have agreed on two related propositions. First, private enterprise must invest its resources in poverty areas. Second, it must receive assistance from Government to do so. As David Rockefeller told us in his testimony before the Executive Reorganization Subcommittee, Government must encourage investment in poverty areas just as it tries to encourage it in de-

veloping countries. And Prof. Herbert Gans sumed up the necessary steps we must take when he testified that—

> Since incorporating the poor into the affluent society is a new venture, the Federal government must take the initiative and provide that mixture of risk-reducing incentives . . . needed to get the incorporation of the poor underway.

Private corporations, after all, are responsible to their stockholders. Large-scale investment in poverty areas will certainly be more costly and difficult than investment elsewhere; that, after all, is why investment has not taken place in these areas in the past. Land, transportation, insurance against fire and vandalism, training of workers, extra supervision—all these are so costly in poverty areas as to make investment there, under present conditions, uneconomical. If private enterprise is to play its full part in poverty areas, therefore, it must have the support of Government to help make up for the increased costs.

III. PRIVATE ENTERPRISE PARTICIPATION: THE MECHANICS

In what way should private enterprise now be encouraged to join the fight against unemployment? For us, the answer is simple and direct: it should create new jobs, and hire and train unemployed and poor people to fill them. The actual creation of new jobs is the single greatest lack in present programs. And the lack of job opportunities handicaps all other efforts. Education programs are hurt when students see their fathers and older brothers idle; if no jobs are waiting, they ask, why bother with education? The same lack of jobs has caused high dropout rates from job-training programs. Housing programs suffer when unemployment causes overcrowding. The need is for jobs and income, now. And the creation of new jobs, new productive enterprise, is the task that private business can and must undertake.

The next question is where these jobs should be created. Our answer is that to have a maximum impact on the problems of the urban poor, the new enterprises must be established, the new jobs must be created, in the urban poverty areas. There are four principal reasons for so limiting the choice of sites.

First, we know that at the present time, large numbers of the urban poor cannot be induced to take jobs away from the areas in which they live. Secretary of Labor Willard Wirtz told the Executive Reorganization Subcommittee that "most of the unemployed in the slums" are so "conditioned by a century of insecurity" that even distances of "more than six or eight blocks away from where they live" create a severe problem; and most new job openings are, of course, much more than a few blocks outside poverty areas.

Second, even if we could induce the urban poor to commute to jobs far outside their areas, most cities lack the mass transportation facilities to take them to and from their place of work at a price they can afford to pay. The Department of Labor has found that "present transportation systems are both inadequate and too expensive to bring the slum residents to these jobs." Nor is inexpensive housing available, or likely soon to be available, near the new job openings that do exist.

Third, the location of new industrial facilities in urban poverty areas will have an important "multiplier" effect on the creation of jobs. New auxiliary businesses will be spunoff in the same area to service the needs of the primary facility. New retail and service facilities—restaurants and food stores, barbershops, dry cleaners, and clothing stores—will be required to satisfy the demands of the workers at the primary establishment. Depending upon the area, I have received estimates that for every three jobs created in a primary facility, from two to three additional jobs may be created in secondary and service facilities nearby. Each of these derivative jobs and entrepreneurial opportunities will be open to poverty area residents, without further Government action.

Fourth, location of investment and jobs within poverty areas is important for its own sake. Partly, it is important to end these areas' isolation—to bring not just individual residents, but the entire community, back into contact with the mainstream of American life. For another part, it is important that children and young people see change and development take place through the work of their own fathers and brothers—providing concrete hope through living example. And for another part, it is vital that poverty areas, like other communities, be able to develop a sense of joint community achievement and purpose.

This is not to say that this Nation need not strive for an open society, in which the residents of poverty areas, and in particular residents of the Negro ghetto, who have achieved financial and social security, have complete freedom to choose where they will live and work. That is birthright for all of us; and it must be achieved. But I believe that it is far more important that the vast majority of our urban poor be enabled to achieve basic financial stability and a sense of dignity and security where they live now. That is the indispensable first step toward the full freedom of citizenship.

IV. INCENTIVES

To encourage the creation of new enterprise, the investment of capital in urban poverty areas, we require an adequate system of incentives. To devise such a system, I have talked with economists, tax experts, city planners, and business leaders alike. Their expert knowledge and the previous experiences of our Government, and the government of the Commonwealth of Puerto Rico in attempting to induce industrial investment in specified geographical areas, lead to the conclusion that the most simple, efficient, and effective vehicle for encouraging such investment is the enactment of a system of tax incentives.

The concept of government incentives to induce desired investments by private industry is neither new nor radical. Rather it is a concept honored by practice since the founding of the Republic. From 1792 until well into the 1830's, the bulk of Federal expenditure was devoted to creating and inducing internal improvements, particularly the roads and canals which opened up new territory for settlement. Throughout the 19th century, Government induced the building of railroads, including the great transcontinental roads, by offering liberal grants of land on either side of the right-of-way; the railroads sold this land to help repay their investment. In this century, similar practices have extended into every corner of our economy. To increase exports, we created an Export-Import Bank, which guarantees and insures foreign sales on credit. To induce the maintenance of a strong merchant marine, we subsidize the building and purchasing of ships. To assist in the task of international development, we guarantee American private investment in foreign nations.

Even more than with such direct inducements we have used the tax laws as a means of persuading private citizens and enterprises to invest in desired ways, at desired times, and in desired locations. To encourage long-term investment, we tax capital gains at half the normal rate. To encourage charitable contributions, we allow them to be deducted from current income. To encourage oil and mineral production, we offer depletion allowances. To encourage the building of grain-storage facilities and defense plants, we have offered faster-than-normal depreciation rates. To encourage investment in capital goods as opposed to inventory or consumption, we have allowed tax credits for such investment; suspended that credit when we wished to slow investment down; and, just recently reinstated it is order to speed investment up again.

The principle that the tax code may be used to induce certain investment applies to questions of investment location as well as to the fact of investment. This has been recognized by both President Kennedy and President Johnson. Each has supported tax credits, as high as 30 percent, to induce American private enterprise to invest in underdeveloped countries. In the Foreign Investment Credit Act introduced by Congressman Bogg, and in the pending treaties with Thailand and Israel, the concept of tax incentives for qualifying businesses has been stressed as the key to helping less-developed nations reach economic stability.

That such tax incentives can prove effective in attracting investment capital is demonstrated by Puerto Rico's Operation Bootstrap. There, a system of tax exemptions, carefully protected by our own Internal Revenue Code, has helped just since 1948 to set up over 1,100 plants and factories. Manufacturing income has increased by more than 600 percent; per capital income has risen 300 percent; the number of workers engaged in manufacturing has almost tripled. The economy of this little island has grown at at an annual rate of over 9 percent—a rate which far surpasses the economic growth of the United States as a whole.

Of course, exceptional tax incentives should not be lightly given. Any exception and departure from a uniform tax base should be required to meet two tests.

First, as President Kennedy said in submitting the original investment credit bill, we must ask if the provision will "promote desirable social or economic objectives of overriding importance." Second, if certain preferential tax treatment is to be given to certain members of a class, then we must be sure that these benefits are not creating a special, privileged group, but are only compensating for additional risks and burdens. As Prof. Robert Hellawell, of Columbia Law School, has succinctly noted:

> Whether a tax provision violates tax equity depends largely on whether it seems fair. It is fair if it justifiably compensates an individual for taking a lower than normal return, a greater than normal risk, or perhaps a greater than normal expenditure of executive time and energy.

In my judgment, tax incentives for investment in ghetto areas meet both of these criteria. Certainly they will promote a "desirable objective" of "overriding importance"—the employment and self-sufficiency of American citizens, and the improvement of conditions in our most important cities. Moreover, they are fair. They insure nothing more than a reasonable return to those who will face the higher costs and the labor problems involved in establishing facilities within ghetto areas; they do no more than compensate business for the costs and uncertainties of remedial training, difficult transportation, possible vandalism or fire damage, and extra executive time and effort.

V. THE BILL

The bill that the Senator from Kansas and I are now introducing builds upon all of these past experiments. Its objective is to foster a partnership between private industry, the Federal Government, and our major cities in coping with the unemployment which scars and cripples the urban poverty area. To accomplish this objective, the bill provides:

First. The various incentives will apply not to relocating businesses, but only to companies which will construct new facilities, or expand existing ones, in urban poverty areas. In short, it will create new jobs. The qualifying areas are those that are presently shown on maps of standard metropolitan statistical areas of over 250,000 people, prepared for the Office of Economic Opportunity by the Bureau of the Census. These 193 areas in 37 States will be supplemented by permitting the Secretary of Housing and Urban Development, in cooperation with the Secretary of Labor and the Secretary of Commerce, to add specific poverty areas in which industrial facilities are needed in any place classified as urban by the Bureau of Census.

Although this classification will reach the great majority of poor people, and encompass concentrated corners of poverty in all States, it will admittedly not touch every part of America that needs assistance. For it will not help reduce the hunger and despair of America's rural poor—in Appalachia, the Mississippi Delta, or the harsh lands of the Southwest. Many of these areas, of course, are already eligible for assistance under the Economic Development Act. Moreover, incentives to encourage location in urban poverty areas might be largely vitiated if they were to be applied to all areas of the country. And these areas are not presently handicapped by many of the cost factors—such as high-priced land and congested transportation—which afflict urban poverty areas, and which it is the aim of this bill to compensate for.

Still, one exception to the urban limitation is provided in this bill: the reservations on which tens of thousands of American Indians sit in idleness and disease and hunger, their lives even more desperate than those of the urban Negro or Puerto Rican or Mexican American. The problems of American Indians do not perhaps strike us with the same urgency, the same sense of imminent danger, as do the problems of the central city. But so terrible is their condition—so badly have we failed in our responsibility to them—that it would be grossly unfair to encourage investment in any part of America without doing at least as much for investment and job creation on Indian reservations.

Second. Those cities, encompassing urban poverty areas, which decide to participate in the program—and it shall be a matter of individual choice for each city—shall serve the same function that the Economic Development Administration does in Puerto Rico: to be not merely a passive recipient of Federal programs, but an active participant in them. Thus, under the bill, each city, and not the Federal Government, will determine the speed and intensity of new industrial investment within its poverty areas.

Third. The business which has received approval from the municipality and has agreed to a site for its facility shall accept certain conditions incorporated in a certificate issued by the Secretary of Housing and Urban Development, in cooperation with the Secretary of Labor and the Secretary of Commerce. The corporation shall agree to meet certain building standards, keep records concerning its employees and its expenses, and pay wages comparable to those paid by its competitors in the same locale. Most importantly the business shall agree that at least two-thirds of all of its workers in the certified facility shall be either residents of the poverty area, or low-income unemployed individuals. The bill also provides, as a safeguard against insubstantial or fly-by-night operators, that the facility must employ a minimum total of 50 workers—reduced to 25 in cities of under 50,000 persons and on Indian reservations. But if a lower minimum is found to be an adequate safeguard, I would favor that lower requirement, in order to attract the participation of as wide a segment of American business as possible.

Fourth. The only qualifying businesses shall be those which will hire a significant number of unskilled or semiskilled workers and which do not directly compete with local entrepreneurs. The bill therefore covers manufacturers, producers, and distributors, but does not apply to any retailers. Thus it offers inducements to electronics manufacturers who sell in the general economy—but not to television retailers who might compete with existing stores in the poverty area. It offers assistance to a drug wholesaler serving an entire metropolitan area—but not to a drugstore which competes for the scarce dollars of the local poor. Its provisions also cover construction firms that will locate in urban poverty areas, hire local workers, and engage in construction within those areas.

Fifth. The working force hired by the qualifying employer will be trained under the auspices of the Department of Labor. Such training will differ from the usual present pattern, since it will not involve groups of men being prepared for certain trades, with placement to follow in the uncertain future; rather it will be aimed at giving specific individuals the skills to fill specific positions. The actual training will be done either by local agencies, or by the employer himself, who will receive funds to cover his costs from the Department of Labor. To meet training costs and allowances, a $20 million appropriation will be needed for next year. In the years thereafter, Congress shall appropriate such amounts as may be necessary.

Sixth. Any qualifying business shall receive the following tax incentives during the 10 years immediately following the time that it begins operations:

A 10-percent credit on machinery and equipment, in lieu of the normal maximum 7-percent credit.

A 7-percent credit on expenditures for constructing an industrial facility or for leasing space for a qualifying business.

A credit carryback of 3 taxable years and a carryover of 10 taxable years.

A useful life, for purposes of depreciation, of 66⅔ percent of the normal useful life applicable to real and personal property.

A net operating loss carryover of 10 taxable years.

A special deduction of an additional 25 percent of the salaries paid to all workers hired to meet the requirements of this act.

Three characteristics of these incentives are worthy of particular attention.

First, they are carefully directed at the particular problem of investment in poverty areas. The existing tax credit for machinery is extended to facility construction, to allow for the fact that most enterprises will have to build new facilities, rather than simply expand existing facilities. The carryover and carryback provisions are lengthened to 10 years, to allow for the likelihood that development of profits will take longer than usual. The special deduction for wages and salaries will encourage intensive use of labor, thus putting relatively more men to work, as opposed to machinery, in relation to a given volume of production.

Second, these provisions are drafted so as to introduce a minimum of new complexity into the Internal Revenue Code. All except the special deduction for wages and salaries are directly modeled on existing code sections. They will therefore be simple to understand and use, for businessmen and tax officials alike.

Third, they will be effective. Investment credits and accelerated depreciation, and the other elements of this sys-

tem, have proven their ability to stimulate new investment both in Europe and in the United States. George Terborgh of the Machinery and Allied Products Institute has estimated that the existing tax credit, together with a 15-percent reduction in useful life for depreciation purposes, afford about a 20-percent increase in the normal rate of return. The extended tax credit in this bill, together with the 33-percent reduction in useful life, would double that increase if available outside poverty areas; in the conditions under which they will actually be available, for investment in poverty areas, these incentives should produce a return at least equivalent to that under the most favorable conditions outside these areas.

Seventh. If the qualified business fails to hold its real or personal property for stipulated periods of 10 and 4 years respectively then all credits allowed for expenditures on this property shall be recovered by the Treasury. If the qualified business' certificate is terminated by the Secretary of Housing and Urban Development, then an amount equal to the credits taken during the last 3 years, and to all special salary deductions, shall also be recoverable. These particular proposals are not the only possible mechanisms for safeguarding the public interest. If these sanctions are too strict or too lenient, and if others are found to be more consistent with the purposes of this act, I shall be glad to support the relevant changes.

Eighth. No certificate shall be issued without prior consultation, including a public hearing, with the residents of the poverty area affected.

Ninth. No certificates shall be issued by the Secretary of the Treasury after this act has been in existence for 10 years unless the Congress decides to extend the applicability of its provisions.

VI. COSTS AND BENEFITS

Any proposal for tax credits and deductions should be carefully considered with respect to its costs. Will there be a revenue loss? Or will costs be more than made up by the benefits?

I believe that this bill will in fact pay for itself; that it will not result in a net revenue loss. Rather, if successful, it will bring substantial benefits to the Treasury, to State and local governments, to the economy in general—and to tens of thousands of individual Americans.

It is of course impossible to estimate with any precision the extent to which businessmen and firms will take advantage of these incentives; that will be the product of thousands of individual business decisions. But what can be clearly demonstrated, I believe, is that to whatever extent the bill is used, the result will be a net benefit to the Treasury, and to the Nation. To make this demonstration, we can analyze a hypothetical case of a single business firm under the bill; but recognizing that these calculations are themselves only rough approximations, we will err on the side of conservatism.

Assume, then, a firm which invests $1 million in a poverty-area enterprise, split equally between plant and equipment. The tax credit allowed against the plant will be 7 percent, or $35,000. Against the equipment, under law now in effect, an average credit of about 5 percent would be allowed. Under this bill, a 10 percent credit would be allowed—an increase of 5 percent, or $25,000. The total tax credit would be $85,000; the credit attributable to this bill, $60,000.

Assume further that this investment creates 50 new jobs. This is, in fact, a very conservative assumption, since the Department of Commerce informs me that the average production job now requires about $11,000 in capital investment; we are allowing, for this hypothetical analysis, a very expensive $20,000 investment to create each new job. At any rate, 50 new jobs, at a conservative $5,000 per job annual wage, would represent a total annual payroll of $250,000. Against this payroll, the employer would take the bill's additional 25-percent deduction on wages paid to poverty area residents. Thus, even if all the new jobs were filled by such residents, his maximum savings, at current corporate tax rates, would be about $31,000.

On the other hand, the Federal Government would collect on this payroll a minimum of $30,000 in individual income taxes. Its revenues would be further increased by taxes on the profits of the firms which built the plant and machinery, and sold it to the hypothetical businessman; assuming their profit at 10 percent before taxes, this extra investment would bring the Treasury an additional $50,000. Now let us recall that for every three jobs created directly by this bill, it is estimated that from two to three additional jobs will be created indirectly; and let us assume conservatively that in this case, only one job will be created indirectly for every two jobs created directly. This would mean another 25 new jobs without Government assistance. Assuming that these would be lower paying jobs—say, only $4,000 a year each—they would produce an additional payroll of $100,000; of which the Federal Government would receive a minimum of $10,000 in income taxes.

Finally, assume that in the absence of these new jobs for 75 men, the families of only 10 would receive Federal aid-to-dependent-children payments. In most urban areas, these 10 families would cost the Federal Government at least $25,000 a year; in cities like New York, the cost would be much greater. Adding the welfare saving to the increased tax collections, we find that the Federal Government has gained a total of $115,000 in the first year alone—more than matching the $91,000 of tax savings received by the businessman.

Of course, this calculation is far from exact, and it is not comprehensive. It does not allow for the effect of accelerated depreciation. It does not allow for the continuing cost of the excess wage deductions in future years. But it also does not allow for the additional taxes the Federal Treasury will collect as a result of the purchases of the newly hired workers. It does not allow for the tax collections which will accompany the business profits on the secondary jobs created, or on the general attendant increase in economic activity. It does not count increased tax collections at the State and local level, nor for the increased tax base which may alleviate property tax burdens in the municipalities. It does not allow for income taxes collected in future years, which will rise as the workers' incomes rise. And the hypothetical case makes no allowance for taxes on any profit which the business may make. All these will add to, not detract from, Government revenues.

It may be asked, are these calculations dependent on the assumption that the investment receiving tax credits would not have taken place except for the incentives? Thus after the enactment of the 1962 tax credit, it was estimated that most of the investment receiving its benefits would have taken place in any case; and the benefits of the 1962 credit were assertedly diluted. Even allowing for this dilution, Secretary of the Treasury Dillon estimated that the 1962 credit repaid half its value to the Treasury just in the first year of its operation. But the tax incentives of this bill are far more narrowly drawn than were those of 1962; and its benefits will be far less subject to dilution.

First, the incentives of the 1962 bill were available throughout the economy; by definition, they were available for the incremental addition of even one new machine in an existing plant. This bill, by contrast, will be available only for the establishment of entire new plants in poverty areas. Second, the benefits of the 1962 bill were available irrespective of the effects of investment on employment; that is, an enterprise was eligible for the 1962 benefits if it substituted a new machine for an old one, even though both machines were run by the same worker. This bill, by contrast, requires that new jobs be created to man the new equipment. Third, the 1962 credit applied only to machinery; thus it encouraged the installation of new machinery in existing plants. This bill, by contrast, extends the credit to new plants as well as equipment; thus it encourages the creation of whole new facilities. Finally, this bill—unlike the 1962 credit—is specifically directed toward the creation of new jobs for previously unemployed residents of poverty areas. Thus it strikes directly—as the earlier bill did not—at the area which most severely burdens present welfare and social service budgets. Now let us remember again that the 1962 act, notwithstanding its more general applicability, still returned half its benefits to the Treasury in its first year. I think there is no question that this more precisely focused bill will, within a very short time, repay more than its full value to the Government.

My example is, of course, only a simplified illustration of how it is that the Investment Credit Act of 1962, and the tax cut of 1964, brought us out of recession into the longest period of uninterrupted economic expansion in our history. It is included here only to show that the provisions of this bill follow those earlier precedents; and that just as we all benefitted from attacking recession in the economy as a whole, so will

we benefit from attacking it in the pockets of depression that remain.

Moreover, the jobs and income generated by this bill have a double benefit: they will go to areas and people who now represent the most serious drain on our budgets for welfare and extra municipal services—police, fire, health, and other social services. The public welfare budget in the State of New York, for example, is now $1 billion, of which the Federal, State, and local governments each bear roughly one-third. Substituting self-sustaining jobs for welfare handouts is, in my view, desirable and necessary for its own sake; dependency is basically incompatible with American democracy. At the same time, the substantial benefits to local governments, most of which now labor under severe financial burdens, cannot be ignored.

Here we should set to rest a misconception that has gained unfortunate currency of late. A recent analysis of Federal welfare programs showed that of 7.3 million people receiving federally supported welfare assistance, only 50,000 could work. The analysis was intended to show only that the welfare rolls are not filled with deliberate idlers. But many have taken it as "proof" that job programs cannot reduce the welfare budgets. And nothing could be further from the truth.

Of the 7.3 million welfare recipients, 850,000 were female heads of families, and 2.6 million were minor children from these same female-headed families. Thus over 50 percent of the Federal welfare rolls are made up of families whose husbands and fathers have left the house. But every study of poverty and its pathology shows that the vast majority of those husbands and fathers are absent precisely because they are unemployed, and unable to support their families. Leaving the house—to allow their families to qualify for welfare—is the only way these men can insure that their families will have food to eat and a roof over their heads. Thus it is the welfare system itself, in combination with the lack of decent job opportunities, which produces the welfare families who are asserted to be permanent dependents of the Government. But providing real job opportunities—for the absent fathers and husbands, and for the fathers and husbands of the future—will enable many of these families to reunite, and others to remain together. It is my firm conviction therefore, that this bill will help to reduce welfare and dependency—and their costs both financial and personal.

VII. CONCLUSION

This bill will not solve the problems of poverty. But it will help. It will not educate children—but it will give their fathers jobs, and their families income, and thus help create a family atmosphere in which education can more easily take place. The bill will not cure disease—but it will help provide the incomes to buy better food, and decent living conditions, and to pay for decent medical care. It will not comfort the old, or banish discrimination, or create by itself a sense of community in the city. But it will engage the energies and resources of a nation, as they have not been engaged before, in a new partnership against poverty; a partnership of government and its people, business and labor and the poor themselves.

This new partnership will not come of itself; nor will it come just from the enactment of this bill. It will come about only over many years and thousands of efforts, in every community in the Nation; I believe, in efforts like those now underway in Bedford-Stuyvesant in New York. But no real partnership is possible without the active participation of American business enterprise. This the bill will help to provide—and thus to hasten the day described by the poet:

In the vacant places
We will build with new bricks
There are hands and machines
And clay for new brick
And lime for new mortar
Where the bricks are fallen
We will build with new stone
Where the beams are rotten
We will build with new timbers
Where the word is unspoken
We will build with new speech
There is work together
A Church for all
And a job for each
Every man to his work.

Mr. PEARSON. Mr. President, will the Senator from New York yield?

Mr. KENNEDY of New York. I am happy to yield to the Senator from Kansas.

Mr. PEARSON. Mr. President, I am pleased to join my distinguished colleague, the junior Senator from New York [Mr. KENNEDY] in presenting what I feel is a soundly conceived assault on one of our most pressing economic and social problems—the problem of creating new jobs in our poverty-stricken urban slums and ghettos. The legislation we introduce today, encouraged by several cosponsors, is designed to meet this problem by encouraging industrial development in these pockets of despair where the war on poverty will be ultimately won or lost.

The challenges confronting our cities are many and severe. They are faced with rising crime rates, chronic unemployment, festering slums, social disintegration, explosive racial unrest, congested streets, polluted air and contaminated water. This "crisis of the cities," as it is popularly called, has reached such alarming proportions, not because of lack of concern, but lack of insight, and we have discovered that merely spending more public money will not bring the metropolitan millennium.

Mr. President, no one doubts that increased Federal appropriations will be needed in the future, but I would submit that new ideas and creative approaches are needed—even more. And in this respect it is particularly vital that the vast resources of private enterprise must be mobilized to spearhead an attack on the very core of urban poverty—unemployment.

Nothing less than an industrial rebirth of our metropolitan ghettos is required. For it is only through increased employment and higher earnings that the pernicious curse of poverty and degradation can be effectively removed from our city slum dwellers.

Today, despite an overall jobless rate of approximately 4 percent, as indicated in the morning papers, the specter of unemployment still haunts hundreds of thousands of our urban citizens. In November 1966, for example, the rate of unemployment in certain slum sections of New York, Boston, Philadelphia, Phoenix, St. Louis, San Antonio, and San Francisco was 10 percent, or nearly three times the national average.

This problem is likely to grow still worse unless a forthright attempt is made to halt the flow of jobs and skilled entrepreneurs from the central city to the outlying suburbs. Such a task is not impossible, for vast reservoirs of manpower are available for urban industrial development. If the proper stimulus were applied, the creative energy locked within the ghettos that today finds its only outlet in protest, could be productively released.

Mr. President, I believe the proposal introduced today under the leadership of the Senator from New York, will provide that stimulus.

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

Mr. PEARSON. I am pleased to yield to the Senator from Connecticut.

Mr. RIBICOFF. I have the highest commendation for the Senator from New York [Mr. KENNEDY] and the Senator from Kansas [Mr. PEARSON] for introducing this legislation. There is no question in my mind that the two distinguished Senators have introduced a most important piece of legislation, and I am very pleased to cosponsor it.

The legislation reflects Senator KENNEDY's great understanding and activity in this area. He was a deeply involved and conscientious member of the Subcommittee on Executive Reorganization during the recent hearings on the Federal role in urban affairs. But his concern extends far beyond the hearing room. He has visited many of our cities and spoken with the unemployed. He has spoken with businessmen about the great need to provide jobs and opportunity in our cities, both large and small, and they have responded.

And, of course, the distinguished Senator from Kansas, though not a member of the subcommittee, has also shown a great and active interest in this field.

I believe these hearings struck at the basic problem of what ails our cities: the need for added jobs.

If we had a set of priorities of where this country should expend its resources if there were a shortage of funds, without question I would choose jobs. Jobs bring self-respect. Jobs bring participation. Jobs bring fulfillment. Jobs must be a substitute for welfare payments. And jobs, more than anything else, in my opinion, would stop the rioting and demonstrations that we see in the big cities of America. When we consider that about 25 percent of the Negro youths in our cities are unemployed, we can readily understand why we have such turmoil in our cities.

Witness after witness before our subcommittee pointed out that it is difficult—if not impossible—for people who have no property and have no stake in the system we have in this country to maintain respect for property and respect for law and order. Yet throughout

the testimony of our subcommittee hearings, extending for some 4,000 pages and involving some 100 witnesses, there was the feeling that these people in the cities want to share in America. Their hopes and objectives were the same hopes and objectives, basically, as those of the middle and upper classes.

That is why I have the highest commendation for the Senator from New York and the Senator from Kansas in taking the initiative in introducing legislation of this sort.

This bill seeks to rebuild lives. It recognizes that the unemployed and underemployed want a job—not a handout. They want to stand on their own feet. But job opportunities are scarce. One out of three residents in the slums has a serious employment problem: He has no job, he is underpaid, or he works only part time.

Our first task must be to expand private employment opportunities in our cities. American business will locate and relocate in the cities and other urban areas. But it must receive the proper incentives—the proper assurances—and the clear understanding that government—be it Federal, State, or local—is willing to do its share and fulfill its commitment.

Their bill points out paths Government can take to stimulate private sector activity in the creation of new jobs. It has important provisions for manpower training, for safeguarding investments, for moving and relocation. The legislation is a welcome addition to our growing arsenal of measures to improve life in our urban areas and is worthy of our most serious attention and discussion.

Their conduct and action in introducing this legislation has additional significance. I have said many times before, and I say it again: The time has come for the legislative branch to exercise initiative in legislation. I think for too long this body and the other legislative body have waited for legislative initiative to come from the other end of Pennsylvania Avenue. Basically, Congress has the obligation to formulate and pass legislation.

I do not think it is the duty of Congress to merely stand by and sit by until the executive branch sends up its legislative program to be acted on by the Congress of the United States. To me, it is of great significance that the Senator from New York [Mr. KENNEDY], the Senator from Kansas [Mr. PEARSON], the Senator from Illinois [Mr. PERCY], the senior Senator from New York [Mr. JAVITS], and I have been moving in the field of urban problems.

My prediction is that the actions of the Senator from New York, the Senator from Kansas, and other Senators who have been making these proposals and acting as a burr under the saddle, are really causing the entire executive branch to sit up and take notice of the problems. My prediction is that the executive branch will have a major legislative program involving the cities of America—including both jobs and housing—next year. My prediction is that in 1968 both the Democratic Party and the Republican Party will have as major planks in their platforms a basic program to help solve the crises in the cities of America. My prediction is that one of the major issues in the 1968 campaign between the Democratic and Republican candidates for the Presidency of the United States will be addressed toward how we will solve the crises in the cities of America.

Mr. President, the two most important problems in urban America are bringing jobs to the unemployed and encouraging the private sector of our economy to participate in rebuilding our cities.

Not only has the distinguished Senator from New York [Mr. KENNEDY] presented a comprehensive, thoughtful, and forceful statement on these topics, but he has drafted an important piece of legislation. So I am very pleased by the action taken by the Senator from New York and the Senator from Kansas in bringing this piece of legislation to the floor. I commend both of them, and I am delighted and pleased to be a cosponsor of this legislation.

Mr. PEARSON. May I say to the distinguished Senator from Connecticut that his words are most encouraging, for I know of no one who has taken a stronger leadership position in this particular field, or who has greater interest or greater knowledge. I believe that the subcommittee hearings of which he was chairman made perhaps one of the most definitive, thorough, and sensible records concerning the problems with which we seek to deal today. For that reason, I am particularly grateful for his comments.

Mr. KENNEDY of New York. I join with the Senator from Kansas in thanking the Senator from Connecticut for his kind remarks. He has introduced some legislation which goes a long way toward pioneering in the effort that needs to be made in our urban centers. I am therefore delighted that he has become a cosponsor of the bill that Senator PEARSON and I have introduced. His coming to the floor of the Senate today and commending this bill means a great deal to me as well as to the Senator from Kansas.

Mr. RIBICOFF. May I say that I understand the distinguished Senators are introducing another piece of legislation tomorrow. Today's bill deals specifically with jobs; the other one, which concerns housing, is also important, and I plan to cosponsor that legislation as well.

Mr. PEARSON. I thank the Senator.

Mr. President, as the Senator from New York indicated, this bill utilizes a system of tax credits, increased deductions for wages paid, and rapid depreciation to encourage the necessary industrial investments. These benefits would be available to business locating in urban poverty areas presently defined by the Office of Economic Opportunity and in those areas to be designated later by the Secretary of Housing and Urban Development. Provisions are also made for Indian reservations to be designated by the Secretary of the Interior.

Furthermore, by requiring that a substantial part of any plant work force be composed of ghetto residents, this measure would insure that the unemployed slumdwellers, not commuting suburban workers, would benefit from this federally stimulated investment.

Any resident who might be displaced because of plant construction would be granted a relocation allowance more generous than those currently available under present urban renewal programs. In addition, if no public or local low-income housing were available, elderly, handicapped, and low-income families would be given rental assistance for up to 24 months.

Mr. President, the incentives for investment provided in this legislation have the advantage of encouraging private industry and metropolitan governments to cooperate in assaulting the deep evil of urban poverty. The Federal Government thus provides a catalyst, not control, and it provides this catalyst at relatively little expense. As my distinguished colleague has observed, the credits, accelerated depreciation, and deductions contained in this legislation will be compensated for by reduced welfare payments, new taxes on higher earnings, and increased industrial productivity.

This approach represents a new attack on an old problem. It creates no Federal bureaucracy. Hopefully, it simply creates jobs. Mr. President, jobs are the most fundamental and urgent need of our ghetto residents. It is true they are also plagued with inadequate housing, inferior education, and substandard health facilities. These evils must indeed be treated. But their solution depends on an adequate level of income. And it is only through jobs, not welfare payments, that this income can be provided and maintained economically.

Mr. President, it is the proper responsibility of the Federal Government to foster local initiatives and to encourage private enterprise to create new jobs and to train the workers needed to fill them. The Federal Government should assume such an immense and complex task itself only in the last extremity. Federal training and employment programs are necessary, of course, but in general their costs are often too high. They often overlap and create independent facilities at great expense, instead of using the more comprehensive and readily available services of private industry.

If chronic unemployment is to be effectively reduced in the years to come, these services must be brought more fully into play. As a matter of fact, the great majority of work training and retraining done in the United States today is already being performed by private industry. This sector of our national economy is now investing approximately $4.5 billion annually in various forms of employee training.

Thus, if many new jobs are to be created and thousands of workers trained to fill them, private industry must bear the main responsibility. But, because of the high economic cost involved in locating in what is now a depressed area, industry must be given an incentive; it must be given help if it is to succeed. I believe this legislation would provide that incentive and give that help.

Mr. President, the myriad problems of the cities are perplexing, disquieting and often discouraging. Yet, occasionally, breakthroughs are made. Myths are exposed and old fears laid to rest. The fact is jobs can be provided for our ghetto

residents. Slumdwellers can become self-supporting, self-respecting individuals and business can prosper once again in the now depressed sections of our cities. The vicious cycle of poverty and unemployment can be broken. And, I firmly believe the legislation we introduce today will provide the stimulus necessary to break that dismal chain.

The greatest of all books says, "the night cometh, when no man can work." In our urban slums, the night comes too soon and too often. By using a creative Federal stimulus we can provide private enterprise with the tools it needs to finish the job and hold back the night of unemployment. If such a step is not taken shortly, the crisis in our cities will continue to worsen, the economy will not achieve its full potential, and hundreds of thousands of Americans will continue to be denied that most fundamental of all rights—the right to earn a living.

Mr. KENNEDY of New York. I thank the Senator from Kansas, and commend his statement. Earlier this year, the Senator from Kansas gave, in my judgment, one of the best speeches yet made on the problems of urban living and the problems of the ghetto. He spoke on the expansion needed in the economy of the ghetto, and on the need for relating the urban area to the rural area. So I am happy that we are joined together in introducing this bill. I hope the bill will be successful, and will be passed by the Senate and the House of Representatives in due course.

As both of us have pointed out, it will not cost the Treasury of the United States money. It will bring back a return, if it is a successful and effective bill, and I believe it is a great opportunity to make a major breakthrough in the ghetto, such as has not taken place despite all the programs we have tried to carry on over the past 30 years. It is desperately needed. It has an effect, not just on those who live in the ghetto, but also on those who live in other areas because, as we all recognize, the urban slum is a cancer affecting all of urban America.

So again I congratulate the Senator from Kansas for trying to take what both of us believe is a major step toward the ultimate solution of this problem.

Mr. PEARSON. I thank the Senator from New York. I thought it might be a good time now to ask the Senator whether, in relation to certain parts of the bill—and I have reference to the investment tax credit of 7 percent, or 10 percent—it is the view of the Senator from New York, who did massive research on this subject, that no one is wedded to those particular figures, but after hearings they can be adjusted to achieve the end that is sought.

Mr. KENNEDY of New York. That is correct.

Mr. PEARSON. Also, in relation to the great number of workers, those are figures upon which we have come to an agreement to furnish a reasonable bill; and all of these things are subject to modification through wisdom gained from experience and further hearings.

Mr. KENNEDY of New York. Yes, absolutely.

Mr. President, I ask unanimous consent that the bill and a summary of the bill be printed in the RECORD, and that the bill be referred to the appropriate committee.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, in accordance with the request of the Senator from New York, the bill and the summary will be printed in the RECORD.

The bill (S. 2088) to provide incentives for the creation by private industry of additional employment opportunities for residents of urban poverty areas, introduced by Mr. KENNEDY of New York and Mr. PEARSON (for themselves and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2088

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Urban Employment Opportunities Development Act of 1967".

PURPOSE AND POLICY

SEC. 2. It is the purpose of this Act to reduce poverty in the nation's cities, and the social, physical, and psychological ills associated therewith, by creating incentives for private industry to provide additional employment opportunities to the residents of urban poverty areas, but nothing in this Act shall be construed to authorize the granting of any incentives to any industrial or commercial enterprise relocating from one area to another. Such incentives may, however, be granted to an industrial or commercial enterprise for expansion through the establishment of a new industrial or commercial facility of such enterprise in an urban poverty area, if (1) the establishment of such industrial or commercial facility will not result in an increase in unemployment in the area of original location (or in any other area where such enterprise conducts business operations), or (2) such industrial or commercial facility is not being established with any intention of closing down the operations of such enterprise in the area of its original location or in any other area where it conducts such operations.

DEFINITIONS

SEC. 3. As used in this Act—

(1) The term "Secretary" (for purposes of title I) means the Secretary of Housing and Urban Development.

(2) The term "urban poverty area" means an area, within a standard metropolitan statistical area containing a population of at least 250,000 persons, which the Bureau of the Census has determined, at the request of, and under procedures approved by, the Office of Economic Opportunity, to be a poverty area, subject to such modifications, additions, or exceptions as the Secretary may determine to be appropriate for the purposes of this Act. The term "urban poverty area" also means an area, within any place designated as urban by the Bureau of the Census, which meets the definition of a poverty area already utilized for standard metropolitan statistical areas of 250,000 persons or more and which the Secretary, after consultation with the Secretary of Labor and the Secretary of Commerce determines should be subject to the provisions of this Act and any Indian reservation which the Secretary of the Interior determines should be subject to the provisions of this Act.

(3) The term "person" means an individual, a trust, estate, partnership, association, company or corporation.

(4) The term "industrial or commercial enterprise" means any of the following types of business engaged in, by any person, through an industrial or commercial facility—

(A) the manufacture, production, processing, or assembling of personal property—

(i) for sale to customers in the ordinary course of business excluding any part of the activities of such business consisting of retail sales and leases; or

(ii) for use in such person's business,

(B) the distribution of personal property as principal or agent, including, but not limited to, the sale, leasing, storage, handling, and transportation thereof but excluding any part of the activities of such business consisting of retail sales and leases, or

(C) the construction of any building in an urban poverty area as contractor for, or for sale to, any customer, but only in the case of a person engaged in the business of constructing such buildings as a contractor for, or for sale to, customers.

The term "industrial or commercial enterprise" shall not include the activities of selling, leasing, or renting out of real property including the selling or leasing or renting out of a factory, workshop, office, warehouse, sales outlet, apartment house, hotel, motel, or other residence, or the lending of money or extending of credit.

(5) The term "industrial or commercial facility" means a fixed place of business, in which an industrial or commercial enterprise is wholly or partly carried on, including but not limited to—

(A) a place of management or office,

(B) a factory, plant, or other workshop,

(C) a warehouse or sales outlet,

(D) a center for the transportation, shipping, or handling of property,

(E) a place of management for and any urban poverty area building or construction site.

The term "industrial or commercial facility" shall not include any store, or other premises, or portion of premises used as a retail facility.

(6) The term "qualified jobs" means new employment positions which did not exist prior to the time of requesting certification from the Secretary, either at the industrial or commercial facility or in any other part of an enterprise operated by the person receiving a certificate of eligibility. The term shall not be limited to the 50 jobs which constitute the minimum requirement under this Act but shall encompass all new or additional jobs at the certified industrial or commercial facility or in furnishing the services specified by this Act to such facility.

(7) The term "retail sale or lease" means a sale or lease made to a party whose payments therefore do not constitute the expenses or costs of a business.

(8) The term "retail facility" means a store, premises, or portion of premises in which a substantial percentage of the sales or leases are retail sales or leases.

(9) The term "city" means any municipality, county, parish, or other political subdivision of a State having general governmental powers.

(10) The term "low income person" means a person whose adjusted gross income (as defined in Section 62 of the Internal Revenue Code) in a particular period is less than the minimum amount reasonably necessary, in the area in which he resides, to adequately support himself or his family. The Secretary shall have the power, after consultation with the Secretary of the Department of Labor, to issue from time to time, bulletins specifying such minimum amounts for particular urban areas throughout the country.

TITLE I—ELIGIBILITY FOR ASSISTANCE

CERTIFICATION OF ELIGIBILITY

SEC. 101. (a) The Secretary after consultation with the Secretary of Labor and the Secretary of Commerce shall issue a certificate of eligibility for benefits under this Act to any person, who is engaged in, or desires to engage in, an industrial or commercial enterprise, through a specified industrial or

commercial facility located, or to be located, in an urban poverty area, if—

(1) the governing body of the city in which such urban poverty area is primarily situated has given written notice to the Secretary that it wishes to participate in the program provided for in this Act to encourage the creation of new employment opportunities in such area;

(2) such governing body, or an agency or instrumentality of such city designated by such body, after public hearings at which residents of the urban poverty area in which the facility is to be located have had the opportunity to testify, has approved such enterprise as a participant in such program, and so certifies to the Secretary;

(3) the person to whom the certificate for such enterprise is to be issued agrees, in such form and manner as the Secretary may prescribe—

(A) in the case of an enterprise not then having an industrial or commercial facility located in an urban poverty area, to establish, within such period of time as the approving agency under paragraph (2) may require, such industrial or commercial facility (conforming to standards prescribed by the Secretary under subsection (d) of this section) at a site specified or agreed to, by such agency within such an area, or in the case of an enterprise having an industrial or commercial facility located in an urban poverty area, to conform it to standards prescribed by the Secretary under subsection (d) of this section;

(B) to provide, in connection with its operations at such industrial or commercial facility located, or to be located, in an urban poverty area, qualified jobs for at least 50 full-time employees, or in any case where such industrial or commercial facility is to operate in an urban poverty area in an urban area of under 50,000 persons or on an Indian reservation, qualified jobs for at least 25 full-time employees, of which not fewer than two-thirds of all persons holding any such qualified jobs are persons who were prior to such employment low-income individuals who (1) have resided in such area for six months or more, or (ii) were unemployed;

(C) to pay wages to persons employed in connection with the operations at any such facility at rates not less than the minimum wages determined by the Secretary of Labor under section 1(b) of the Act of June 30, 1936 (popularly known as the Walsh-Healey Act), as amended (41 U.S.C. 35(b)), to be the prevailing minimum wages for persons employed in similar work in the city or locality in which any such facility is located; and

(D) to maintain records listing the names and residences of all full-time employees at the industrial or commercial facility for which the certificate is being issued, the date on which they were hired, their employment and economic situation at the time of hiring, and any other information required by the Secretary, and in the case of an industrial or commercial facility, which is to be part of an industrial or commercial enterprise also conducted by such person at other locations, or which is to be conducted by a person also engaged in other enterprises, to maintain records showing the portion of such person's taxable income or net operating losses allocable to the industrial or commercial facility for which the certificate is being issued, as if it were conducted by a separate entity, pursuant to regulations promulgated by the Secretary of the Treasury or his delegate under section 482 of the Internal Revenue Code, modified as may be necessary to fulfill the purposes of this Act.

(4) the Secretary determines that the local agency which gave approval under paragraph (2), or such other agency or instrumentality as the governing body of the city may designate, will carry out an adequate relocation program, in accordance with section 103, for any persons, business concerns, and nonprofit organizations displaced as the result of the location of an industrial or commercial facility in an urban poverty area by a person receiving a certificate of eligibility pursuant to this section;

(5) the Secretary determines that the expected benefits to employment and to other aspects of the economic and social welfare of such urban poverty area warrant the granting of the income tax incentives under Title III of this Act as to the capital investment in such industrial or commercial facility; and

(6) the Secretary determines that the issuance of such certificate is in accordance with the policy set forth in section 2 respecting the relocation of industry.

(b) The Secretary shall issue a separate certificate of eligibility with regard to each industrial or commercial facility which meets the requirements of subsection (a) regardless of whether such facility is operated by any person as part of a single industrial or commercial enterprise.

(c) The Secretary shall issue a certificate of eligibility for benefits under this Act to any person who is a successor in interest to any person operating an industrial or commercial enterprise which has established an industrial or commercial facility in an urban poverty area and with respect to which facility a certificate of eligibility was issued under subsection (a), if—

(1) such person has been approved by the appropriate agency under paragraph (2) of subsection (a), and has been so certified by such agency to the Secretary;

(2) such person agrees to continue to use the facility as an industrial or commercial facility, and to conform to the requirements of subparagraphs (B) and (C) of subsection (a)(3); and

(3) the issuance of such certificate is in accordance, as determined by the Secretary, with the policy set forth in section 2 respecting the relocation of industry.

(d) The Secretary shall terminate a certificate of eligibility issued to any person under this section to operate an industrial or commercial facility whenever he determines, after an appropriate hearing, that the person to whom such certificate was issued has failed, after due notice and a reasonable opportunity to correct the failure at such facility has been given, to carry out its agreement under subsection (a) (3) or (b) (2). In making a determination under this subsection, the Secretary shall be guided by, but not be limited to, the following criteria:

(1) a reduction in the number of qualified jobs provided by any such enterprise below the minimums specified in subsection (a) (3)(B) shall not be grounds for termination of a certificate of eligibility issued to such enterprise, if the Secretary determines that (i) such reduction results from business or economic factors beyond the control of such enterprise, and (ii) not less than two-thirds of all the persons employed full-time in such jobs by such enterprise to meet the requirements of subsection (a)(3)(B) of this section continue to meet those requirements.

(2) a change in the residence of any person employed by such enterprise, after his employment has commenced, shall not affect his status for purposes of applying subsection (a)(3)(B) of this section.

(e) Any industrial or commercial facility for which a certificate of eligibility is issued under this section shall conform to such standards of design and construction as the Secretary shall by regulation require. Such regulations shall give due effect to any action taken by the locality in which such facility is, or will be located, to ensure that it is so designed and constructed as to provide a decent, safe, and sanitary place of employment in an aesthetically pleasing structure.

(f) The Secretary shall keep interested and participating Federal, State, and local agencies fully apprised of any action taken by him under this section.

(g) No certificate of eligibility shall be issued under this section to any person, unless application therefor is received by the Secretary prior to the expiration of ten years after the date of enactment of this Act.

REPORTS

SEC. 102. (a) The Secretary may by regulation require any person to whom a certificate of eligibility is issued under section 101 to file such reports from time to time as he may deem necessary in order to carry out his functions under this chapter.

(b) Whoever, in any report required to be filed under this section knowingly makes a false statement of a material fact, shall be fined not more than $——— or imprisoned for not more than —— years, or both.

RELOCATION ASSISTANCE

SEC. 103. (a) In determining whether, for the purposes of section 101(a)(4), an adequate relocation program exists in any city to assist in the relocation of persons, business concerns, and nonprofit organizations displaced as the result of the location of an industrial or service facility in an urban poverty area by a business enterprise receiving a certificate of eligibility under this title, the Secretary shall be guided by the following criteria:

(1) Any persons so displaced shall be assured under the program of obtaining decent, safe, and sanitary housing at rentals which they can afford at locations which are reasonably accessible to their places of employment.

(2) (A) There will be paid to any person or family so displaced—

(i) a moving expense allowance, determined according to a schedule approved by the Secretary, not to exceed $200;

(ii) a dislocation allowance equal to the amount under (i) or $100, whichever is the lesser;

(iii) an additional payment of $300, if such person or family purchases a dwelling for the purpose of residence within one year from the date of actual displacement, and the dwelling so purchased is situated upon real estate in which such person or family acquires a fee title or a life estate, or which is held under a ninety-nine year lease or other type of long-term lease equivalent to fee ownership.

(B) In addition to the amounts payable under subparagraph (A), there will be paid to any family, any individual (not a member of a family) who is sixty-two years of age or over, or any individual (not a member of a family) who is handicapped within the meaning of section 202 of the Housing Act of 1959, monthly payments over a period not to exceed twenty-four months in an amount not to exceed $500 in the first twelve months and $500 in the second twelve months to assist such family or individual to secure a decent, safe, and sanitary dwelling. Subject to the limitation imposed by the preceding sentence, the additional payments shall be an amount which, when added to 20 per centum of the annual income of such family or individual at the time of displacement, equals the average annual rental required for such a decent, safe, and sanitary dwelling of modest standards adequate in size to accommodate such family or individual in areas not generally less desirable in regard to public utilities and public and commercial facilities: *Provided*, That such payments shall be made only to a family or individual who is unable to secure a dwelling unit in a low-rent housing project assisted under the United States Housing Act of 1937, or under a State or local program having the same general purposes as the Federal program under such Act, or a dwelling unit assisted under section 101 of the Housing and Urban Development Act of 1965.

(3) There will be paid to any business concern or nonprofit organization so displaced—

(A) its reasonable and necessary moving expenses and any actual direct losses of property (except goodwill or profit) for which reimbursement or compensation is not otherwise made; and

(B) an additional $2500 in the case of a private business concern with average annual net earnings of less than $10,000 per year, if such concern is not part of a larger enterprise having establishments other than the one with respect to which the displacement occurred.

(b) The Secretary is authorized to enter into contracts to make, and to make, grants to any city carrying out an approved relocation program under this section, or to any agency or instrumentality of such city designated by the governing body thereof, to defray that part of the cost of carrying out such program which is required under paragraphs (2) and (3) of subsection (a).

(c) There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this section. Any sums so appropriated shall remain available until expended.

BUREAU OF CENSUS DESIGNATION

SEC. 104. The Bureau of the Census shall prepare maps of poverty areas within any urban area or any category of urban area specified by the Secretary.

TITLE II—TAX INCENTIVES

INCOME TAX CREDIT FOR INVESTMENT IN DEPRECIABLE PROPERTY IN URBAN POVERTY AREAS

SEC. 201. (a) Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits allowable) is amended by renumbering section 40 as 41, and by inserting after section 39 the following new section:

"Sec. 40. Investment in Certain Depreciable Property in Urban Poverty Areas.

"(a) GENERAL RULE.—There shall be allowed, as a credit against the tax imposed by this chapter, the amount determined under subpart C of this part.

"(b) REGULATIONS.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section and subpart C."

(b) Part IV of subchapter A of chapter 1 of such Code (relating to credits against tax) is amended by adding at the end thereof the following new subpart:

"Subpart C—Rules for Computing Credit for Investment in Certain Depreciable Property in Urban Poverty Areas

"Sec. 51. Amount of Credit.

"Sec. 52. Certain Dispositions, etc. of section 40 property.

"Sec. 53. Definitions; special rules.

"Sec. 51. Amount of Credit.

"(a) DETERMINATION OF AMOUNT.—

"(1) GENERAL RULE.—The amount of the credit allowed by section 40 for the taxable year shall be equal to—

"(A) 7 percent of the qualified expenditures (as defined in section 53(b)) made during the taxable year in regard to section 40 real property (as defined in section 53(a)(3)), and

"(B) 10 percent of the qualified expenditures (as defined in section 53(b)) made during the taxable year in regard to section 40 personal property (as defined in section 53(a)(4)).

"(2) LIMITATION.—Notwithstanding paragraph (1), the credit allowed by section 40 for the taxable year shall not exceed the taxpayer's liability for tax for such year.

"(3) LIABILITY FOR TAX.—For purposes of this section, the liability for tax for the taxable year shall be the tax imposed by this chapter for such year, reduced by the sum of the credits allowable under—

"(A) section 33 (relating to foreign tax credit),

"(B) section 35 (relating to partially tax-exempt interest),

"(C) section 37 (relating to retirement income), and

"(D) section 38 (relating to investment in certain depreciable property).

For purposes of this paragraph, any tax imposed for the taxable year by section 531 (relating to accumulated earnings tax), section 541 (relating to personal holding company tax), or section 1378 (relating to tax on certain capital gains of subchapter S corporations), and any additional tax imposed for the taxable year by section 1351(d)(1) (relating to recoveries of foreign expropriation losses), shall not be considered tax imposed by this chapter for such year.

"(b) CARRYBACK AND CARRYOVER OF UNUSED CREDITS.—

"(1) ALLOWANCE OF CREDIT.—If the amount of the credit determined under subsection (a)(1) for any taxable year exceeds the taxpayer's liability for tax for such taxable year (hereafter in this subsection referred to as the 'unused credit year'), such excess shall be—

"(A) a section 40 credit carryback to each of the 3 taxable years preceding the unused credit year, and

"(B) a section 40 credit carryover to each of the 10 taxable years following the unused year,

and shall be added to the amount allowable as a credit by section 40 for such years, except that such excess may be a carryback only to a taxable year ending after the date of the enactment of the Urban Employment Opportunities Development Act of 1967. The entire amount of the unused credit for an unused credit year shall be carried to the earliest of the 13 taxable years to which (by reason of subparagraphs (A) and (B)) such credit may be carried and then to each of the other 12 taxable years to the extent that, because of the limitation contained in paragraph (2), such unused credit may not be added for a prior taxable year to which such unused credit may be carried.

"(2) LIMITATION.—The amount of the unused credit which may be added under paragraph (1) for any preceding or succeeding taxable year shall not exceed the amount by which the taxpayer's liability for tax for such taxable year exceeds the sum of—

"(A) the credit allowable under subsection (a)(1) for such taxable year, and

"(B) the amounts which, by reason of this subsection, are added to the amount allowable for such taxable year and attributable to taxable years preceding the unused credit year.

"Sec. 52. Certain Dispositions, Etc. of Section 40 Property.

"(a) GENERAL RULE.—Under regulations prescribed by the Secretary or his delegate—

"(1) EARLY DISPOSITIONS.—If section 40 property (as defined in section 53(a)(2)) is disposed of, or otherwise ceases to qualify as section 40 property with respect to the taxpayer, the tax under this chapter for the taxable year in which the disposition occurs shall be increased by an amount equal to the credits allowed under section 40 for prior taxable years for qualified expenditures (as defined in section 53(b)) which were made—

"(A) in the case of section 40 real property (as defined in section 53(a)(3)) within 10 years before the date of the disposition, or

"(B) in the case of section 40 personal property (as defined in section 53(a)(4)) within four years before the date of the disposition.

This paragraph shall not apply to any qualified expenditures with respect to which there has been an increase of tax under paragraph (2).

"(2) Termination of certificate.—If the section 40 certificate (as defined in section 53(a)(1)) is terminated under section 101(c) of the Urban Employment Opportunities Development Act of 1967, with respect to a section 40 facility (as defined in section 53(a)(5)) of the taxpayer;

"(A) the taxpayer's tax under this chapter for the taxable year in which the termination occurs shall be increased by an amount equal to the credits allowed under section 40 for prior taxable years for qualified expenditures which were made in accordance with section 53(b)(3) within three years before the date of the termination with respect to all section 40 property used at, or in connection with, such facility, and

"(B) the taxpayer's gross income for the taxable year in which the termination occurs shall be increased by an amount equal to the deductions allowed to the taxpayer under section 183 in such taxable year and the two preceding taxable years with respect to employees employed at, or in connection with, such facility.

"(3) Carrybacks and carryovers adjusted.—In the case of any disposition described in paragraph (1) or any termination described in paragraph (2), the carrybacks and carryovers under section 51(b) shall be adjusted.

"(b) SECTION NOT TO APPLY IN CERTAIN CASES.—Subsection (a) shall not apply to—

"(1) a disposition by reason of death,

"(2) a disposition to which section 381(a) applies,

"(3) a disposition necessitated by the cessation of the operation of a section 40 facility where the Secretary of Housing and Urban Development certifies that such cessation results from economic factors beyond the control of the section 40 business (as defined in section 53(a)(6)), or

"(4) a disposition on account of the destruction or damage of section 40 property by fire, storm, shipwreck, or other casualty, or by reason of its theft.

For purposes of subsection (a), property shall not be treated as ceasing to be section 40 property with respect to the taxpayer by reason of a mere change in the form of conducting the section 40 business so long as the property is retained in such business as section 40 property and the taxpayer retains a substantial interest in such business.

"Sec. 53. Definitions; Special Rules.

"(a) SECTION 40 CERTIFICATE, ETC.—For purposes of this chapter—

"(1) SECTION 40 CERTIFICATE.—The term 'section 40 certificate' means a certificate of eligibility issued by the Secretary of Housing and Urban Development under section 101(a) or section 101(b) of the Urban Employment Opportunities Development Act of 1967.

"(2) SECTION 40 PROPERTY.—The term 'section 40 property' means property which, in regard to a taxpayer conducting a section 40 business—

"(A) is of a character which is subject to the allowance for depreciation provided in section 167 and which is not property of a kind which would properly be includible in the inventory of the taxpayer if on hand at the close of the taxable year or which is not property held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business,

"(B) will be used by such taxpayer (i) as a section 40 facility, (ii) as an integral part of, or in the operation of, any such facility, (iii) in furnishing transportation, communications, electrical energy, gas, water, or sewerage disposal primarily to any such facility, and

"(C) has at the time it is first used by such taxpayer after such taxpayer has been issued a section 40 certificate in regard to the section 40 facility at, or in connection with which, such property is used, a useful life of at least (i) 4 years in the case of section 40 personal property, (ii) 10 years in the case of section 40 real property.

Property shall not be treated as section 40 property if, after its acquisition by the taxpayer, it is used by a person who used such property before such acquisition (or by a person who bears a relationship described in section 179(d)(2)(A) or (B) to a person who used such property before such acquisition).

"(3) SECTION 40 REAL PROPERTY.—The term 'section 40 real property' means section 40

property which is section 1250 property (within the meaning of section 1250(c)).

"(4) SECTION 40 PERSONAL PROPERTY.—The term 'section 40 personal property' means section 40 property which is section 1245 property (within the meaning of section 1245(b)).

"(5) SECTION 40 FACILITY.—The term 'section 40 facility' means an industrial or commercial facility (as defined in section 3(5) of the Urban Employment Opportunities Development Act of 1967) which is specified by the Secretary of Housing and Urban Development in a section 40 certificate.

"(6) SECTION 40 BUSINESS.—The term 'section 40 business' means an industrial or commercial enterprise (as defined in section 3(4) of the Urban Employment Opportunities Development Act of 1967) with respect to which a section 40 certificate has been issued which has not been terminated under section 101(c) of such Act.

"(b) QUALIFIED EXPENDITURES.—

"(1) IN GENERAL.—The term 'qualified expenditures' means, with respect to each taxable year, expenditures by the taxpayer—

"(A) properly chargeable to capital account,

"(B) paid or accrued for—

(i) the manufacture, production, construction, or erection of section 40 property,

(ii) the acquisition of section 40 property by a purchase (as defined in section 179(d)(2) and subsection (d) of this section), or

(iii) the reconstruction, permanent improvement, or betterment of section 40 property, and

"(C) made during the 10-year period beginning with the date on which a section 40 certificate is first issued to any person with respect to the section 40 facility as, or in connection with which, such property is used.

"(2) LIMITATION.—Expenditures in regard to section 40 real property shall be treated as qualified expenditures only if the construction, erection, acquisition, reconstruction, permanent improvement, or betterment for which such expenditures are made, conforms to the standards prescribed under section 101(d) of the Urban Employment Opportunities Development Act of 1967.

"(3) YEAR OF QUALIFIED EXPENDITURES.—All qualified expenditures shall be deemed made in the taxable year in which—

"(A) in the case of qualified expenditures for the manufacture, production, construction, erection, or acquisition by purchase of section 40 property, the year in which the section 40 property is placed in service, and

"(B) in the case of qualified expenditures for the reconstruction, permanent improvement, or betterment of section 40 property, the year in which the section 40 property as reconstructed, improved or bettered as a result of the qualified expenditure is placed in service.

For purposes of this paragraph, any manufactured, produced, constructed, erected, or acquired section 40 property, or any reconstructed, improved, or bettered section 40 property, shall be deemed placed in service in the taxable year in which such manufactured, produced, constructed, erected, or acquired section 40 property, or such section 40 property as reconstructed, improved, or bettered, first becomes subject to depreciation by a taxpayer computing depreciation on a daily basis.

"(4) REPLACEMENT PROPERTY.—If section 40 property is manufactured, produced, constructed, erected, reconstructed, or acquired to replace property which was destroyed or damaged by fire, storm, shipwreck, or other casualty, or was stolen, the qualified expenditures with respect to such section 40 property which would (but for this paragraph) be taken into account for purposes of section 51(a) shall be reduced by an amount equal to the amount received by the taxpayer as compensation, by insurance or otherwise, for the property so destroyed, damaged, or stolen, or to the adjusted basis of such property, whichever is the lesser.

"(c) CERTAIN LEASED PROPERTY.—A person (other than a person referred to in subsection (g)) who is a lessor of property, which in the hands of the lessee constitutes section 40 property, may (at such time, in such manner, and subject to such conditions as are provided by regulations prescribed by the Secretary or his delegate) elect with respect to any section 40 property, as to which no prior credit under section 40 has previously been taken, to treat the lessee as having purchased such property for an amount equal to—

"(1) except as provided in paragraph (2), the fair market value of such property, or

"(2) if such property is leased by a corporation which is a member of an affiliated group (within the meaning of section 46(a)(5)) to another corporation which is a member of the same affiliated group, the basis of such property to the lessor.

If a lessor makes the election provided by this subsection with respect to any property, the lessee shall be treated for all purposes of this subpart as having acquired such property. For purposes of subsection (a)(1)(C), the useful life of the property to the lessee shall be deemed to be the useful life over which the lessee is permitted to depreciate or amortize the property.

"(d) SUBCHAPTER S CORPORATION—In the case of an electing small business corporation (as defined in section 1371)—

"(1) the qualified expenditures for each taxable year shall be apportioned pro rata among the persons who are shareholders of such corporation on the last day of such taxable year, and

"(2) any person to whom any expenditures have been apportioned under paragraph (1) shall be treated (for purposes of this subpart) as the taxpayer with respect to such expenditures, and such expenditures shall not (by reason of such apportionment) lose their character as qualified expenditures.

"(e) ESTATES AND TRUSTS.—In the case of an estate or trust—

"(1) the qualified expenditures for any taxable year shall be apportioned between the estate or trust and the beneficiaries on the basis of the income of the estate or trust allocable to each, and

"(2) any beneficiary to whom any expenditures have been apportioned under paragraph (1) shall be treated (for purposes of this subpart) as the taxpayer with respect to such expenditures, and such expenditures shall not (by reason of such apportionment) lose their character as qualified expenditures.

"(f) CROSS REFERENCE.—For application of this subpart to certain acquiring corporations see section 381(c)(24)."

(c) Section 48(a) of such Code (relating to definition of section 38 property) is amended by adding at the end thereof the following new paragraph:

"(7) SECTION 40 PROPERTY.—Any property which is section 40 property (as defined in section 53(a)(2)) shall not be treated as section 38 property to the extent that expenditures for the manufacture, production, construction, erection, reconstruction, permanent improvement, betterment, or acquisition of such property constitute qualified expenditures (as defined in section 53(b))."

(d) Section 381(c) of such Code (relating to carryovers in certain corporate acquisitions) is amended by adding at the end thereof the following new paragraph:

"(24) CREDIT UNDER SECTION 40 FOR INVESTMENT IN CERTAIN DEPRECIABLE PROPERTY IN URBAN POVERTY AREAS.—The acquiring corporation shall take into account (to the extent proper to carry out the purposes of this section and section 40, and under such regulations as may be prescribed by the Secretary or his delegate) the items required to be taken into account for purposes of section 40 in respect to the distributor or transferor corporation."

(e)(1) The table of subparts for part IV of subchapter A of chapter 1 of such Code is amended by adding at the end thereof the following new item:

"Subpart C. Rules for computing credit for investment in certain depreciable property in urban poverty areas."

(2) The table of sections for subpart A of part IV of subchapter A of chapter 1 of such Code is amended by striking out the last item and inserting in lieu thereof the following:

"Sec. 40. Investment in certain depreciable property in urban poverty areas.

"Sec. 41. Overpayments of tax."

DEPRECIATION DEDUCTION

SEC. 202. Section 167 of the Internal Revenue Code of 1954 (relating to depreciation) is amended by redesignating subsection (j) as (k) and by inserting after subsection (i) the following new subsection:

"(j) SECTION 40 PROPERTY.—

"(1) USEFUL LIFE.—At the election of the taxpayer—

"(A) the useful life of any property which is section 40 property (as defined in section 53(a)(2)) shall, for purposes of this section, be 66⅔ percent of the useful life of such property determined without regard to this paragraph; and

"(B) the guideline class lives prescribed by the Secretary or his delegate which are applicable to any property which is section 40 property shall, for purposes of this section be 66⅔ percent of the guideline class lives applicable to such property determined without regard to this paragraph. An election under this paragraph shall be made at such time and in such manner as the Secretary or his delegate prescribes by regulations.

"(2) NEAREST FULL YEAR.—If the useful life or guideline class life of any property as determined under subsection (i) includes a fraction of a year, such useful life shall be deemed the nearest full year.

"(3) RESERVE RATIO TESTS.—In justifying class lives used for purposes of the deduction allowed by this section under the reserve ratio tests prescribed by the Secretary or his delegate, a taxpayer who makes an election under paragraph (1)(B) shall, for all purposes, be deemed to have utilized class lives equal to 150 percent of those applicable determined without regard to this subsection.

"(4) SALVAGE VALUE.—In determining the salvage value of section 40 property, subject to an election under paragraph (1)(A) and (B), the useful life of the property shall be deemed that life which would be applicable without regard to paragraph (1)(A) and (B).

"(5) EXCEPTION.—No election may be made under paragraph (1) with respect to any section 40 property which is placed in service after the expiration of the 10-year period beginning on the date on which a section 40 certificate (as defined in section 53(a)(1)) is first issued to any person for the section 40 facility (as defined in section 53(a)(5)) at, or in connection with which, such section 40 property is used."

NET OPERATING LOSS CARRYOVERS

SEC. 203. Section 172 of the Internal Revenue Code of 1954 (relating to net operating loss deduction) is amended—

(1) by striking out "(C) and (D)" in subsection (b)(1) and inserting in lieu thereof "(C), (D), and (E)";

(2) by adding at the end of subsection (b)(1) the following new subparagraph:

"(E) The portion of a net operating loss for any taxable year to which (under subsection (l)) this subparagraph applies which is allocable to the operation of a section 40 business (as defined in section 53(a)(6)) through a section 40 facility (as defined in section 53(a)(5)) shall be a net operating loss carryover to each of the 10 taxable years following the taxable year of such loss. The determination as to the portion of a taxpayer's net operating loss allocable to the operation of an industrial or commercial facility by a section 40 business shall be made in accordance

with regulations promulgated by the Secretary or his delegate under section 101(a)(3)(D) of the Urban Employment Opportunities Development Act of 1967."

(3) by redesignating subsection (l) as (m), and by inserting after subsection (k) the following new subsection:

"(l) CARRYOVER OF NET OPERATING LOSSES OF CERTIFIED BUSINESSES.—Subsection (b)(1)(E) shall apply, with respect to the operation of such section 40 facility, only to a net operating loss for (A) the taxable year in which the operation of such facility is begun by any section 40 business under a section 40 certificate (as defined in section 53(a)(1)), or (B) any of the 9 succeeding taxable years.

SPECIAL DEDUCTION FOR SALARIES AND COMPENSATION PAID

SEC. 204. (a) Part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to itemized deductions for individuals and corporations) is amended by adding at the end the following new section:

"Sec. 183. Special Deduction for Certain Businesses Operating in Urban poverty areas.

"(a) GENERAL RULE.—In the case of any person engaged in a section 40 business (as defined in section 53(a)(6)), there shall be allowed as a deduction for the taxable year (in addition to any deduction under section 162) an amount equal to 25 percent of the compensation paid or incurred in money during the taxable year to employees who—

"(1) are in qualified jobs (as defined in section 3(6) of the Urban Employment Opportunities Development Act of 1967), and

"(2) at the time they became so employed were low-income individuals who (A) had resided for 6 months or more in the urban poverty area in which such facility is located, or (B) were unemployed, and

"(3) during the period for which the compensation is paid or incurred, perform substantially all of their duties as employees:

"(A) at a section 40 facility (as defined in section 53(a)(5)) through which such section 40 business is conducted, or

"(B) by furnishing transportation, communications, electrical energy, gas, water, or sewerage disposal primarily to such facility.

"(b) LIMITATIONS.—Subsection (a) shall apply, with respect to employees at any section 40 facility, only to compensation paid or incurred in money during a 10-year period beginning with the date on which a section 40 certificate (as defined in section 53(a)(1)) is first granted to any person with respect to such section 40 facility.

(b) The table of sections for part VI of subchapter B of chapter 1 of such Code is amended by adding at the end thereof the following new item:

"Sec. 183. Special deduction for certain businesses operating in urban poverty areas."

EFFECTIVE DATE

SEC. 205. The amendments made by this title shall apply to taxable years ending after the date of the enactment of this Act.

TITLE III—TRAINING ASSISTANCE FOR INDUSTRIES LOCATING IN URBAN POVERTY AREAS

SEC. 301. Title II of the Manpower Development and Training Act of 1962 is amended by adding at the end thereof the following new part:

"PART D—TRAINING ASSISTANCE FOR INDUSTRIES LOCATING IN URBAN POVERTY AREAS

"General responsibility

"SEC. 251. The Secretaries of Labor and of Health, Education, and Welfare are authorized to provide, in accordance with their respective responsibilities under parts A and B of this title, a supplementary program of training and training allowances, in consultation with the Secretary of Housing and Urban Development, for low-income individuals who reside in an urban poverty area or who are unemployed and who are to be employed by a person operating an industrial or commercial enterprise certified under section 101 of the Urban Employment Opportunities Development Act of 1967. Such program shall be carried out by the Secretaries of Labor and of Health, Education, and Welfare in accordance with the provisions otherwise applicable to programs under this Act and with their respective functions under those provisions, except that—

"(1) the Secretary of Labor, in consultation with the Secretary of Housing and Urban Development, shall determine the occupational training or retraining needs of such individuals to be employed by any such enterprise;

"(2) all individuals to be employed in an urban poverty area by any such enterprise may be selected for training and shall be eligible for training allowances under this part: *Provided*, That the amount and duration of training allowances under this section shall in no event exceed the amount and duration of training allowances provided under section 203(a) of this Act;

"(3) the Secretary of Health, Education, and Welfare may, in appropriate cases, after consultation with the Secretary of Labor, arrange for training to be conducted by any such enterprise for individuals to be employed by it in any such area;

"(4) the Secretaries of Labor and of Health, Education, and Welfare shall, each with respect to his functions under this section, prescribe jointly with the Secretary of Housing and Urban Development such rules and regulations as may be necessary to carry out the purposes of this part; and

"(5) no funds available under this part shall be apportioned to any State pursuant to section 301 of this Act, nor shall any matching funds be required."

"Priority

"SEC. 252. The Secretary of Labor shall, to the extent practicable, give priority to the referral of individuals for training authorized by this part."

APPROPRIATIONS AUTHORIZED

SEC. 302. Section 304 of the Manpower Development and Training Act of 1962 is amended by striking out "(d)" and inserting in lieu thereof "(e)" and by inserting immediately after subsection (c) thereof the following new subsection:

"(d) For the purpose of carrying out part D of title II there are hereby authorized to be appropriated not in excess of $20,000,000 for the fiscal year ending June 30, 1968, and for each fiscal year thereafter such amounts as may be necessary."

EFFECTIVE DATE

SEC. 303. The amendments made by this title shall take effect on July 1, 1967.

SECTION-BY-SECTION SUMMARY OF URBAN EMPLOYMENT OPPORTUNITIES DEVELOPMENT ACT OF 1967

Section 1—Short Title

This Act shall be cited as the "Urban Employment Opportunities Development Act of 1967".

Section 2—Purpose

The purpose of this Act is to provide tax and other incentives for private industry to create new employment opportunities for residents of urban poverty areas. Incentives shall be granted to persons conducting or proposing to conduct an industrial or commercial enterprise through a new, or expanded, facility in an urban poverty area. But such incentives shall not be granted where, (1) the establishment of such a facility in the poverty area will cause increased unemployment in some other area where the business conducts operations, or (2) the facility is being established to replace a facility of the industrial or commercial enterprise located in some other area.

Title I of the Act defines the type of businesses which qualify for tax and other incentives and establishes certification procedures. Title II amends the Internal Revenue Code to provide the relevant tax incentives. Title III amends the Manpower and Development Training Act of 1962 to ensure adequate training for those low-income persons who will be hired by certified businesses.

Section 3—Definitions

This section defines the various terms used primarily in Titles I and III of the Act. An "urban poverty area" is defined as an area, within a standard metropolitan statistical area of at least 250,000 persons (for a further explanation of this definition, see Appendix I) which the Census Bureau has determined to be a poverty area at the request of the Office of Economic Opportunity, subject to additions and deletions regarded as appropriate by the Secretary of Housing and Urban Development after consultation with the Secretary of Labor and the Secretary of Commerce.

It also includes areas of comparable poverty to be designated by the Bureau of the Census in any other urban place—as defined by the Bureau of the Census—at the direction of the Secretary of Housing and Urban Development. Finally, it includes specific Indian reservations designated by the Secretary of the Interior.

The definition of "industrial or commercial enterprise" includes (a) a business which manufactures, produces, processes, or assembles personal property, or (b) a business which sells or leases or stores, handles or transports personal property for other businesses or (c) a business which constructs buildings for sale, or as a contractor, in an urban poverty area. The definition excludes retail businesses and businesses which engage in the sale, leasing, or renting out of real property, the lending of money, or the extending of credit.

The definition of "industrial or commercial facility" means a fixed place of business—such as a factory, a warehouse, an office, or a place of management and any number of urban poverty area construction sites—in which an industrial or commercial enterprise is carried on. It does not include a "retail facility" which in turn is defined as a store or premises or portion of premises where a substantial percentage of the goods are sold to the general public and not to other businesses for use in their operations.

The term "qualified jobs" is defined as the employment positions which did not exist prior to the time that the enterprise requested certification from the Secretary of Housing and Urban Development and which were then created either at the certified facility or for furnishing certain services primarily to such facility.

The term "low-income person" is defined as an individual earning less than the amount needed to support himself and his family adequately. The Secretary of Housing and Urban Development, shall, after consultation with the Secretary of the Department of Labor, designate the qualifying earnings levels for various urban areas.

TITLE I—ELIGIBILITY FOR ASSISTANCE

Section 101—Certification of eligibility

The Secretary of Housing and Urban Development after consultation with the Secretary of Labor and the Secretary of Commerce shall issue a certificate of eligibility for benefits under this Act to any person engaged in, or who proposes to engage in, an industrial or commercial enterprise in an urban poverty area when six conditions have been met.

First, the city in which such urban poverty area is located must give written notice to the Secretary that it wishes to participate in the program provided for in this Act.

Second, the city must approve the industrial or commercial applicant as a participant in the program and certify this fact to the

Secretary. Such certification shall only be granted after public hearings at which residents of the urban poverty area have an opportunity to testify.

Third, the person engaged in the enterprise must agree, in a manner prescribed by the Secretary, (A) to locate a facility within the urban poverty area on a site, and within a period of time, specified by the city; (B) to provide at least fifty qualified jobs (reduced to twenty-five for cities of under 50,000 persons and Indian reservations) of which at least two-thirds are to go to low-income individuals who have resided in the poverty area for at least six months or to other unemployed low-income individuals. (Whether the enterprise creates 50 or 100 or 1,000 jobs, two-thirds of them must go to such qualified low-income individuals.); (C) to pay wages that meet the prevailing minimum rates for persons employed in similar work in the city or locality, as determined by the Secretary of Labor; and (D) to maintain records concerning all full-time employees regarding their residences and hiring dates, their employment and economic status at the time of hiring, and any other information required by the Secretary of Housing and Urban Development, and to keep records showing what income or losses can be allocated to this facility rather than to other facilities comprising the same business or run by the same person but not having a preferred status.

Fourth, the Secretary must determine that the city will carry out an adequate program for relocating individuals, families, businesses, and nonprofit organizations displaced by industrial or commercial facilities induced to come into the area under this Act.

Fifth, the Secretary must determine that the person obtaining the certificate is establishing a reasonable ratio of capital investment to jobs created.

Sixth, the Secretary must determine that the person obtaining the certificate is not violating the relocation policies set forth in Section 2 of this Act, and causing unemployment in another area to create jobs in an urban poverty area.

For any person who wishes to operate more than one industrial or commercial facility in one or more urban poverty areas, the Secretary is instructed to ensure that each such facility conforms to the requirements of this Act and to issue a separate certificate covering each of these facilities.

The Secretary shall issue a certificate of eligibility under this Act for a successor in interest to any person operating a certified industrial or commercial facility if three requirements are met: (1) the successor has been approved and certified by the appropriate city agency; (2) such person agrees to continue the industrial or commercial facility and to conform to the conditions set forth in the original certificate; and (3) the issuance of such certificate is in accordance with the industrial relocation policies set forth in Section 2 of this Act.

The Secretary shall terminate a certificate of eligibility whenever he determines, after a hearing, that an enterprise has failed, after due notice and a reasonable opportunity, to continue meeting the conditions set forth in the original certificate. In making such a determination, the Secretary shall be guided by the following considerations. A reduction in the number of new or additional employment opportunities below the minimum specified in the Act shall not serve as grounds for ending eligibility under this Act if the Secretary determines that business or economic factors beyond the enterprise's control necessitated such a reduction, and finds that not less than two-thirds of the full-time workers employed at qualified jobs continue to meet the low-income or low-income and residency requirements specified in this Act. At the same time, a change in residence of any employee meeting the requirements at the time of hiring, shall not serve as grounds for termination of the enterprise's certificate of eligibility.

This section also provides that any industrial or commercial buildings for which a certificate of eligibility is issued shall conform to such standards of design and construction as the Secretary may require to insure safe, sanitary, and aesthetically pleasing places of employment.

Finally, the section provides that a person shall not be issued a certificate of eligibility unless his application is received by the Secretary before ten years have passed from the date on which this Act goes into effect.

Section 102—Reports

The Secretary may require any recipients of certificates of eligibility to file such reports as he may deem necessary to carry out his functions under this Act. Whoever makes an intentionally false statement of a material fact in any such report shall be subject to criminal penalties.

Section 103—Relocation assistance

An adequate relocation program for those persons, businesses and nonprofit associations dislocated under this Act must meet the following criteria. First, the Secretary shall determine that any persons being displaced are assured of decent, safe, and sanitary housing at reasonable rentals and reasonably near their places of work. Second, such individuals or families shall receive up to $200 in moving expenses and up to $100 as a dislocation allowance. If the person or family buys a dwelling place, than an additional payment of $300 shall be made. Third, any low-income family or elderly or handicapped person shall receive monthly payments for up to 24 months, not to exceed $500 in each of the two years, to assist them in obtaining decent dwelling units. The payments shall equal the difference between 20 percent of income and the rental required for a decent housing unit in an area not less desirable than the one being vacated. Such payments shall not, however, be made to an individual or family which secures a dwelling unit in a specified low rent Federal, State, or local housing project. Fourth, a displaced business concern or nonprofit association shall secure its reasonable and necessary moving expenses and payments for direct property losses (not including good-will or profits) not otherwise compensated for through the purchases of the enterprise's facility. An additional $2,500 shall be paid to a private business having average annual net earnings of less than $10,000 a year, if such concern is not part of a larger business enterprise having other establishments than the one being displaced.

The Secretary of Housing and Urban Development is authorized to make all necessary grants to cities participating in this program to defray the costs of providing relocation payments to families, businesses, and nonprofit associations displaced because of the establishment of a certified industrial or commercial facility. The necessary funds to carry out this relocation program are authorized to be appropriated.

Section 104—Bureau of Census designation

The Bureau of the Census shall prepare additional maps—as directed by the Secretary of Housing and Urban Development—of poverty areas in urban places to supplement those maps already prepared for poverty areas in standard metropolitan statistical areas of over 250,000 in population.

TITLE II—TAX INCENTIVES

Section 201

Chapter I of the Internal Revenue Code is amended to include a new series of provisions providing for a tax credit for certain qualifying businesses.

a. Section 40—Investment in certain depreciable property in urban poverty areas

Any person engaged in an industrial or commercial enterprise, obtaining certification under this Act, who establishes or conforms a certified facility in an urban poverty area to standards set by the Secretary of Housing and Urban Development shall be entitled to certain specified tax credits. (In general, the tax credit provisions of this Act conform to those found in the existing Investment Tax Credit Act.)

b. Section 51—Amount of credit

The credit shall be 7% of the qualified expenditures for real property and 10% of the qualified expenditures for personal property. (In regard to personal property, this credit supersedes the existing provisions under the Investment Tax Credit Act.) The credits for any taxable year, shall not exceed the taxpayer's tax liability for that year.

If any permissible credits under this section are not used, they may be carried back for 3 taxable years and forward for 10 taxable years. The carryback or carry forward must be to the earliest possible year first. A carryback cannot, however, be made to a taxable year ending before the date on which this Act is enacted. (The reason for allowing a longer carryback and carryover period is to lend assistance to any businessman who encounters a few years of economic hardship because of urban poverty area problems.)

In each carryback or carryover year, all available credits cannot exceed the taxpayer's tax liability.

Section 52—Certain dispositions, etc., of section 40 property

A person who has received certification and has established an industrial or commercial facility in an urban poverty area cannot dispose of real property and personal property for which credits have been taken under this Act for 10 and 4 years respectively without a loss of benefits. If such an early disposition is made, all credits taken for this property during those stipulated years shall be recoverable by the Federal government.

If a person's certificate is terminated by the Secretary of Housing and Urban Development, then the credits that he has taken during the 3 prior taxable years shall be recoverable by the Federal government. In addition, the special deduction for wages under section 183, during the taxable year of termination and the two preceding taxable years, is recovered.

In the case of a termination or an impermissible disposition which leads to a recovery, all carrybacks and carryovers shall be accordingly adjusted.

Certain involuntary dispositions shall not be considered as violative of these provisions. Thus transfers because of death or because the business changes its form or dispositions because of an unforeseen casualty or because the facility must cease operations due to uncontrollable economic factors shall not necessitate a penalty.

Section 53—Definitions; special rules

This section defines various terms for purposes of the Internal Revenue Code.

"Section 40 certificate" is defined as a certificate of eligibility issued by the Secretary of Housing and Urban Development under this Act to a qualifying business.

"Section 40 property" is that type of property which qualifies under this Act for tax credits and rapid depreciation. It is defined as depreciable property which is not part of inventory or held for sale to customers in the ordinary course of trade or business and which, at the time it is first used by a taxpayer who has been issued a certificate of eligibility, has—in the case of personal property—a useful life of at least 4 years, and—in the case of real property—a useful life of at least 10 years. Moreover, the property must either be used as the facility, or as an integral part of it or in its operations, or in furnishing such services as transportation, communications, electrical energy, gas, water, or sewerage disposal primarily to the facility. It cannot, however, be property which is used after acquisition by a taxpayer or a

related party who also used it before such acquisition.

"Section 40 real property" is section 40 property defined by reference to section 1250(c) and "section 40 personal property" is section 40 property defined by reference to section 1245(b).

A "section 40 facility" means an industrial or commercial facility which has been specified in a certificate issued by the Secretary of Housing and Urban Development.

A "section 40 business" is defined as an industrial or commercial enterprise that has been issued a certificate of eligibility to operate a facility in an urban poverty area.

The term "qualified expenditure" is defined as an expenditure made during the 10 year certification period that is chargeable to capital account and is paid or accrued for the manufacture, production, construction, erection, acquisition, reconstruction, permanent improvement, or betterment of section 40 property.

If the expenditure is made on real property, then the property—whether it be constructed or reconstructed, erected or permanently improved, acquired or bettered—must be made to conform to the standards set under this Act by the Secretary of Housing and Urban Development.

A qualified expenditure shall be deemed made only in the taxable year in which the manufactured, produced, constructed, erected or acquired section 40 property or the section 40 property as reconstructed, improved, or bettered is placed in service. Property shall be considered placed in service when it first becomes subject to daily depreciation. A qualified expenditure made to obtain property as a replacement for property lost or destroyed due to a casualty shall be reduced by a sum equal to the amount received by the taxpayer through insurance or otherwise as compensation for the lost or destroyed property.

Section 53 also establishes certain rules for dealing with the credits established by this Act. In subsection (d), it provides that a lessor may pass the credit for section 40 property on to his lessee. The amount on which the credit is to be figured shall be either the fair market value of the property or, in the case of a transaction between corporations which are members of an affiliated group, the basis of such property to the lessor. If the lessor makes this election, the lessee shall be treated as having acquired such property and the property shall have a useful life equal to the life over which the lessee may depreciate or amortize it.

In subsections (e) and (f), the credits provided for in this Act are dealt with as they relate to Subchapter S corporations and estates and trusts. For any Subchapter S corporation, all qualified expenditures are apportioned pro rata to its shareholders and each shareholder is then treated as the taxpayer with respect to such expenditures. Qualified expenditures made by an estate or trust are allocated between the estate or trust and the beneficiaries on the basis of the income normally allocable to each. Any beneficiary is treated as the taxpayer with respect to all such apportioned expenditures.

The remainder of section 53 deals with cross references and conforming amendments to ensure that these new provisions will be consistent with all other sections of the Internal Revenue Code. Thus it is provided that if property is subject to credits under this Act, it cannot also be treated as section 38 property for purposes of obtaining an ordinary investment credit applicable to property held by other non-qualifying businesses.

Section 202—Depreciation deduction

Section 167 of the Internal Revenue Code is amended to provide that at the election of the taxpayer, the useful life of any section 40 property and the guideline class lives of any section 40 property shall be reduced to 66⅔ percent of the useful life or guidelines class lives normally applicable to such property.

In justifying class lives for section 40 property the taxpayer who makes an election under this section shall be deemed—for purpose of meeting any reserve ratio test—to have utilized class lives equal to 150 percent of those normally applicable to such property.

In determining the salvage value of all section 40 property for which an election has been made, the useful life of the property shall be deemed that life applicable to such property in the absence of this section.

Elections under this section can only be made for property placed in service during the 10 year certification period provided for in this Act.

Section 203—Net operation loss carryovers

Section 172 of the Internal Revenue Code is amended to provide a 10 year carryover period—as compared to the present 5 year period—for all losses allocable to the operation of an industrial or commercial facility by a certified section 40 business and sustained during the 10 year certification period. All determinations concerning the allocation of losses shall be made pursuant to regulations issued by the Secretary of the Treasury under section 482 of the Internal Revenue Code and modified as may be necessary to conform to the purposes of this Act.

Section 204—Special deductions for salaries and compensation paid

Chapter 1 of the Internal Revenue Code is amended to provide an additional deduction for certain qualifying businesses.

Section 183—Special deduction for certain businesses operating in urban poverty areas

A person operating a certified section 40 business shall be permitted an additional deduction equal to 25 percent of the compensation paid or incurred in money to the low-income, unemployed, or low-income, poverty area, workers whom he is required to hire under this Act. Such workers must be located at the facility or must be involved in furnishing transportation, communications, electrical energy, gas, water, or sewerage disposal primarily to such facility. This special deduction shall be in effect during the 10-year certification period.

Section 205—Effective date

The amendments added to the Internal Revenue Code by this Act shall apply to taxable years ending after the date that this Act is enacted.

TITLE III—TRAINING ASSISTANCE FOR INDUSTRIES LOCATING IN URBAN POVERTY AREAS

Section 301

Title II of the Manpower Development and Training Act of 1962 is amended by adding the following new part, Part D, "Training Assistance For Industries Locating in Urban Poverty Areas."

Section 251—General responsibility

The Secretaries of Labor and of Health, Education and Welfare, in consultation with the Secretary of Housing and Urban Development, are authorized to provide a supplementary program of training and training allowances for those individuals to be employed by certified businesses under this Act.

The Secretaries shall carry out the program by determining the occupational needs of those who are to be employed by any certified business and then provide them with training and training allowances. The allowances shall not exceed those normally provided under other Manpower Development and Training programs either in amount or duration. The training itself can be carried out by the certified business if the Secretaries of Health, Education and Welfare and of Labor decide that this is appropriate.

Section 252—Priority

To the extent practicable, the Secretary of Labor shall give priority to the training of individuals needed for certified businesses under this Act.

Section 302—Appropriations authorized

Section 304 of the Manpower Development and Training Act of 1962 is amended to authorize an appropriation not in excess of $20,000,000 for the fiscal year ending June 30, 1968 and such amounts as may be necessary for each fiscal year thereafter.

Section 303—Effective date

The amendments made by this title shall take effect July 1, 1967.

APPENDIX I

OEO MAPS ON POVERTY AREAS

OEO maps show some 4,000 "poor tracts" in Standard Metropolitan Statistical Areas of 250,000 people or more

Five characteristics of a "poor tract"

1. Percent of families with cash incomes under $3,000 for 1959
2. Percent of children under 18 yrs old not living with both parents.
3. Percent of males 25 yrs old or over with less than 8 yrs of school completed
4. Percent of unskilled males aged 14 or over in the employed civilian labor forces
5. Percent of all housing units lacking some or all plumbing facilities or dilapidated.

Then to get Poverty Area, OEO combined poor tracts.

Definition of poverty area:

1. Any area having five or more contiguous "poor tracts" regardless of the number of families contained.
2. Any group of 1 to 4 contiguous "poor tracts" containing an aggregate of 4,000 or more families.
3. Any area of 1 or 2 contiguous tracts not ranked in the lowest quartile but completely surrounded by such "poor tracts." In some cases, areas of 3 or 4 contiguous tracts not themselves "poor" were surrounded by "poor tracts" and were included in the neighborhood after analysis of their individual characteristics. Areas of 5 or more contiguous tracts not ranked in the lowest quartile but surrounded by "poor tracts" were excluded when designating "poor tracts."

Mr. KENNEDY of New York. 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. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. PERCY. Mr. President, I commend the junior Senator from New York [Mr. KENNEDY] and the junior Senator from Kansas [Mr. PEARSON] for their initiative in introducing a bill providing for industrial investment in urban poverty areas.

We all know that a great social revolution is occurring in this country today because the American dream is simply not available to a great many people. That dream is not available to them in many instances, simply because of race, color, or creed. However, many times the important factors are lack of skill and education, in someone's inability to hold a job.

We have tried to approach this prob-

lem in many ways, and yet we have not marshalled to any great degree the resources of the economic power that exists in the private enterprise sector of our economy.

We have tried a multitude of government programs. Many of them have been extremely helpful, but the combined total of them has not come close even to solving the problem.

Within a radius of 5 miles from the downtown section of Chicago today there are probably as many as a quarter of a million adults who can neither read nor write. How can we tell these people to get off the public aid rolls and get on the private payrolls when they can neither read a want ad nor fill out application blanks?

I think such an approach is unrealistic, and we cannot expect the industrial concerns in Chicago or other urban areas to make up for the lack of information, education, skill, or ability of these people.

Incentives must be provided so that we can diversify and use as training grounds for these people the hundreds and thousands of industrial companies in existence today rather than constantly think in terms of setting up Government camps in order to carry out the necessary training programs. In order to do this, we must provide tax incentives.

Although I have not yet had a copy of the bill made available to me for study, after having talked with both the junior Senator from New York and the junior Senator from Kansas, I am impressed with the approach that they are taking. And I intend to give the matter serious study to determine if I can cosponsor and support the proposed legislation.

We must find a way in which private enterprise and the great power of the labor unions and industrial organizations can be used in a humanitarian sense to provide job opportunities for people and thus lead not only to better education, housing, and communities, but also to more customers and taxpayers rather than constantly increasing the public welfare rolls because of lack of opportunity.

I think that in this way the American dream can be more meaningful for the hundreds of thousands of people who do not now have work.

I commend Senator KENNEDY of New York and Senator PEARSON, of Kansas, for their initiative.

Mr. PEARSON. Mr. President, I thank the Senator from Illinois for his comments concerning the bill just introduced. I assure the Senator that we all recognize the great contributions he has made in this field.

In the colloquy that was had with reference to the proposed bill, the Senator from Connecticut [Mr. RIBICOFF] made special mention of the great leadership role and the great contributions the Senator from Illinois has made in this particular field.

So I am very grateful for the Senator's comments. I hope he will look over the measure, and it would be most encouraging if he could join in the cosponsorship of it.

LIMITATION OF STATEMENTS DURING THE TRANSACTIONS OF ROUTINE MORNING BUSINESS

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

ENROLLED BILL SIGNED

The ACTING PRESIDENT pro tempore announced that on today, July 12, 1967, the Vice President signed the enrolled bill (H.R. 2762) for the relief of CWO Bernhard Vollmer, U.S. Navy (retired), which had previously been signed by the Speaker of the House of Representatives.

BILLS INTRODUCED

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

By Mr. MAGNUSON (by request):

S. 2086. A bill to amend the law relating to the citizenship of crew members of vessels of the United States in order to remove certain authority to replace United States citizens as such members with persons who are not citizens; and

S. 2087. A bill to revise the law relating to the issuance of provisional certificates of registry to vessels abroad; to the Committee on Commerce.

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

By Mr. KENNEDY of New York (for himself, Mr. PEARSON, Mr. BAYH, Mr. BREWSTER, Mr. CLARK, Mr. HART, Mr. INOUYE, Mr. JAVITS, Mr. KUCHEL, Mr. MAGNUSON, Mr. MONDALE, Mr. MOSS, Mr. NELSON, Mr. PELL, Mr. PROUTY, Mr. RANDOLPH, Mr. RIBICOFF, Mr. SCOTT, Mr. TYDINGS, Mr. YARBOROUGH, Mr. YOUNG of North Dakota, and Mr. CASE):

S. 2088. A bill to provide incentives for the creation by private industry of additional employment opportunities for residents of urban poverty areas; 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. PROXMIRE:

S. 2089. A bill to amend the Federal Property and Administrative Services Act of 1949 and title 10, United States Code, to remove the limitation on architectural or engineering fees; to the Committee on Government Operations.

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

By Mr. SCOTT:

S. 2090. A bill to amend the Communications Act of 1934 with respect to the provision of broadcasting facilities to candidates for public office; to the Committee on Commerce.

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

By Mr. PEARSON:

S. 2091. A bill for the relief of Dr. Eduardo Campuzano; to the Committee on the Judiciary.

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

By Mr. McCARTHY:

S. 2092. A bill to amend the Highway Safety Act of 1966; to the Committee on Public Works.

By Mr. RIBICOFF:

S. 2093. A bill to amend title 38 of the United States Code in order to promote the care and treatment of veterans in State veterans' homes by increasing the amount of the payments which may be made by the Veterans' Administration for the care of certain veterans in State veterans homes; to the Committee on Labor and Public Welfare.

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

By Mr. BIBLE:

S. 2094. A bill to amend the National Capital Transportation Act of 1965 authorizing the prosecution of a transit development program for the National Capital region and to further the objectives of the Act of July 14, 1960; to the Committee on the District of Columbia.

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

By Mr. JORDAN of North Carolina:

S. 2095. A bill for the relief of Ting Wan Cheung, Lam Choi, Fong Tsui, To Pan Wong, and Ling Fu Ying; to the Committee on the Judiciary.

By Mr. PROXMIRE:

S. 2096. A bill conferring jurisdiction upon the U.S. District Court for the Western District of Wisconsin to hear, determine, and render judgment upon the claim of Emma Zimmerli; to the Committee on the Judiciary.

RESOLUTION

STUDY OF THE EXCESS LAND PROVISIONS OF THE FEDERAL RECLAMATION LAWS

Mr. TOWER submitted a resolution (S. Res. 144) authorizing a study of the excess land provisions of the Federal reclamation laws, which was referred to the Committee on Interior and Insular Affairs.

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

CITIZENSHIP OF CREWMEMBERS OF U.S. VESSELS

Mr. MAGNUSON. Mr. President, I introduce by request of the National Maritime Union, for appropriate reference, a bill to amend section 672(a) of title 46, United States Code, so as to require that 100 percent of licensed officers and 75 percent of unlicensed crewmembers on U.S.-registered vessels be citizens of the United States.

Present law requires that all licensed officers and pilots of U.S.-registered vessels be citizens. However, only 75 percent of the unlicensed crew must be citizens when the vessel departs a U.S. port unless the Commandant of the Coast Guard ascertains that they are not available. Further, the way the law now reads, the only time a U.S. vessel is required to have 75 percent citizen unlicensed seamen is when the vessel departs a port in the States.

The law additionally provides an overall escape clause to the effect that if a vessel on a foreign voyage is deprived of any member of the crew, the vacancy may be filled by an alien.

The security of U.S.-flag vessels, particularly during time of war or national emergency, is jeopardized by the employment on board of noncitizens that are picked up anywhere in the world without security checks.

The present law endangers the security of the vessel as well as maximum secu-

rity ports associated with our security and defense efforts by allowing the employment of large numbers of aliens on U.S.-flag vessels. The primary reason for employing aliens is because they can be hired at a lower wage.

This legislation would require that 100 percent of the licensed officers and 75 percent of the unlicensed seamen on board U.S.-registered vessels be U.S. citizens at all times.

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

The bill (S. 2086) to amend the law relating to the citizenship of crewmembers of vessels of the United States in order to remove certain authority to replace U.S. citizens as such members with persons who are not citizens, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

PROVISIONAL CERTIFICATES OF REGISTRY TO VESSELS ABROAD

Mr. MAGNUSON. Mr. President, I introduced by request of the National Maritime Union, for appropriate reference, a bill to amend section 12 of title 46, United States Code, relating to the granting of provisional certificates of registry to vessels abroad.

The purpose of 46 United States Code, section 12, is to permit the temporary registration under U.S. flag of a vessel purchased overseas to facilitate its return to the States.

The 6-month period presently allowed was enacted in 1915 and was then necessary to allow sufficient time for the vessels to return to the United States. This time period is no longer necessary because of the increased speed of vessels in the past 50 years. The situation that is now developing is that some operators are using the loose wording in the law to flout its intent.

This proposed change would prevent the recurrence of the *Good Eddie* and *Good Willie* situation by reducing the time period for provisional registry from 6 months to 2 months. These two ships, which are some 20 years old, were registered under the Nationalist Chinese flag until it was realized that by having a U.S. provisional certificate of registry, they could employ a predominately foreign crew and carry Government cargo at U.S.-flag rates.

The only requirement that the owners had to comply with prior to getting a certificate was the citizenship requirement, which they did by setting up a U.S. corporation.

The requirements relating to crew, inspection and measurement do not in the present law apply until the vessel arrives in the States which further encourages lack of adherence to the intent of the law. This bill would provide that the citizen crew requirement apply from the date of the certificate.

The condition of the vessels *Good Eddie* and *Good Willie* at the time that the certificates of provisional registry were issued is unbelievable. It is reported that there were no messing facilities, no sanitary facilities, and no bunks and some of the plates were loose. The condition of these vessels should have alerted those in the Government responsible for issuing the provisional certificates to the unlikelihood of the vessels ever returning to the United States—the supposed primary reason for the provisional granting of registry under U.S. flag.

And, of course, the owners of these two vessels have already transferred them to another foreign registry which is further indication that there never was a bona fide intent to bring the vessels back to full U.S. registry.

This bill would tighten up the law to prevent this type of embarrassment to the United States again, but would not interfere with the legitimate transfer of a foreign vessel to U.S. registry.

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

The bill (S. 2087) to revise the law relating to the issuance of provisional certificates of registry to vessels abroad, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

ARCHITECT-ENGINEER SERVICES FEE LIMITATION COSTS GOVERNMENT MILLIONS

Mr. PROXMIRE. Mr. President, I introduce, for appropriate reference, a bill to amend the Federal Property and Administrative Services Act of 1949 and title 10, United States Code, to remove the 6-percent fee limitation that costs the Federal Government unnecessary millions of dollars in obtaining architectural and engineering services at reasonable costs.

The Federal Property and Administrative Services Act sets a 6-percent ceiling on fees for architectural or engineering services rendered in connection with construction of public works or utility projects.

Repeal of the fee limitations was recommended to the Congress by the Comptroller General of the United States in a report dated April 20, 1967. The present 6-percent fee limitations, the Comptroller General said in his report, are impractical and unsound because they are governed by estimated construction costs which do not necessarily relate to the value of the architectural or engineering services rendered.

The Comptroller General also observed in his report that: First, these estimated construction costs of contemplated public works and utilities may not be known to the construction agency at the time the fee limitation must be applied; second, some architectural or engineering contracts do not involve programed construction projects but are for continuing services; third, the fee limitation may be avoided to some extent by the in-house capabilities of some public construction agencies to perform services that generally have been contracted to private architectural or engineering firms; and fourth, fees payable to architects or engineers measured by percentages of estimated construction costs vary greatly and thereby rendering impracticable the establishment of a percentage at an appropriate level to effectively limit the fee for the majority of architect-engineer contracts.

Mr. President, these are serious deficiencies and I completely agree with the Comptroller General's conclusion that they justify repeal of the fee limitations. They compound the problems the Government faces in obtaining architectural or engineering services at reasonable costs. My bill would save the Government money by, in effect, replacing the present rigid system of cost-plus contracts with a more flexible system permitting competitive or negotiated bidding.

The competitive negotiation requirements of the truth in negotiations law—Public Law 87-653—if vigorously enforced, will, in my opinion, insure procurement of architectural and engineering services at reasonable fees.

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. 2089) to amend the Federal Property and Administrative Services Act of 1949 and title 10, United States Code, to remove the limitation on architectural or engineering fees, introduced by Mr. PROXMIRE, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (b) of section 304 of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, is further amended by striking out "and that a fee inclusive of the contractor's costs and not in excess of 6 per centum of the estimated cost, exclusive of fees, as determined by the agency head at the time of entering into the contract, of the project to which such fee is applicable is authorized in contracts for architectural or engineering services relating to any public works or utility project."

(b) title 10, United States Code, is hereby amended—

(1) by striking out the second sentence of subsection (d) of section 2306;

(2) by repealing subsection (b) of section 4540 and redesignating subsection (c) of that section as subsection (b);

(3) by repealing subsection (b) of section 7212;

(4) by repealing subsection (b) of section 9540 and redesignating subsection (c) of that section as subsection (b).

AMENDMENT OF COMMUNICATIONS ACT OF 1934 RELATING TO BROADCASTING FACILITIES TO CANDIDATES FOR PUBLIC OFFICE

Mr. SCOTT. Mr. President, I introduce for appropriate reference a bill to amend the equal-time provisions of the Communications Act of 1934.

Campaign financing has always been a lively topic in the Congress. However, in recent years, the campaign financing issue has become a critical one. The impact of television on political campaigning for major offices has been tremendous both in terms of campaign costs and the candidates' exposure. This exposure has contributed greatly to the quality of both the candidates and the

electorate. However, it has seriously drained campaign finances.

Total campaign expenditures for presidential and congressional campaigns in 1964 were reported at $47.8 million or double the reported expenses in 1952. Estimates of nationwide campaign spending in 1964, including primaries and intrastate outlays, are $200 million. The FCC reported that expenditures for radio and television time alone totaled $34.6 million in the 1964 campaign. At least half of this was spent at the national level.

With the increasingly important role that television plays in political campaigning, particularly in elections for major offices, it becomes more and more necessary that we insure the best utilization of the broadcast media consistent with fair and free campaign practices.

The present provisions of section 315 of the Communications Act restrict the maximum use of the broadcast media and make present usage ruinously expensive for many candidates. Section 315 presently requires that a broadcaster who makes free time available to one candidate must provide equal free time to all other candidates, regardless of their number, or the size of their respective following in the electorate. The resulting loss of broadcast revenue to the broadcasters limits the free time they are willing to make available to major candidates.

In addition, high station charges for radio and TV coverage further inhibits an adequate exposure of the candidates. Broadcasters are presently permitted to charge candidates for public office the same rates which it charges a commercial advertiser. No consideration is taken of the distinctly different nature of a candidate for public office and a commercial advertiser insofar as the public interest is concerned.

In 1960, the provisions of section 315 were suspended for the presidential campaign. This suspension resulted in the Kennedy-Nixon debates and demonstrated the advantages that may accrue in the absence of the equal-time requirement. It was estimated that some $4.5 million of free broadcast time was provided the major presidential candidates including some $2 million for the debates alone.

The equal-time provision of section 315 is intended to assure a fair exposure of all candidates and a balanced presentation of the campaign issues to the public. As it presently stands, it does not accomplish this aim. In many cases, it inhibits rather than promotes a balanced and fair presentation of the candidates and the issues.

The bill I am introducing today would replace the equal-time provision of section 315 with an equitable-time concept with respect to free broadcast time for candidates for President, Vice President, Congress, and Governor. Because of the difficulties and complexities involved in fairly and adequately administering a flexible and truly equitable allocation of free time, my bill defines equitable time in terms of specific time allocations for minor candidates which would be fair under most circumstances.

With respect to major candidates, that is, those whose party received 10 percent or more of the total vote in the preceding election, the bill provides that they would be entitled to equal time. This insures that the most representative and serious candidates, who are of most interest to the community, are given an equal opportunity to present themselves and their views.

With respect to minor candidates, those whose party received less than 10 percent of the vote in a previous election or those who are wholly new candidates for office, the bill provides that they would be entitled to time commensurate with the community's interest in them as evidenced by the vote in the preceding election. A minor candidate would be assured of at least 5 percent of the time afforded to a major candidate. A minor candidate whose party was on the ballot in the preceding election could receive a higher percentage if his party polled in that election more than 5 percent of the vote cast for the major candidate who received the smallest number of votes. My bill, therefore, gives every candidate his fair share of the pie while at the same time protecting the public interest and that of the broadcasters.

My bill by not altogether repealing section 315 prevents the broadcasters from favoring some candidates over others in doling out free time. It also provides a safeguard for minor candidates and new candidates by giving them a proportionate amount of free time. Most importantly, it enables the broadcasters to provide ample free time for the major candidates without having to provide prohibitive amounts of total free time.

My bill also limits the charges to all candidates to two-thirds those applicable to normal advertisers. This would assure a more adequate exposure of the candidates with less emphasis on the financial resources of each candidate. This provision neither requires broadcasters to provide any specific amount of paid or free time nor imposes any unreasonable burden on the broadcasting industry.

I believe that my bill would enable the broadcasters to more readily meet their responsibilities as licensees of the public in providing a fair and balanced exposure of political candidates.

The topic will be under consideration in hearings scheduled to begin July 18 in the Communications Subcommittee of the Senate Commerce Committee. I ask the Senate to consider carefully my bill as one alternative among others to the present section 315.

Mr. President, I ask unanimous consent that the text of my bill be printed 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. 2090) to amend the Communications Act of 1934 with respect to the provision of broadcasting facilities to candidates for public office, introduced by Mr. SCOTT, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 2090

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 315 of the Communications Act of 1934 is amended—

(1) in the first sentence of subsection (a) by inserting after "to use a broadcasting station" the following: "in return for a payment of any kind"; and

(2) by redesignating subsection (c) as subsection (d) and inserting before such subsection the following new subsection:

"(c) (1) For the purposes of this subsection the term—

"(A) 'major candidate' means any person who is a legally qualifed and nominated candidate for the office of President or Vice President of the United States, Senator, Representative, Delegate, or Resident Commissioner in Congress, or Governor of a State or Commonwealth of the United States, and who is the nominee of a political party whose candidate for such office in the preceding election was supported by not less than 10 per centum of the total votes cast for such office; and

"(B) 'minor candidate' means any other person who is a legally qualified and nominated candidate for any such office.

"(2) If any licensee shall permit any major candidate for any such office to use a broadcasting station without charge, it shall afford—

"(A) equal opportunity in the use of such station to all other major candidates for such office; and

"(B) equal opportunity to use time of equal value on such station without charge to each minor candidate for such office, except that—

"(i) the amount of time to each such minor candidate shall be such per centum, not less than 5, of the time afforded to such major candidate as the number of votes cast for the candidate of the political party of such minor candidate in the preceding election for such office bears to the number of votes cast for the major candidate for such office in such election who received the smallest number of votes of any major candidate in such election;

"(ii) the amount of time to each such minor candidate whose political party was not represented in the preceding election for such office or who is an independent shall be 5 per centum of the time afforded to such major candidate; and

"(iii) the total time to all minor candidates for such office shall not exceed 100 per centum of the time afforded such major candidate and if a reduction in time is necessary because of this clause the time for all such minor candidates for such office shall be reduced proportionately.

"(3) If any licensee shall permit any major candidate for any office to use a broadcasting station for any period of time in return for a payment of any kind, the charges for such time shall not exceed two-thirds of the charges made for comparable use of such station for other purposes, and the charge made for such use to any minor candidate for such office shall not exceed those made to such major candidate, as required by subsection (a) of this section."

DR. EDUARDO CAMPUZANO

Mr. PEARSON. Mr. President, I introduce today, for appropriate reference, a private bill in behalf of Dr. Eduardo P. Campuzano, a distinguished resident in pathology at St. Francis Hospital in Wichita, Kans.

My bill today requests that Congress approve September 11, 1960, as the date on which Dr. Campuzano should be considered as lawfully and legally admitted to this country for the purposes of permanent residence.

This request for aid in Dr. Campuzano's behalf is not a new situation, Mr. President. In the case of Cuban doctors,

we have had several similar situations where the doctors cannot practice medicine in the State of Kansas unless they are legal citizens of the United States. Many of the doctors who have come to Kansas to practice medicine are not aware of this requirement when they enter residency. These doctors later find themselves with another 5-year waiting period before they can petition for citizenship, thus delaying their entry into the medical field.

During the past 7 years, Dr. Campuzano has established an outstanding record as a physician, both in Cuba and in this country. From 1934 through 1960, he practiced medicine in Matanzas, Cuba. He entered the United States September 11, 1960, and for 2 years was a staff physician for the Southeast Kansas Tuberculosis Hospital at Chanute, Kans. Since December 22, 1962, he has been a resident in pathology at St. Francis Hospital in Wichita.

Dr. Campuzano was issued a permanent residency card in March 1966; however, with the 5-year waiting period he could not petition for citizenship until March 1971. Under the terms of Public Law 89–732 his date of permanent residency would revert to May 2, 1964. Again, it would be 1969 before he could legitimately apply for recognition as a medical doctor under the terms of Kansas law.

With the critical nationwide shortage of competent physicians, Mr. President, I am asking today that this bill be given every consideration by the Senate after it has been duly considered by the proper committee.

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

The bill (S. 2091) for the relief of Dr. Eduardo Campuzano, introduced by Mr. PEARSON, was received, read twice by its title, and referred to the Committee on the Judiciary.

CARE AND TREATMENT OF CERTAIN VETERANS

Mr. RIBICOFF. Mr. President, I introduce, for appropriate reference, a bill to amend title 38 of the United States Code in order to promote the care and treatment of veterans in State veterans' homes by increasing the amount of the payments which may be made by the Veterans' Administration for the care of certain veterans in State veterans' homes.

Under Federal law, the Veterans' Administration provides a partial reimbursement to the States to cover a portion of their cost for operating facility for the benefit of American veterans. The reimbursement of the Veterans' Administration to the States is limited to 50 percent of the operating costs, but in no event may exceed $2.50 per patient per day.

Many years ago this amount may have been sufficient to assist the States in caring for the veterans of our armed services. However, this is no longer the case. Medical and operating costs, as we all know have risen considerably. Today, in these veterans facilities, costs are up to and over $6 per patient per day and still are rising. Instead of a 50-percent factor toward reimbursement as contemplated in the original law, we find that the ratio is now 42 percent Federal and 58 percent State.

Furthermore, the Veterans' Administration reimburses the States to handle patients assigned to convalescent homes. The Veterans' Administration reimburses these operations at a 50-percent operating cost, but not to exceed $3.50 per operating day. This too has fallen far below the actual operating costs.

Thus, the Federal law is far behind in recognizing that the cost of veterans' care has increased sharply. With increasing numbers of Korean and Vietnam veterans seeking admission, some relief should be afforded the State in the way of a more equitable distribution of costs. My bill will increase the per diem payment to the States to $3.50 for domiciliary care, $5 for nursing home care and $10 for hospital care. Only by such recognition of our changing world can we be fair to the States and to our returning veterans.

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

The bill (S. 2093) to amend title 38 of the United States Code in order to promote the care and treatment of veterans in State veterans' homes by increasing the amount of the payments which may be made by the Veterans' Administration for the care of certain veterans in State veterans' homes, introduced by Mr. RIBICOFF, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

INTRODUCTION OF BILL TO REVISE DISTRICT OF COLUMBIA SUBWAY SYSTEM

Mr. BIBLE. Mr. President, I introduce, for appropriate reference, a bill to change the alinement of the authorized District of Columbia subway system to provide rapid transit subway service to the burgeoning complex of Federal installations along Independence Avenue south of the Mall in Southwest Washington.

As I have repeatedly emphasized over many years, and as the Senate is well aware, fast, modern, exclusive right-of-way public mass transportation is vitally needed in Washington today, is absolutely essential for the future orderly growth and development of the National Capital region and the preservation of the beauty and dignity of the Nation's Capital.

Thanks to the action already taken by the Congress under the National Capital Transportation Act of 1965, the National Capital Transportation Agency is now well along with the architectural and engineering work needed so that construction may begin.

But as the Agency's work has gone ahead, so have changes in the city, one of the most notable of which is that occurring at the foot of Capitol Hill in Southwest Washington. New buildings are mushrooming to house defense agencies, the new Departments of Housing and Urban Development and Transportation. Added to the agencies already south of the Mall, this means there will be 85,000 workers moving to and from jobs in that area by 1971—only 4 years away. Earlier planning estimates placed 46,000 jobs in the same area by 1980.

In the face of such radical change, the Agency is requesting prompt authorization to include an Independence Avenue line in the presently authorized basic subway system. Details on the proposed change are included in a letter forwarding the bill to the Senate and a statement from Walter J. McCarter, the NCTA Administrator.

According to the Agency, the proposed changes will add an estimated $41.5 million to the cost of the subway system, but their studies indicate that the increased ridership and revenues resulting from the change will be sufficient to finance the added cost over a period of years, and no further authorization of Federal funds is being requested.

Mr. President, my long concern over the deteriorating effects of traffic congestion that is fast approaching traffic strangulation in Washington is a matter of record. Southwest Washington will be a motorist's nightmare unless steps are taken now to bring it within the service area of the new subway system, as proposed in this bill.

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

The bill (S. 2094) to amend the National Capital Transportation Act of 1965 authorizing the prosecution of a transit development program for the National Capital region and to further the objectives of the act of July 14, 1960, introduced by Mr. BIBLE, was received, read twice by its title, and referred to the Committee on the District of Columbia.

STUDY OF THE EXCESS LAND PROVISIONS OF THE FEDERAL RECLAMATION LAWS

Mr. TOWER. Mr. President, too often we are the authors of our own problems. It has been realized for sometime that, as a general rule, economies are to be gained from large-scale operations in most manufacturing and commercial enterprises. We have become increasingly aware of the trend to large-scale operations in agriculture, due in part to increased mechanization. At times, however, we have pursued policies contrary to this realization—policies which inhibit the very natural tendency by planters to take advantage of the benefits of enlarged operations.

Because of the benevolent feeling which we have for the ideal ethic of the small farmer, because of our concern for his future, we have initiated programs which attempt to limit the size of agricultural operations.

Accordingly, I submit a resolution which would provide for a study of the excess land provisions of the Federal reclamation laws with a view to determining whether the 160-acre limitation for use of Bureau of Reclamation water is still feasible in view of modern needs.

The Texas Water Development Board has communicated to me its concern that plans now being developed for the movement of substantial quantities of water within Texas for irrigation purposes would be frustrated by this existing provision.

Specifically, it has stated that Federal participation in certain major projects now being considered in Texas would simply not be feasible if each irrigator is restricted to 160 acres or 320 acres for a man and his wife.

In addition to introduction of the legislation at this point, I ask that the text of a resolution adopted by the Texas Water Development Board pertaining to this matter be printed in the RECORD at this point.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, under the rule, the resolution will be printed in the RECORD; and, without objection, the resolution of the Texas Water Development Board will be printed in the RECORD.

The resolution (S. Res. 144) was referred to the Committee on Interior and Insular Affairs, as follows:

S. RES. 144

Resolved, That the Committee on Interior and Insular Affairs or any duly authorized subcommittee thereof, is authorized under section 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to conduct a thorough study of the excess land provisions of the Federal reclamation laws with a view to determining whether the one hundred and sixty acre limitation contained therein is outmoded and impractical in view of the expansion of farm operations which modern economy now requires.

SEC. 2. The Committee shall report to the Senate at the earliest practicable date the results of its study, together with its recommendations for any necessary legislation.

The resolution of the Texas Water Development Board, presented by Mr. TOWER, is as follows:

RESOLUTION RELATING TO THE 160-ACRE LIMITATION UNDER FEDERAL RECLAMATION LAWS

Whereas, the high standard of American living has been established in large part through mass production and assembly-line techniques in agriculture as well as industry; and

Whereas, it has become virtually an economic impossibilty for small farms to successfully compete with large and mechanized competitors; and

Whereas, labor shortages and efforts to reduce costs require the utilization of expensive machinery which is only economical and practical when capital costs can be spread over larger acreages; and

Whereas, the 160-acre limitation in the federal reclamation laws is outmoded and impractical in view of the expansion of farm operation which modern economy now requires;

Now, therefore, be it resolved by the Texas Water Development Board that the Board respectfully petitions the President and the Congress of the United States to remove from the federal reclamation laws the 160-acre limitation or to provide for the reasonable adjustment of the existing acre limitation commensurate with modern agricultural pursuits; and

Be it further resolved that the Executive Director is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from Texas in the Congress of the United States.

CERTIFICATION

THE STATE OF TEXAS,
COUNTY OF TRAVIS.

I, Joe G. Moore, Jr., Executive Director of the Texas Water Development Board, hereby certify that the foregoing is a true and correct copy of Resolution as same was adopted by the Texas Water Development Board at its meeting on May 18, 1967.

Witness my hand and the seal of the Board on this the 23rd day of May, 1967.

JOE G. MOORE, Jr.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT TO DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATION BILL

AMENDMENT NO. 225

Mr. WILLIAMS of Delaware submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 10509), an act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1968, and for other purposes, the following amendment, namely: On page 39, between lines 3 and 4, insert the following:

"SEC. 508. Notwithstanding any other provision of law, after January 1, 1968, no producer shall be eligible for price-support loans or payments under any program or programs administered by the Department of Agriculture in any amount in excess of $10,000 for any one year. The foregoing limitation shall include the fair dollar value (as determined by the Secretary of Agriculture) of any payment-in-kind made to a producer."

Mr. WILLIAMS of Delaware also submitted an amendment (No. 225), intended to be proposed by them, jointly, to House bill 10509, making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1968, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

AMENDMENT NO. 226

Mr. PROXMIRE submitted an amendment, intended to be proposed by him, to House bill 10509, supra, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Illinois [Mr. PERCY], I ask unanimous consent that, at its next printing, the names of the Senator from New Mexico [Mr. ANDERSON] and the Senator from Ohio [Mr. LAUSCHE] be added as cosponsors of the bill (S. 1592) to charter a National Home Ownership Foundation.

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

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Connecticut [Mr. RIBICOFF], I ask unanimous consent that, at the next printing of the bill (S. 1150) the Social Work Manpower Training Act, the name of the Senator from Maryland [Mr. TYDINGS] be added as a cosponsor.

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

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, July 12, 1967, he presented to the President of the United States the following enrolled bills:

S. 60. An act for the relief of Dr. Oton Socarraz;

S. 67. An act for the relief of Dr. Juan Ramon Diaz Zayas Bazan;

S. 118. An act for the relief of Dr. Amparo Castro;

S. 132. An act for the relief of Dr. Alberto Fernandez-Bravo y Amat;

S. 164. An act for the relief of Dr. Cesar A. Mena;

S. 168. An act for the relief of Maria Jordan Ferrando;

S. 327. An act for the relief of Dr. Carlos Victor De La Concepcion Garcia;

S. 371. An act for the relief of Mrs. Mary T. Brooks;

S. 462. An act for the relief of Dr. Jesus L. Lastra;

S. 464. An act for the relief of Dr. Guillermo N. Hernandez, Jr.;

S. 465. An act for the relief of Dr. Mario Guillermo Martinez;

S. 499. An act for the relief of Dr. Manuel A. Zuniga;

S. 652. An act for the relief of certain employees of the Puget Sound Naval Shipyard;

S. 819. An act for the relief of Charles H. Thurston;

S. 853. An act to extend the life of the Commission on Political Activity of Government Personnel;

S. 904. An act for the relief of Doreen Delmege Willis;

S. 996. An act for the relief of Dr. Esther Yolanda Lauzardo;

S. 1045. An act for the relief of Alton R. Connor; and

S. 1278. An act for the relief of Dr. Floriberto S. Puente.

COMMUNICATION WORKERS URGING SENATE RATIFICATION OF HUMAN RIGHTS CONVENTIONS

Mr. PROXMIRE. Mr. President, organized labor in the United States has worked long, hard and effectively for Senate ratification of the Human Rights Conventions on Forced Labor, Freedom of Association, Genocide, Political Rights of Women, and Slavery.

Among the unions which have already gone on record and forcefully brought the case for ratification to both the Senate and the American people are:

American Federation of State, County and Municipal Employees, AFL–CIO; American Federation of Teachers, AFL–CIO; Brotherhood of Sleepingcar Porters, AFL–CIO; Industrial Union Department, AFL–CIO; International Ladies Garment Workers Union, AFL–CIO.

International Union of Electrical Workers, AFL–CIO; Retail, Wholesale and Department Store Union, AFL–CIO; Textile Workers Union of America, AFL–CIO; United Automobile Workers of America, AFL–CIO.

As an unequivocal advocate of Senate ratification of the Human Rights Conventions, I congratulate the leaders and members of these unions for their invaluable support.

Last month at their national convention in Kansas City, the Communication Workers of America, AFL–CIO, adopted a strong resolution expressing the organization's support for Senate ratification of the Human Rights Conventions on Forced Labor, Genocide, Political Rights of Women, and Slavery.

I commend the Communication Workers for their stand on this vital issue. Their support is most welcome.

I ask unanimous consent that the Communications Workers' resolution, "The United Nations—Peace in Our Time," be printed at this point in the RECORD.

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

[Resolution 29A–67–9]

THE UNITED NATIONS—PEACE IN OUR TIME

History records many attempts to provide world peace through organization, for example, The Holy Alliance, The Hague Peace Conferences of 1899 and 1907, The League of Nations, and finally the United Nations. Until the advent of the United Nations, the attempts to govern nationalism through collective security saw little if any successes.

The Constitution of the United Nations is based on the ideals that the world powers, acting in unison, can deal with any threat to world peace, that their combined wisdom and strength are sufficient to meet these threats without resorting to war, and that no such threat would emanate from the world powers.

We all recognize that the test of time has shown that these ideals are exceedingly difficult to achieve, or to maintain, once achieved. But difficulty in achievement shouldn't deter or detract us from the attempt to achieve "peace in our time," for the stakes today are not the destruction of a nation state, but the destruction of mankind.

The Communications Workers of America reaffirms its conviction that the United Nations is mankind's best hope for survival. Peace is indeed a fragile reed, and it is our position that we, as a nation, must go to great lengths to preserve and promote world peace.

In its twenty-two years of existence, not one without some pressing international emergency, the United Nations has continued to prove its worth in promoting international understanding and in preserving world peace. It has done this despite limited power to enforce its decision, or to finance and maintain any peace keeping operation.

We commend the President of the United States, the Premier of Canada and Secretary General U Thant for their support of the United Nations and for their continued effort to resolve the conflict in Viet Nam and to bring about an enduring peace. Therefore, be it

Resolved: That the 1967 Convention of the Communications Workers of America reaffirms its faith in the United Nations as a force for peace and international justice. We urge the United States Senate to consider favorably the three Conventions (Treaties) on slavery, forced labor and the political rights of women as requested by President Kennedy in 1963. The Slavery Convention has been ratified by 68 governments, the Forced Labor Convention by 75, the Convention of the Political Rights of Women by 51, and the Genocide Convention by 69 nations. It is now time that our own government shows its good faith and acts to ratify these treaties.

Further, we particularly urge the 90th Congress to act favorably upon the Peace Keeping Resolution, House Concurrent Resolution #130, introduced in the current Congress with sixty Congressional sponsors.

UNJUSTIFIED PUBLIC EXPENDITURES

Mr. LAUSCHE. Mr. President, I ask unanimous consent that there be printed in the RECORD the text of a letter which I received from a citizen of Cincinnati, Ohio, complaining about unjustified public expenditures.

I am not identifying the name of the writer because he has not authorized me to do so. His letter, however, is replete with expressions which I believe to be sound reactions that ought to be expressed by every taxpayer about what I label to be a wild purpose on the part of our Government to continue unjustified spending of taxpayers' money regardless of the hugeness of the burden that eventually the taxpayer will have to bear.

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

Hon. FRANK LAUSCHE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: I have enclosed a clipping from the June 17 issue of Business Week (page 84) which greatly distresses me. To spend $750,000 to determine whether drunks would rather drink than talk seems to me to be a pure waste of hard earned money.

Last year my Federal income tax was about $1750. Thus this silly project is wasting the entire tax on myself and 99 others just like me. I don't mind so much paying the huge (for my salary) tax if it will be used for a worthwhile purpose, but this study of drinking (or talking) drunks makes me sick.

Seven hundred and fifty thousand dollars—what would that buy to defend or grace this Nation—or to relieve suffering?

Something is wrong with the values of the people in high government positions if they waste our treasure with such tripe.

Sincerely,

_____ _____.

[From Business Week, June 17, 1967]

ALCOHOLICS GET A CHANCE TO MAKE A CHOICE: A SLUG OF BOURBON—OR QUIET CONVERSATION

Does liquor really top the list of values for the alcoholic? Or does even the most confirmed alcoholic have a deeper need for social contacts with other people? Dr. Peter E. Nathan and Dr. A. Michael Rossi, psychiatrists at Boston City Hospital, *have just received a $750,000 federal grant to probe these questions.*

"One of the most puzzling aspects of alcoholism is that the alcoholic tends to be a person who needs the company of others much more than most people," Nathan says. "Yet, his drinking drives people away."

Starting in mid-August, four volunteers who are confirmed alcoholics will report to a special ward at the hospital to begin a 70-day research regimen. For the first 40 days they will be intensely studied in isolation rooms via TV and electronic consoles.

By pushing various buttons on the consoles in specified sequences, the alcoholics will be able to build up points that will enable them to choose between:

A 1½-oz. slug of 90-proof bourbon, dispensed from a spigot on the console. There will be no limit; Nathan figures some of his subjects may down a quart a day.

A 15-minute period for socializing with the doctors, nurses, or other patients via the closed-circuit communications system. The subjects will also be able to elect a similar time period in the ward's lounge.

After 40 days at the console, the alcoholics will undergo 30 days of drying out and psychiatric counseling and make way for another group of volunteers.

MICRONESIA DAY

Mr. FONG. Mr. President, today, July 12, is being observed as Micronesia Day and a national holiday throughout the Trust Territory of the Pacific Islands.

The 12th day of July each year has been designated Micronesia Day by act of the Congress of Micronesia in 1965. It marks the historic day of the inception of the Congress of Micronesia—the first territorial legislature of the former Japanese mandated islands in the Western Pacific.

Micronesia is a unique political entity. It is the only United Nations trusteeship area under U.S. administration. By agreement with the U.N. Security Council in 1947, the United States is pledged to foster the development of the islands toward self-government or independence. This the American administration has sought to promote through the establishment, first of municipal governments, then of district legislative bodies, and finally, of a territorial legislature, the Congress of Micronesia. At the same time, the administration has encouraged Micronesian participation in the executive and judicial branches of government.

In the 20 years since the United States assumed trusteeship responsibilities for Micronesia, the establishment of the Congress of Micronesia stands as the most significant forward step taken toward the political development of the trust territory.

The Congress of Micronesia is a bicameral legislature, consisting of the senate and the house of representatives. The senate is composed of 12 members, two elected at large from each of the 6 districts for a 4-year term. The house of representatives has 21 members elected for 2-year terms from single-member election districts of approximately equal population.

Members of the congress are chosen in biennial elections by secret ballot of residents of the territory who are citizens of the trust territory and 18 years of age or over.

The congress meets in regular session for 30 days each year starting the second Monday of July.

The first regular session of the congress convened on July 12, 1965. For 2 weeks prior to its opening, the congressmen-elect participated in a presession conference, with the assistance and consultation of a group of specialists from Hawaii. They discussed congressional organization matters, staffing patterns, and standing rules procedures.

During the first session of the Congress, 45 bills, 15 resolutions, and 43 joint resolutions were introduced in the House; 32 bills, 40 resolutions, and 21 joint resolutions were introduced in the Senate. Fifteen bills and 20 joint resolutions were passed by the Congress and submitted to the High Commissioner. Thirteen bills were signed into law.

The second regular session of the Congress convened July 11, 1966 for 30 days. This was followed by a short special session to reconsider certain appropriation bills, a proposed election law, and to review the trust territory budget prior to its submission to Washington.

Of the 149 bills introduced during the Congress, 29 passed both Houses and 27 were signed into law. Among the most important was the Merit System Act, covering terms, conditions, and benefits of employment of Micronesian employees with the trust territory executive branch.

To gain practical experience as legis-

lators, 18 Members of the Congress traveled to Honolulu at the invitation of the Hawaii Legislature to observe its regular session for 4 weeks this spring. The program was sponsored by the East-West Center and the territory government, which previously also arranged for other training programs in Saipan and in Honolulu.

In observing Micronesia Day today, the 93,000 inhabitants of the trust territory are commemorating the founding of the Congress of Micronesia as a new political institution through which their democratic will may be worked. They are celebrating a most important start on the road to self-government.

I extend my sincere greetings and congratulations on this occasion to all Micronesian citizens and noncitizens alike in the territory. I compliment them for the steady and encouraging progress they have made in Micronesia's political development, as reflected particularly in the work of their Congress. Their elected leaders have demonstrated a responsible attitude and conducted their legislative duties in a commendable manner.

As High Commissioner William R. Norwood stated in his report before the U.N. Trusteeship Council in New York last month:

> In the relatively short time they have been encouraged to do so, the Micronesians have demonstrated an ability to understand and use the democratic political process. With perception and quality standards, they have selected some of the ablest individuals in the territory to represent them in the district legislatures and in the Congress of Micronesia. This not only reflects favorably on the growing maturity and reliability of the Micronesian voter, but it also credits the prior administration with solid achievement in the area of political development.

The third regular session of the Congress of Micronesia convened in Saipan 2 days ago, July 10. I wish all the members continued success in carrying forward the splendid start they have already achieved. Their success will contribute substantially toward reaching the day of decision when they will choose for themselves the future political status they prefer.

DEATH OF DR. HOWARD FOSTER LOWRY, PRESIDENT, COLLEGE OF WOOSTER, OHIO

Mr. LAUSCHE. Mr. President, I was grieved to learn that Ohio has lost a widely known educator through the death of Dr. Howard Foster Lowry, president of the College of Wooster, Ohio. He was a lay Presbyterian leader and student of English literature. He died unexpectedly on Tuesday of last week while visiting in Oakland, Calif. He headed the College of Wooster for 23 years.

Dr. Lowry, who was born at Portsmouth, Ohio, on July 26, 1901, was devoted to liberal arts education. He also was devoted to the College of Wooster, from which he was graduated magna cum laude in 1923 and where he first taught as an instructor after graduation. He received his doctorate from Yale University in 1931. In 1934, he was named head of the English Department at Wooster. In 1942, he went to Princeton to teach English literature and in August 1944, he returned to become Wooster's seventh president.

President Lowry once said that the price of a good education was loneliness; he said the price was worth it. Another time he characterized a liberal arts graduate as "a potentially educated man, who knows that that's the fun of it."

In October 1964, the college celebrated his 20th anniversary as president with a daylong program, which finished with an address by Dr. Harold W. Dodds, president emeritus of Princeton. Dr. Dodds talked about Dr. Lowry's dedication to liberal arts education.

> To a greater extent than the average college president—
>
> Said Dr. Dodds—
>
> he has refused to be satisfied with arranging food, lodging, and reasonable entertainment for the inmates of an educational custodial institution.

He said that President Lowry "has been good for Wooster and good for the country." He meant that the president's efforts in behalf of faith and the private college should not be forgotten. Dr. Lowry was not a cloistered academic man, but a man of world experience. He stressed repeatedly the importance of church connections with Wooster, which was founded by the Presbyterian Synod of Ohio. He had appeared in pulpits of several churches in Cleveland and around the country as a lay preacher.

Dr. Lowry served on the Board of Foreign Missions of the Presbyterian Church of the U.S.A., now known as the United Presbyterian Church in the U.S.A., and was on the board of the church publication, Presbyterian Life.

In his career as an educator, he served on the executive committee of the American Council on Education, was a trustee of the Carnegie Foundation for the Advancement of Teaching, and a trustee of the Danforth Foundation. He was general editor and educational manager of the Oxford University Press—American branch—from 1936 to 1941.

As a student of English literature, Dr. Lowry specialized in a study of Matthew Arnold, the British poet, essayist and critic. Arnold was the subject of 10 books by Dr. Lowry. He wrote other books, including a religious book, "The Mind's Adventure".

In his presidency at Wooster, the school has grown from 1,000 to 1,500, the faculty from 100 to 135, and an ambitious building program has been started. A 10-year centennial drive for $20 million was surpassed last year.

Dr. Lowry lived alone in Wooster since the death of his mother, Mrs. Lewis Lowry, in 1960.

FINANCIAL SUPPORT BY DEPARTMENT OF DEFENSE TO RESEARCH PROJECTS

Mr. FULBRIGHT. Mr. President, for a number of years the Department of Defense has given financial support to research projects which one would not normally associate with the needs and requirements of the U.S. military. Contributing to research in both the social and physical sciences, the amounts have reached a significant level; a level which has had an impact on the academic world and the process of foreign policy decisionmaking in Washington and abroad. In the summer of 1965, the details of Project Camelot became known, and the outcry over the procedures and goals of that project, which intended to study various aspects of insurgency in Latin America, led to its cancellation. I voiced my deep concern over this project on the floor of the Senate on August 25, 1965, and I must say that after looking over the statistics of military-sponsored research at the present time, I continue to have grave reservations regarding the merits of such undertakings.

I am not saying that the research as such is not beneficial. What I do not understand is the reason behind the military sponsorship of such projects. In an article published in the New York Times of May 22, 1967, a disclosure was made of the debate in the Japanese Parliament over U.S. Army funds being used for biological research in several Japanese universities. While I was assured by Secretary of Defense Robert S. McNamara in a letter of June 9, 1967, that all this research had the approval of the Government in Tokyo, the information he provided me indicates that the research could easily have been sponsored by another agency of the U.S. Government; for example, the Public Health Service. I am sure that there is no intention on the part of our military authorities to arouse the suspicion of foreign officials, but I cannot understand why our Government takes the risk of bruising our relations with other countries by having the Department of Defense undertake such research.

At this time the Department spends over $15 million sponsoring research projects abroad—$3 million of which is in the social sciences. The Department spends over $27 million on projects oriented toward foreign policy problems, over $2 million of which is spent on problems relating to the conflict in Southeast Asia. I might point out that many of the projects are under the jurisdiction of the same organization which so tactlessly planned Project Camelot; the only difference is the name has been changed.

Mr. President, the distinguished Senator from Oklahoma [Mr. HARRIS] is chairman of the Subcommittee on Government Research of the Government Operations Committee. He is now in the process of holding hearings on proposed legislation, S. 836, a bill to create a National Foundation for the Social Sciences, to alleviate some of the difficulties encountered in carrying out Government-sponsored research. I know his committee will review most carefully the difficulties encountered by those projects associated in one way or another with the Department of Defense.

The Defense Department has been involved in these research efforts partly because other Government agencies do not have the funds with which to carry out such investigations. There is no doubt that the Department of State, for example, would have legitimate interests in sponsoring projects dealing with foreign policy matters. However, funds allocated to its Office of Intelligence and

Research for this purpose barely cover the planning costs of some of the more ambitious military-sponsored research projects. Congress is, of course, partly to blame for the fact that a disproportionate amount of funds are allocated to the Defense Department for nonmilitary matters. Military appropriations are always most generous, while other agencies are scrutinized with a fine-tooth comb.

There is a Research Review Division in the Department of State which is responsible for approving or rejecting Foreign Area Research projects of all Government departments. However, its responsibilities are usually limited to social science research projects; those now being carried out in Japan under the auspices of the Department of Defense did not come under the jurisdiction of this office. I would hope that regulations could be revised so that all Government-sponsored research projects carried out abroad could be reviewed by responsible officials in the Department of State.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point an article from the New York Times of May 22, 1967, regarding research projects carried out by Japanese universities for the U.S. Army; a letter from me to the Secretary of Defense dated May 25, 1967, concerning this matter; and his response of June 9, 1967.

In addition, I ask unanimous consent to have printed in the RECORD, Department of Defense statistics on amounts spent on research abroad, funds appropriated for projects oriented toward foreign policy problems, and sums spent on social science research in Vietnam and Thailand. In response to a letter of June 7, 1967, Secretary McNamara provided me with classified information on specific social science research projects in Vietnam and Thailand. This restriction is indeed unfortunate, for it prohibits a proper public review of this most important matter.

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

[From the New York Times, May 22, 1967]

JAPAN SETS STUDY OF U.S. ARMY'S AID—SUBSIDIES FOR RESEARCH STIR CRITICISM IN PARLIAMENT

(By Robert Trumbull)

TOKYO, May 21.—Financial aid for scientific research projects given by the United States Army to Japanese universities and other institutions has come under fire in Parliament.

Education Minister Toshihiro Kennoki told the upper house Budget Committee yesterday that the subsidies were "not always" intended for military purposes. He said that the average grant was on the order of $11,000.

Nevertheless, Mr. Kennoki added, the practice is "questionable" and will be investigated.

Foreign Minister Takeo Miki told the committee that "if the receiving of such subsidies from the United States Army is deemed harmful to the national interest, the Government will intervene." However, he declared that there was no intention at this stage to forbid the acceptance of such grants by Japanese institutions.

TWENTY-EIGHT RECIPIENTS LISTED

According to figures compiled by the Ministry of Education, the United States Army has given a total of $1,075,000 to 28 Japanese universities and other institutions for specific research projects since 1959.

The projects were described as "nearly all" in the fields of bacteriology, pathology, and physiology." The largest single contribution, according to the list submitted to the budget committee by the ministry, was $138,351 to Keio University in Tokyo for research of an unspecified nature.

"The grants are part of a standard program of the United States Army all over the world, which has no other purpose than to aid scientific research," a spokesman for the American military command in Japan said today.

Socialist members of the upper chamber—the House of Councilors—who brought the program under public scrutiny had alleged that Japanese recipients of the aid were "indirectly cooperating with the United States Army's research on bacteriological warfare."

Premier Eisaku Sato issued instructions at a Cabinet meeting that heads of government departments concerned should "examine" the program.

Among recipients mentioned in the Education Ministry list were such institutions as the National Aerospace Laboratory, the National Cancer Center Research Institute, the Osaka City Institute of Hygiene, the Tokyo Dental College and a number of well-known government and private universities.

MAY 25, 1967.

Hon. ROBERT S. MCNAMARA,
Secretary of Defense,
Washington, D.C.

DEAR MR. SECRETARY: I enclose a news report from the May 23 edition of *The New York Times* concerning certain research projects carried out by Japanese universities for the United States Army. The article quotes a spokesman for the American military command in Japan as saying: "The grants are part of a standard program of the United States Army all over the world, which has no other purpose than to aid scientific research."

I would appreciate it if you would provide me with information concerning the purposes of this program, the number of countries where the Department of Defense is financing such research, the dollar value of this program, by service, in the current fiscal year and proposed for fiscal year 1968, and how this research is coordinated with research projects of a similar nature carried out in American colleges and universities. Any other information that you care to submit in justification for the program would be welcomed.

Sincerely yours,

J. W. FULBRIGHT, *Chairman.*

THE SECRETARY OF DEFENSE,
Washington, June 9, 1967,

Hon. J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This letter is in response to your request for information on our foreign research activities contained in your letter of 25 May 1967.

First I should like to point out that overseas research projects do not constitute, individually or collectively, a program aimed at supporting foreign research institutions. They follow the attached policy directive "Administration and Support of Basic Research by the DoD," dated October 26, 1961. In Japan, because of the gold flow problem, each individual project today must meet special criteria as outlined in the attachment. Because these foreign projects are supported within normal research programs, and not as separate international programs, they are reviewed along with all other proposed research projects of similar nature.

The value of current sponsored research by defense agencies in foreign countries amounts to $15,801,000. A copy of country-by-country breakdown is enclosed in answer to your request. This tabulation includes all currently active research projects regardless of the fiscal year of obligations. An additional tabulation of obligations for foreign research for fiscal years 1966 through 1968 is attached.

A special report on current Army-sponsored research contracts and grants in Japan is attached. As may be seen from examining these projects, the emphasis in this effort in Japan is toward supporting active research on diseases which are common in the Far East while uncommon in the United States. These diseases affect the welfare of U.S. military personnel who are stationed in the Orient. We have kept the government of Japan informed of the status of all Japan-based defense sponsored research. We have no reason to believe that they will lose sympathy with our objectives because of the recently reported incident in the Japanese Parliament.

I trust that the above information will be useful to you and the Committee. If additional or more detailed information is required, Dr. John S. Foster, Jr., Director of Defense Research and Engineering can be contacted directly.

Sincerely,

ROBERT S. MCNAMARA.

Enclosures: (1) DoD Directive 3210.1; (2) Policy Criteria for Selection of R&D Projects by Foreign Performers; (3) Defense Research Performed in Foreign Countries (Contracts and Grants); (4) Obligations for Foreign Research, DoD, FY 1966–1968; (5) Special Report—U.S. Army Sponsored Research in Japan, 6/5/67.

[Department of Defense Directive, No. 3210.1, October 26, 1961]

Subject: Administration and Support of Basic Research by the DoD.

References:

(a) Executive Order 10521, as amended, "Administration of Scientific Research by Agencies of the Federal Government".

(b) DoD Directive 3210.2, "Policy on Basic Research Grants and Title to Equipment Purchased Under Grants".

(c) Section XV, Armed Services Procurement Regulation.

(d) DoD Directive 3210.1, "Policy on Basic Research," November 12, 1957 (hereby cancelled).

I. PURPOSE

This Directive states the policy of the Department of Defense on the administration and support of basic research.

II. CANCELLATION

Reference (d) is hereby superseded and cancelled.

III. DEFINITION OF BASIC RESEARCH

Basic research is that type of research which is directed toward increase of knowledge in science. It is research where the primary aim of the investigator is a fuller understanding of the subject under study.

IV. BACKGROUND

A. Reference (a) provides broad guidelines for administration of basic scientific research by Federal agencies. These guidelines state that while the National Science Foundation shall be increasingly responsible for providing Federal support for general purpose basic research, the conduct and support by other Federal agencies of basic research in areas which are closely related to their missions is recognized as important and desirable and shall continue.

B. The Director of Defense Research and Engineering is responsible to the Secretary of Defense for the review and direction of the basic research program of the military departments and other agencies of the Department of Defense authorized to conduct or support basic research, and shall ensure that this program is executed according to the provisions of Reference (a). This review will be of maximum effectiveness if all elements of the Department adhere to the same fundamental principles in their conduct and support of basic research.

V. PRINCIPLES

A. Basic research is essential to the development of military power.

B. Continuity is essential to successful basic research. Therefore, long-term planning and funding of basic research will be employed to the maximum possible extent.

C. Basic research may be conducted by competent scientists in universities and nonprofit institutions, industry, military laboratories, or elsewhere.

D. Sustained support of basic research will result in increased effectiveness and economies in military programs.

E. Free and effective communication among scientists is important to basic research.

VI. POLICY

A. It is the policy of the Department of Defense:

1. to conduct and support a broad and continuing basic research program to provide fundamental knowledge, with emphasis on that related to the needs of the Department of Defense; and

2. to assure full utilization of our scientific resources and to extend those resources in those areas of science relevant to the mission of the Department of Defense; and

3. to maintain, through such a program, effective communication among the scientists of the Department of Defense and the scientists of the universities and industry; and

4. to coordinate this program of basic research with the National Science Foundation; and

5. to encourage the support of basic research by other government and private agencies.

VII. IMPLEMENTATION

A. It is the responsibility of the Director of Defense Research and Engineering to produce, on a continuing basis, a sound basic research program through the coordination and integration of the elements of the program among the military departments and other agencies of the Department of Defense authorized to conduct or support basic research.

B. The Department of Defense provides support of basic research by

1. *Support of in-house laboratories.* Basic research in laboratories of the Department of Defense or in laboratories of other government agencies, best qualified for such work in particular areas, should be encouraged.

2. *Grants to and contracts with educational and non-profit institutions.* In situations appropriate for grants under the provisions of Reference (b), the grant instrument is the preferred method of supporting basic research by educational and other non-profit institutions.

3. *Contract with industry.* Contracts specifically for basic research may be made with industrial contractors (including small businesses) which have a recognized special competence in a given area. In the administration of the provisions of Reference (c) which relate to the allowability of a contractor's independent research costs under certain Department of Defense contracts, favorable consideration should be given to independent basic research.

C. The military departments and other agencies of the Department of Defense authorized to conduct or support basic research will provide the Director of Defense Research and Engineering with such information as he may require in order to carry out his responsibilities under this Directive, including annual reports through established administrative and fiscal channels of the following, by contract or grant and dollar value:

1. Basic research performed in government laboratories

2. Basic research grants to educational and non-profit institutions

3. Basic research contracts to educational and non-profit institutions

4. Basic research contracts to industrial contractors, including small business

5. Independent basic research recognized as an allowable cost in an advance agreement under the provisions of Reference (c). Such costs shall be reported via the Assistant Secretary of Defense (Installations and Logistics).

D. Within 90 days of the effective date of this directive, two copies of implementing instructions issued by the military departments will be forwarded to the Director of Defense Research and Engineering.

VIII. EFFECTIVE DATE

This directive is effective immediately.

ROBERT S. MCNAMARA.
Secretary of Defense.

POLICY CRITERIA FOR SELECTION OF RESEARCH AND DEVELOPMENT PROJECTS BY FOREIGN PERFORMERS

Research and exploratory development by foreign performers may be supported by DoD components only when it has been determined that it is clearly significant in meeting defense needs of the United States and cannot be deferred for later action, and providing that at least one of the following special conditions is inherent in the proposed work:

(a) the research or development involves flora, fauna, or geographical or environmental conditions not found and not feasible to duplicate or simulate within the United States or its territories.

(b) the work relates to diseases, epidemiological situations or availability of clinical material which are not present within the United States.

Defense research performed in foreign countries

[Contracts and grants]

Country	Funds	Number units
Argentina	$177,000	14
Australia	454,000	19
Austria	372,000	30
Barbados	22,000	1
Belgium	364,000	21
Bermuda	5,000	2
Bolivia	177,000	2
Brazil	277,000	19
Chile	191,000	13
Canada	2,685,000	91
Colombia	13,000	2
Congo	26,000	1
Denmark	120,000	12
Ecuador	21,000	1
Ireland	158,000	18
Ethiopia	10,000	1
Finland	13,000	1
France	830,000	29
Ghana	4,000	1
Greece	18,000	4
Guatemala	50,000	1
Germany	1,148,000	68
India	15,000	1
Israel	1,154,000	58
Italy	872,000	72
Lebanon	4,000	1
Japan	436,000	57
Kenya	11,000	1
Malaya	136,000	1
Mexico	13,000	3
Holland	252,000	15
Norway	459,000	19
New Zealand	66,000	5
Peru	339,000	15
Philippines	40,000	3
Puerto Rico	553,000	8
Canal Zone	49,000	1
Spain	88,000	8
Sweden	672,000	40
Switzerland	158,000	14
Thailand	98,000	6
Taiwan	42,000	5
Union of South Africa	187,000	3
Uganda	(1)	1
United Kingdom	2,800,000	199
Uruguay	88,000	8
Venezuela	134,000	8
Total	15,801,000	903

[1] No funding information available.

(c) the work is related to high priority military requirements in which it has been determined that sufficient trained U.S. manpower is not available and that supplementation is required.

(d) the work involves use of a unique or unusual facility not available in the United States and which should not be duplicated in the United States for practical reasons.

(e) the work fulfills a need for confirmation or replication of U.S. investigations in an environment outside of the United States.

(f) the work involves an outstanding, unique scientist whose qualifications and interest in a problem cannot be matched by any of his peers in the United States. In this context "outstanding" should be rigorously interpreted and an examination should be made of the reasons why support cannot be obtained from the government of the country in which he is a resident.

(g) the work involves unique, original, or proprietary ideas, the disclosure of which to U.S. scientists would result in either a violation of the proprietary rights of the investigator or his organization or in a conflict with generally accepted U.S. rules and codes of ethics, practices, courtesy, or precedence.

Obligations for foreign research, Department of Defense, fiscal years 1966–68

[In thousands of dollars]

Agency	Fiscal year 1966	Fiscal year 1967	Fiscal year 1968
Army	2,939	2,450	2,454
Navy	1,239	1,895	[1] 7,323
Air Force	5,534	4,934	[1] 5,914
ARPA	1,374	853	860
DASA	250	17	----
Department of Defense	11,336	10,149	16,551

[1] These include $7,600,000 of excess foreign currency authorization (Public Law 480) included in fiscal year 1968 budget request.

SPECIAL REPORT: U.S. ARMY SPONSORED RESEARCH IN JAPAN

(Prepared for the chairman, U.S. Senate Committee on Foreign Relations, June 5, 1967)

The U.S. Army conducts a program which supports research by outstanding Japanese scientists who have unique capabilities in ideas, facilities or access to material which is not obtainable in the U.S. The program in Japan is complementary to the research program being conducted in-house and supported extramurally by the U.S. Army in American institutions. The Japanese Government is aware of the intent and the magnitude of the program. Individual scientists submit unsolicited proposals for research, with the approval of their universities or institutions. The proposals are evaluated by technically competent scientists in the U.S. as to the uniqueness, scientific merit, outstanding capability of the investigator and interest to the Army research program. The institution and the U.S. share the cost of the research and pool resources to assist the scientist in achieving a high level of excellence in his own project. Oftentimes, the grantee institution provides the major portion of the total cost.

It should be noted that the research is the investigator's own project and not a project proposed by the Army. The Army *does not in any way propose, specify or direct the project.* From conception to completion, the research project is the sole responsibility of the principal investigator. All grantees in Japan do publish extensively in the open scientific and professional journals. To insure that the full scientific data is made freely available because few journals will accept reports, grantees submit an annual report of the results of their work. The distribution of these reports is unlimited. The

only other reporting requirement is the submission of a fiscal report, purely for administrative purposes, to insure the funds were used for the research. There are no further obligations on the part of the grantees.

The support to research in Japan has been confined almost entirely to basic medical research. The research projects cover a wide area and are as diverse as the interests of Japanese medical scientists. They range from fundamental studies of sensory neurophysiology to studies related to the diagnosis and treatment of diseases endemic to Japan, such as Japanese B. encephalities, clonorchis sinensis infections (kankyuchu sho) and schistosomiasis. Although the research is of interest to the U.S. Army, it is related to the health problems of the Japanese people.

A complete listing of these current research topics is attached.

Current life sciences contracts and grants in Japan, June 1, 1967

[Institution, title, and funding]

Kyushu University, "Structure & Function of Photoreceptor & Chemoreceptor"	$2,000
Institute of Microbiology & Chemistry, "On Drug-Resistance of Shigellae & Staphylococci"	10,339
Kitasato Institute, "Immunity in Local Antibody & its Nature"	6,050
Kyoto University, "Interrelation Between Virus & Host at Molecular Level"	5,507
Kanazawa University, "Neuronal Regulation of Feeding"	9,243
Nara Medical College, "Electron Microscope Study on Infectious & Serum Hepatitis"	1,463
Nara Medical College, "Japanese B Encephalitis Virus w/Elec Microscope"	2,945
Yodogawa Christian Hospital, "Asthma and Air Pollution (Osaka)"	10,170
Nagasaki University, "Dehydrogenation Complexes in Mammals"	7,982
Kitasato University, "Antiviral Activity of Guanylhydra-zones"	3,520
Chiba University, "Chemotherapy & Serodiagnosis for Clonorchis Sinesis Infection"	3,000
Hiroshima University, "Vagal Responses to Brain Stimulation"	1,139
Keio University, "Effects of Air Pollution (Japan)"	15,250
Sasaki Institute, "Chromosomal Changes Associated with Altered Biological Characters in Homologous Transplants"	4,550
Kyoto Prefectural University of Medicine, "Erythrocyte Destruction Due to Strenuous Muscular Exercise"	4,515
Keio University, "Encephalitozoon Infection in Man"	4,728
Hokkaido University, "Physiological Activity of the Brown Adipose Tissue"	6,014
Kumamoto University, "Endogenous Mechanism of Vascular Responses in Inflammation"	4,480
Yokohama City University, "Antibodies of Japanese Encephalitis WEE & Vaccinia"	2,576
Kumamoto University, "Biologic Reactions of Cellular Antibodies & their Properties"	7,250
Kobe University, "Mammalian Brain Function in Vitro"	23,823
Yokohama City University, "Skin Test for Filariasis"	6,026
Kyushu University, "Biophysical Studies of the Intestinal Smooth Muscle"	9,820
Osaka City University, "Purification of Protective Antigen of Gram-negative Bacteria"	6,464
Yamashina Institute for Ornithology & Zoology, "Migratory Animal Pathological Survey (Japan)"	5,600
Tokyo University, "Effect of Air Polluting Chemical Gases Upon Immunologic Processes in Animals"	5,712
Kyoto University, "Biophysical and Biochemical Studies on Microsomes of Nervous Tissues"	3,120

Department of Defense statistics on foreign area research

1. Funds appropriated for research abroad.

(*Millions*)

Research in foreign countries: [1]	
Fiscal year 1967	$38.7
Fiscal year 1968	[2] 45.1
Social science research in foreign countries:	
Fiscal year 1967	2.750
Fiscal year 1968	3.048

[1] Of these amounts, $10.149 M (FY 67) and $16.551 M (FY 68) are research known to be performed in foreign laboratories. The balance consists of an *estimate* of funds going to U.S. performers for support of research conducted abroad. The records do not show in detail what fraction of these funds are expended overseas. Therefore, this estimate probably errors on the high side.

[2] Includes $7.6 M excess foreign currency authorization (PL 480) included in FY 68 Budget Request.

2. Funds appropriated for projects oriented towards foreign policy problems.

(*Millions*)

Totals:	
Fiscal year 1967	$27.734
Fiscal year 1968	27.674

3. Sums spent on social science research for Thailand and Vietnam for the 1967 and 1968 fiscal years.

(*Millions*)

Vietnam:	
Fiscal year 1967	$2.628
Fiscal year 1968	1.936
Thailand:	
Fiscal year 1967	.186
Fiscal year 1968	.872

COOPERATION BETWEEN PUBLIC AND PRIVATE POWER COMPANIES

Mr. MUSKIE. Mr. President, I invite the attention of Senators to an article entitled "The Gaslight Industry," written by Mr. Wallace I. Roberts, and published in the June 26 edition of the Nation.

I have long maintained that New England must speak and act as a region. With this in mind, I have advocated cooperation between public and private power companies which would provide the necessary stimulation of competition to increase the supply of lower cost power for New England. Nowhere is this need for cooperation more evident than in the present situation which exists between the private power companies themselves and between the private and public power utilities. Mr. Roberts' article is most perceptive and presents a keen insight into the need for a realistic and comprehensive long-range private and public power program for New England.

I ask unanimous consent that Mr. Roberts' article be printed in the RECORD.

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

NEW ENGLAND POWER: THE GASLIGHT INDUSTRY

(By Wallace I. Roberts)

Since the gaslight era, power in New England has been controlled by the private companies, but recent developments initiated by public-power advocates suggest that the Yankee capitalists, who have administered the industry with an amazing lack of their traditional ingenuity, may be forced to change their ways. Except for a transmission system half owned by Vermont and providing about a quarter of the state's electric needs, there are no large publicly owned generating or transmission systems in the six states, so they have escaped until now the passionate, flag-waving defenses of free enterprise that have previously been exhibited in private vs. public power battles in nearly every other section of the country. The controversy in New England has taken the form of a series of complicated legal and financial maneuvers, a somewhat misleading public relations and advertising campaign, and intensive political lobbying. It has all been most decorous, but with the April announcement by the Justice Department that it is making preliminary investigations of possible antitrust violations by the private New England utilities, and with the threat of similar action by the Federal Power Commission, things may become less restrained.

Beginning two years ago with a request for money to finance engineering studies for a federal hydroelectric project on the St. John River near the town of Dickey in northern Maine, the conflict has grown and developed on several additional fronts. It promises not to be over for some time, given the determination and recent successes of the public-power groups and the distaste for change exhibited by most private company officials.

If there is no agreement about what kind of power projects to build, there is absolute agreement as to why they are necessary—New England's electric rates are the highest of any region in the country. There are many ways to compare the cost of electricity, and by any of them the New England states, except Vermont with its public power, are at the top of the list. Federal Power Commission figures for 1963 show that the average price per kilowatt-hour sold by the private utilities in New England was 2.48c compared to 1.77c for the private utilities of the country, a difference of 40 per cent. Similar comparison reveals that fewer kilowatt-hours per customer are sold in New England. Higher prices inhibit sales, and lower sales force the prices even higher because a smaller total revenue must be spread over the fixed charges.

Private company executives acknowledge the region's high rates, but their reply has become as automatic as an echo: "Yes, but our fuel and labor costs and taxes are so high." There is some substance to that explanation, though Joseph C. Swidler, former FPC chairman, said several years ago that if New England utilities had to pay only average fuel costs, the region's electric bills would be lowered by less than 5 percent.

An equally substantive explanation, however, is the fact that administrative expenses range, depending on how they are measured, from 33 to 100 per cent above the national average, and, according to William D. Shipman, professor of economics at Bowdoin College, account for one-quarter to one-half of the difference between the average price for electricity in New England and in the rest of the country. Local taxes, which are one-third higher for New England utilities, are the only significant inequity that is apparently beyond much control.

The most important factor in rate reductions is increased per capita use. Because New England is an "old" region in demographic terms, neither its industry nor its population, and hence its per capita use of electricity, has kept pace with the rest of the country. A slow growth rate in per capita use is almost a built-in barrier to lowering prices, but reductions can be encouraged by cutting costs through efficiencies.

Compounding the high fuel costs, the coal or oil is burned in plants that for the most

part are little old teakettles, barely able to get up enough steam to whistle, when compared to the giant and efficient boiler-turbine-generator combinations that have been available for years. The region does have one show piece, the Brayton Point, Mass., plant of the New England Power Co. It opened in 1964 and was rated by the FPC as the most efficient in the country, but for thirteen years before that New England had no entry on the commission's list of the top ten most efficient plants.

Mechanical inefficiency cannot be blamed on the region's age or geographical deficiencies; it is the result of administrative decisions. Two generations ago, Samuel Insull, the man who did for electricity what Henry Ford did for the automobile, showed the power industry that it was much more efficient to use large generating plants serving as many people as possible. No one believed him at first, and it might appear that many private company executives in New England still don't. On average, the public utilities companies of the country serve three times as many people as do the companies of New England, and there are more than one and a half times as many people for every generating plant. This means for New England more executives, more plants and lines to maintain, more secretaries, more maintenance workers, more pensions and insurance, and higher labor costs per customer. New Englanders are paying to perpetuate a quaint private industry organization that is not nearly as charming as a covered bridge and much more expensive.

Attempts at consolidation have been made, but the pace is slow. In some places in New England, covered bridges have rotted away before the public realized what was happening. It is unlikely, however, that any private utility in the region will collapse, for they are protected by the state regulatory agencies and an apathetic public. Almost all of the region's utilities make the maximum profit allowed by law, and a few are considerably above the prescribed limit. Blackstone Valley Electric Co. of Rhode Island earned in 1965 a return of 9.34 per cent, almost twice the limit.

Only Vermont's Public Service Board seems to take seriously its obligation to set reasonable rates. New Hampshire and Connecticut appear indifferent at best, and the regulatory agencies in Maine, Massachusetts and Rhode Island have exhibited what can only be called an affection for the private companies. The Maine and Massachusetts agencies have been hostile, almost insulting, to recent appearances by public-power groups.

Part of this situation results from the fact that none of the agencies has money or staff to do an adequate job. Most are so short of skilled help that they are forced to accept company operating statistics as a basis for determining rates. Unless the public demands it, the regulatory agencies are not likely to hire qualified accountants or engineers, and the prevailing public attitude is that the cost of electricity has formed a triumvirate with death and taxes. The result is that the regulatory agencies are permitting monopolies to earn good profits with equipment and organizational structures that would drive them to the wall if they were faced with even moderately aggressive competition. Allowing each utility exclusive control of its sales territory prevents wasteful duplication of plants and lines, but it also creates an attitude of *status quo* complacency. Creative regulatory policies could impose penalties for continued use of outmoded steam plants, instead of allowing them to be included in the rate base.

However, conventional steam plants have had their day in New England. After 1969, the region's power industry will most likely build only lower-cost nuclear plants. It already has an experimental nuclear plant, Yankee, at Rowe, Mass., and five others are either under construction or committed. These five are part of what the private companies have dubbed their "Big 11 Power Loop"; the other six installations consist of five conventional steam plants and a pumped storage plant. All eleven are scheduled to be finished by the end of 1972 and will be connected by 900 miles of 345-kilovolt transmission lines. The cost of the project is about $900 million, and the plants will provide about 6.3 million kilowatts of power.

The name "Big 11 Power Loop"—but not the plants or transmission lines—is a gimmick, pure and simple. No engineering plan or study supports the location, type or design of the plants on a system-wide basis. It all started with a full-page newspaper advertisement announcing the "Loop" and implying that the whole thing was thought out well in advance. The campaign, carried on with television commercials costing about $200,000 a year, was devised by the private companies' trade organization, the Electric Coordinating Council of New England (ECCNE), in response to the threat of the federal government's Dickey-Lincoln School hydroelectric project.

As one company official put it: "We felt the public should know about our plans because Dickey was getting a lot of publicity, but the important thing is that the eleven plants were planned long before Dickey came up. We did not just decide to build the plants after Dickey's first appropriation, as some of our opponents have said."

That first appropriation for the government project in 1965 was for $800,000; last year it received $1,100,000. This year, President Johnson asked for $1,600,000 to finish engineering studies and begin construction. The 794,000-kilowatt project is to cost an estimated $212 million and, if all goes well in Congress, will be finished in April, 1975.

The dam at Dickey is the practical reality left over from the dream of harnessing the tides in Passamaquoddy Bay at the eastern tip of Maine. [See "Reviving Passamaquoddy" by William S. Ellis, *The Nation*, July 13, 1964.] It was the request for its first appropriation that started the political and verbal six guns blazing. The members of the ECCNE opened an intensive lobbying campaign and sent their forces to Washington equipped with large packets of propaganda purporting to show that Dickey was objectionable on just about any conceivable ground. They had some effect, especially on the New England delegation of twenty-four Representatives, twenty of whom voted against Dickey on one roll call. Congressional resistance to a large public-works project for the home region is unusual, and the New England vote raised speculation as to whether the area's Congressmen felt more obligated to the private utilities or to their constituents.

Dickey is not enormous; by 1980 it will provide only 1 per cent of the area's electrical requirements. But it will probably bring with it a Northeast Power Commission to market the power. It is expected that the cheaper power of Dickey, combined with the prodding effect of the power administration on state regulatory agencies, will be to force lower electrical rates. The members of the ECCNE fear, with justification, that Dickey will oblige them to cut administrative and generating expenses and become more efficient. The private companies put it a little differently, however, saying that Dickey will force them to lose money by trying to meet its prices. The federal government's experience, on the contrary, has been that its low-cost power stimulates consumption and increases revenues for surrounding private companies.

The ECCNE has introduced masses of statistics at Congressional hearings to prove that Dickey will not break even. Public-power advocates pointed out that the same kind of argument has been used against every federal power project in recent years. In an attempt to reconcile contradictory figures supplied by the ECCNE and the Corps of Engineers, the House Appropriations Committee assigned its staff to investigate the situation. Its report, made public June 5, offers no specific recommendations, but concludes that the project will produce power at a cost lower than any comparable alternative proposed by the ECCNE. The report also contained several biting observations on the long-range planning by New England's private utilities and noted that the companies "have not produced any document supporting central planning with the exception of the newspaper advertisement," and that "the most current transmission study by the ECCNE was completed in 1963" and includes plans for none of the Big 11 projects.

The fight over Dickey is overshadowing several other power conflicts that may have even greater effect on New England. One is a plan to import 1.25 million kilowatts, almost twice as much as Dickey would generate, from a giant hydroelectric project at Churchill (formerly Hamilton) Falls in Labrador.

This scheme was seen as a real threat by the private companies when it received the backing of Gov. Philip H. Hoff of Vermont, a bright young Democrat in the land of Republicans. In January, 1966, he introduced a bill in the Republican-controlled legislature which would have created a quasi-public, nonprofit corporation to import the Canadian power and resell most of it to municipal and cooperative utilities in Massachusetts and Connecticut.

The bill was sidetracked to the legislative council which reported it unfavorably, thus killing the bill but not the idea. Even before the report was issued, a group of the state's municipal and cooperative managers got together and formed their own company to do just what the one outlined in Governor Hoff's bill would have done. Currently, that company is negotiating with both Canadian suppliers and prospective buyers in Massachusetts and Connecticut.

One group of prospective customers, the Municipal Electric Association of Massachusetts (MEAM), is also waging the private vs. public battle on several other fronts and with some success. Two years ago the MEAM was dormant; its thirty-nine members serving 239,000 customers were at the mercy of the private companies from which they were forced to buy power at rates imposed by the sellers.

Then Shrewsbury, Mass., won an FPC decision, later upheld by the U.S. Court of Appeals, forcing the New England Power Co., the area's largest wholesaler, to sell the town power at a wholesale rate, not at retail as before. Other towns followed up the victory and negotiated from NEPCO lower prices that saved $2 million. Since then the association has raised its dues, hired a first-class Washington lawyer and consultant engineers, and filed legal objections to every move made by the ECCNE.

The MEAM had tried earlier to join the ECCNE, but the private companies are apparently unwilling to let the municipals have a say in the development of the region's power industry. The application was never actually refused; the council simply voted not to change a rule it made in 1964 prohibiting municipals from joining. Reversing a cliche, the MEAM declared: "If you can't join 'em, lick 'em." It has appeared before state utility regulatory agencies in Maine, Massachusetts and Vermont, and before the FPC and Securities and Exchange Commission, challenging some of the engineering aspects of the Big 11 plants and transmission system, and hinting that it may raise antitrust objections to the fact that the ECCNE has "blacked out" the municipals from direct participation in the Big 11 nuclear plants.

Besides trying to join the ECCNE, the MEAM has tried to buy its way into two of the Big 11 nuclear plants, Maine Yankee and Vermont Yankee. These plants are being built by various combinations of the members of the ECCNE (a good but almost singular ex-

ample of regionalization of the industry) and have about a dozen owner-utilities each. The MEAM wanted a piece of each of these plants because the electricity they generate will be sold directly only to owners, in proportion to the amount of stock owned.

The MEAM has not yet had a clear-cut victory on this issue, but it has been partly successful and indications are that it will have to be reckoned with. The Vermont Publice Service Board has declared that municipals should be given a chance to purchase stock in Vermont Yankee, and because of the MEAM objections, the FPC has received a staff recommendation that it institute antitrust proceedings against the ECCNE if it does not permit the MEAM to participate in future planning. The Justice Department apparently has been made aware of the FPC's staff report. On April 21, Donald F. Turner, assistant attorney general in charge of the antitrust division, in reply to a request from Sen. Lee Metcalf (D., Mont.), announced that the department has been conducting "exploratory studies" of the power industry's possible exclusion of municipals and cooperatives from participation in new generation and transmission systems planned by the private companies. Mr. Turner did not mention New England specifically, but Senator Metcalf, who has recently pained the industry's leaders with his book, *Overcharge*, had referred to the situation in New England in his request for antitrust action.

The answer to New England's power problems is not simply a matter of choice between private and public power; government bureaucracy can be just as inefficient as private management. What is needed above all, whether it is private or public, is a regional power company, or at most two or three. If it must be private, a corresponding and effective regional regulatory agency and competing public projects must also be established.

The area is too small, its population too dense, its problems too common to deal with electricity on a state-by-state basis, or to allow it to remain exclusively a private business. The private companies claim that they are moving toward regionalization. They said that a decade and a half ago, and there has been little change. The private company executives are wrestling with their own egos; what president, even of a small, local power company, wants to become the district manager of a six-state monolith? In this sense, as in several others, it can be said that the private companies are not acting in the public interest because they are bound to laissez-faire capitalism, and that was proved obsolete before Edison set up his Pearl Street station.

REHABILITATION PROGRAMS

Mr. LONG of Missouri. Mr. President, as chairman of the Subcommittee on National Penitentiaries, I have been deeply interested in all rehabilitation programs. In the last Congress, I introduced in the Senate the legislation which authorized the Federal work-release program.

On Monday, June 19, the Washington Evening Star published an article about a very encouraging 14-month experimental rehabilitation program being conducted at the Lorton Youth Center. The program, known as Challenge, is an education and job-training project run by the National Committee for Children and Youth. Five VISTA volunteers are helping to conduct the program.

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:

CHALLENGE AT LORTON: INMATES FORGO PAROLE FOR TRAINING

(By Donald Fitzhugh)

A man serving time at a correctional institution who waives his parole date so he can stay on the inside and finish barber training must want a job pretty badly.

Two men at the Lorton Youth Center who did just that recently are among 153 inmates who have been part of an experimental education and job training project run by the National Committee for Children and Youth at the center.

The District Department of Corrections, which runs the Youth Center, has been impressed enough with the experiment to offer all the instructors jobs when the program ends in August. And the work of five VISTA volunteers in the experiment is being evaluated to see how this, too, will fit into the department's regular program.

Ray Nelson, the department's associate director for planning, thinks the 14-month experiment called "Challenge," has achieved several of its goals:

It has shown the value of vocational training—not just for teaching a skill—but as a medium to reach the inmate and teach him self-esteem, Nelson said.

And the program demonstrated that VISTA (Volunteers in Service to America) has something to offer in a correctional institution.

The men in the training also think the project, especially VISTA, is a good thing. William Phifer, 22, trained as a barber, says a VISTA worker still comes by to see him, several months after his release.

The "Challenge" staff signed up 219 of the 300 men at the center and let them choose one of seven training areas. The men were then enrolled in classes as their parole or release date approached.

CHOICE IMPORTANT

Being able to pick their training is important to the men, explained Reginald Baker, 22, who was a member of the painting class. "I wanted it. I can kick nobody but me if I fail."

Few have failed. The staff has found work for 34 of the 36 men who have been released since their training ended. Three of the 36 have been convicted of crimes since then, all within two weeks of their release.

The "Challenge" project was started after the end of a Manpower Development and Training Act job program, which was criticized by an evaluation team from Catholic University and not refunded after an 18-month demonstration period ended last June. The evaluation suggested more community support for the men and fewer departmental restrictions during experimentation.

"Challenge" has received outstanding support from business, according to Leon Leiberg, project director. The Northern Virginia Steel Co. donated two arc welding machines in trade for first pick of the "graduates," he said.

On the other hand, Nelson thinks the department may substitute data processing for painting because there was some difficulty getting the men into the union and having them work on government contracts with prison records.

Nelson feels that VISTA's work with the men and their families has been valuable. "They have been able to establish very significant relationships with the inmates," he said.

The VISTA workers tutored the men individually at night, visited their families and ran a varied program outside of class, including group discussions, films and classes in Negro history.

They even organized an art show of welded sculpture, 15 pieces of which sold for $457—which went to the men—during a week-long showing in the lobby of the Office of Economic Opportunity.

Essentially, the project raised the morale of the men at the Youth Center, according to Dr. Reuben Horlick, center director, who said: "There has been a change in the men—they are self-assured and they have some staying power."

The Corrections Department now plans to ask Congress for permission to juggle its budget to take over when the experimental program ends in August.

RESTORATION OF FORT GORGES, CASCO BAY, MAINE

Mr. MUSKIE. Mr. President, I invite the attention of Senators to an article published in the Portland, Maine, Evening Express of June 29, 1967.

I believe it appropriate at this time, when there is growing criticism of the antipoverty program, that Senators be made aware of the constructive work being performed by the Portland Neighborhood Youth Corps. Under a planned program for the restoration of historic Fort Gorges in Casco Bay, a 15-boy crew is learning the value of work experience while contributing to the rehabilitation of one of Maine's few Civil War garrisons. I congratulate the leaders of this program for their vigor and initiative in conducting a project designed to benefit both disadvantaged youths and the community.

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:

FORT GORGES FACELIFTING IS RESUMED

(By Harrison Brown)

Fort Gorges lies dreaming under the gentle summer sun.

In fact it has lain that way for more than a century of summers, because the picturesque prominence in the middle of Portland's harbor has never fired a shot in anger, seldom shot at all and indeed has never been fully garrisoned.

But things are picking up. For the second summer, a 15-boy crew of the Neighborhood Youth Corps is tidying up the place with the eventual aim of making the city-owned former bastion a park which should be a tourist attraction of the first magnitude.

Construction of Fort Gorges was started in 1857 when Jefferson Davis, who was to become the first and only president of the Confederated States of America, was the U.S. Secretary of War.

Halfway through the massive job the Civil War broke out and during the years when Yankee boys were bleeding and dying at Antietam and Gettysburg a big crew of stay-at-homes labored on the fort at war-inflated wages.

Eighteen sixty-five, the year of victory, came, and the fort was finally finished at the then-astronomical cost of $890,000 to begin its career of more than a century of disuse.

In rehabilitating the fort to make it safe and accessible to visitors, the Neighborhood Youth Corps had to have water transportation from and to the mainland.

Now the corps has it and more is on the way. In May of last year three husky Liberty boats, on loan from the Navy, arrived in South Portland from Boston on the broad deck of the Coast Guard buoy tender Cowslip.

The three boats needed plenty of fixing. Under the direction of Capt. Donald A. Crandall of Peaks Island, the boys went to work.

They have already put one boat, the Opportunity, into mint condition and she is now the steady ferry. The boys have wooded down a second boat ready for recaulking and when she is finished they'll start on the third.

The boats are 36 feet long, 10 feet in beam and weigh 11,500 pounds apiece. Although

badly dried out from 11 years of storage under cover, they are stoutly built with yellow pine planking, oak frames and decks and all bronze-fastened.

The worst problem in rehabilitation was removal of old paint which had built up to an eighth of an inch in thickness. With economical diesel power they will do nine knots and carry 40 persons apiece.

Thomas L. Curtis, retired Marine Corps captain, coordinator in charge of the fort rehabilitation, said that the first step after the cleanup work is the construction of a dock. At present a motorboat can land at the fort only when the tide is about two-thirds full. At other times visitors must go ashore from larger craft in rowboats.

Curtis pointed out the vast potentialities of the fort as a picnic and scenic spot. He also pointed out the vast amount of work needed to make the place safe and attractive. The fort last had a caretaker in 1912 and, in the 55 years since, vandals have done their worst. Interior woodwork of the garrison portion has been ripped out and destroyed and obscenities adorn the walls in large lettering.

But vandals have not been able to do much to the masonry. The exterior walls facing seaward are solid granite four feet thick and the garrison portion has walls of 30-inch granite faced inside with brick and plaster. In fact not even professional wreckers have been able to make much headway. Many years ago an outfit moved in to salvage some of the granite but the project was given up as a hopeless job after a few tons were removed.

Nature threatens to do a job at which vandals and salvagers have failed. Although the roof above the double tier of gun ports is covered with 12 feet of gravel, the rains and snows of more than a century has seeped through and leached the lime from the masonry to form stalactites in the groined brick ceilings. And the process has continued for so long that stalagmites are beginning to grow upward from the stone floors, as in a natural eons-old cave.

The boys on the job are paid $1.40 an hour for a four-day week. On Fridays, the fifth day, they must attend counselling sessions to remain in good standing as Neighborhood Youth Corps members. Ages run from 16 to 21 and many of the youngsters are still in school. Several have shown aptitude at skilled tasks, such as repairing and operating boats. Gary Soule, who graduated this year from Portland High School and is headed for Northeastern Business College in September, is crew supervisor.

Boys will be boys and will often goof off, Curtis admits, but disciplinary problems are few and the youngsters like their work.

LIMITATION OF USE OF ELECTRONIC AND MECHANICAL EAVESDROPPING DEVICES

Mr. LONG of Missouri. Mr. President, the New York Times recently published the new regulations issued by Attorney General Ramsey Clark placing severe limitations on the use by Federal agents of electronic and mechanical eavesdropping devices. The regulations as a practical matter prohibit the use of all such devices except with the permission of one party to the conversation, and even in this situation the written permission of the Attorney General is to be obtained. An agency head in an emergency can authorize such use, but the Attorney General must be notified within 24 hours and the emergency explained.

National security situations are exempt from the new regulations, but Federal agencies handling national security matters are to consult with the Attorney General concerning the use of electronic devices.

This action of the Attorney General extending and implementing an earlier Presidential directive is most commendable. Following close on the heels of the Berger case, in which the Supreme Court strictly limited State use of such devices, these regulations hold out a promise of renewed privacy.

It is refreshing to see a law enforcement officer strive to strengthen constitutional protection rather than search for means to avoid them. For 37 years, Attorneys General have followed the most strained construction of the Federal wiretap statute so as to permit certain law-enforcement wiretapping. Attorney General Clark, on the other hand, refuses to close his eyes to the words of the statute and admits that it prohibits law-enforcement tapping.

But more than this, the new regulations for the first time sweep aside the fog of confusion that has surrounded law-enforcement use of all electronic devices and establishes clear-cut prohibitions and guidelines. The regulations recognize fully the right of privacy and its importance to the American people. The Attorney General deserves the praise of every citizen for strengthening freedom.

Mr. President, these regulations make it abundantly clear that the investigation by the Subcommittee on Administrative Practice and Procedure is beginning to bear real fruit. During the past 2 years, as we have sought to end unconstitutional and illegal use of snooping devices, we have witnessed a number of small forward steps—new mail-cover regulations, new law prohibiting the opening of first-class mail, the President's 1965 directive, and others.

But now we have our first major victory. Experience has shown us, however, that this may be a paper victory only, unless close supervision follows. Agencies and agents, among whom wiretapping and eavesdropping have become a way of life, will not change their ways easily. The Subcommittee on Administrative Practice and Procedure will do all it can to see that all Federal agencies comply.

With this victory won and with the significant assist of the Berger case, it is time to consolidate gains and push on to strengthen privacy against private snooping.

Pending before the subcommittee at this time is S. 928, which would use the full powers of the Federal Government to curb the manufacture, sale, and use of such gadgets for private use. The following proposition would seem to go, almost without saying: If, as a necessary step to protect our dwindling right to privacy, electronic eavesdropping is to be severely restricted for law enforcement, even more stringent restrictions should be placed on all private electronic eavesdropping. This is what S. 928 is designed to do.

We have discussed informally with the Department of Justice certain amendments to S. 928 which were proposed as a result of our lengthy hearings on this bill. The Subcommittee on Administrative Practice and Procedure will meet on July 18, 1967, to discuss the bill and the proposed amendments. It is hoped that at that time we will be able to make a final recommendation to the Committee on the Judiciary for prompt action on a bill.

If anyone doubts the need for legislation in the private sector, there is a wide assortment of articles and materials which document the terrifying situation which now exists. Recently, the Wall Street Journal published one such article written by Stanley Penn.

Mr. President, I ask unanimous consent that the article be printed in the RECORD. I ask unanimous consent also that the text of the new regulations as carried by the New York Times, and a related article written by Fred Graham, the Times' able legal analyst, be printed in the RECORD.

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

THE BUG BUSINESS: GROWING PRIVATE USE OF EAVESDROPPING GEAR BRINGS SPURT IN SALES—ELECTRONIC DEVICES BECOME SMALLER, MORE VERSATILE—CRITICISM HAS LITTLE EFFECT—DEBUGGING ALSO IS BOOMING

(By Stanley Penn)

Dad, do you worry that your son takes drugs?

A tiny eavesdropping device, advertised by a Manhattan retailer, may help you discover the awful truth. Conceal the $59.95 radio transmitter in the base of the home telephone. Then tune an ordinary FM radio receiver in another room and listen unobserved to your son's phone calls.

Mom, do you suspect Dad of infidelity?

The "bumper beeper," a small, powerful transmitter priced at $280 by a Miami, Fla., manufacturer, will help you trail hubby to his trysting place. Hide the bug inside the bumper of his car. Held in place by a magnet, the transmitter will send signals to a tailing car, pinpointing the distance and direction of your errant mate.

Bugging is big business, and it's getting bigger, manufacturers and retailers claim. Once, law enforcement officers were the chief users of hidden microphones and telephone taps; today, a majority of the devices are said to be in private hands. Electronic snoops are popular for bedroom bugging in divorce cases and for industrial espionage. And a small Texas maker of bugs confides that employers find the devices handy in spying on workers "to see if they are loyal and honest."

RESTRICTING EAVESDROPPING

At both the Federal and state levels there's a growing effort to restrict eavesdropping. Just last month, for example, the U.S. Supreme Court ruled it was unconstitutional for New York State to allow court-approved eavesdropping by police. At the same time the court strongly indicated that it found the whole practice of electronic snooping distasteful.

These moves are slowing the bug boom—but not by much. A few suppliers see an easing in the rate of sales growth because of unfavorable publicity and consumers' fears of possible law violations. But many other manufacturers are capitalizing on the publicity: They're building de-bugging devices to detect the same snooping equipment they produce.

It isn't possible to tell how fast the spy industry is growing, since many eavesdropping devices such as wireless mikes are also used for legitimate purposes by entertainers, lecturers and the like. But one New York supplier, Security Electronics, says sales of transmitting and anti-bugging devices so far this year are about double those of a year ago. The firm has customers ranging "from foreign governments to individuals with marital problems," an official says.

Stimulating the public's taste for espio-

nage is a dazzling array of buys. Tiny mikes can be concealed in neckties, fountain pens and button holes, linked by thin wires to small transmitters or tape recorders hidden in a suit pocket. Transmitters can also be stashed in wristwatches, table lamps and in holes bored in picture frames.

ASHTRAYS AND CIGARETTE LIGHTERS

In Dallas, Security Communications builds miniature transmitters into ashtrays, cigarette lighters and pencil boxes. "Our skilled workmen have installed numerous units that cannot be detected by normal examination," Security proudly advertises.

One of the tiniest bugs in commercial use is the "Jr. 101," made by Continental Telephone Supply Co., New York, a leading supplier of listening equipment. Smaller than a dime, the "Jr. 101" measures ⅜ of an inch by ⅜ of an inch, and is ⅛ of an inch thick. The gadget will pick up a voice up to 75 feet away and rebroadcast it to a radio receiver 200 to 300 feet away. Continental claims. Its price: $350.

Emanuel Mittleman, who operates from a small workshop in lower Manhattan, is considered by many to be the Henry Ford of bugging equipment makers. Though he scorns advertising, his clients keep increasing. "If you've got a good product, people will find out about it," he observes.

The "harmonic bug," priced at $400, is the most celebrated Mittleman creation. It works like this: A transmitter is wired to the victim's telephone. Then the eavesdropper dials that phone—from anywhere in the nation—and blows a note from a small, 50-cent harmonica. The harmonica tone activates the hidden transmitter without ringing the victim's phone. Acting as a listening device, the bugged phone transmits everything that's said in the room over phone lines to the eavesdropper.

LISTENING THROUGH WALLS

Most bug merchants tell customers that the burden is on them to ensure that they don't violate eavesdropping laws. The laws, though, are quite murky. Acquiring information through a trespass of a hidden mike is generally considered a crime, but there are ways to avoid this problem. Continental Telephone Supply, for example, sells a stethoscope mike, equipped with a powerful amplifier, for listening through walls.

Only a handful of states have laws against the actual act of eavesdropping, and there aren't any Federal statutes against it. There are, of course, regulations against telephone tapping. However, they probably wouldn't apply to phone-implanted transmitters like Mr. Mittleman's "harmonica bug" since these gadgets monitor conversations in a room, not on a phone line.

Governmental agencies are getting tougher, though. In December, District Attorney Frank Hogan of New York announced that a 27-month investigation into eavesdropping and wiretapping had resulted in indictments against 28 persons charged with invasion of privacy. One private detective was accused of tapping the phones of Donald Kendall, president of PepsiCo Inc.

Both Democrats and Republicans have offered bills in Congress to restrict eavesdropping. And President Johnson seeks to curtail the manufacture of electronic bugs and to make it illegal to buy them in interstate trade or to advertise them as snooping devices. A bill sponsored by Sen. Edward Long (D., Mo.), head of a subcommittee that has been investigating snooping by Federal agencies, incorporates many of the President's proposals.

Heavy advertising in mail order catalogs, newspapers and magazines has helped spur sales of eavesdropping equipment. For example, Signature, the Diners' Club magazine, with a circulation of 820,000, has two full pages of bugging and de-bugging ads aimed at businessmen in its June issue.

Robert M. Brown, author of The Electronic Invasion, credits James Bond movies and spy shows on television with prompting the public to buy bugging devices. "Tracking a person halfway around the world or listening in on conversations a million miles away are made to seem so simple that anyone can do it," he says. Mr. Brown's 184-page paperback, which shows enthusiasts how bugs work and how to build and use them, has sold over 22,000 copies since its publication in early May.

Some of the newer bugs are proving to be a boon to private eyes, observes Mr. Brown, a licensed investigator. He points to voice-actuated transmitters and recorders that turn themselves on at the sound of conversation and shut off when the talk ceases. These gadgets do away with the need for "stake-outs"—men who spend hours in hotel rooms, ready to start recorders when hidden mikes pick up voices.

RESHAPING THE PROFESSION

"To say this has reshaped the scope of professional eavesdropping would be the understatement of the century," says Mr. Brown. Instead of paying $40 to $100 a day to detectives for stake-outs, he adds, customers can now get a full week of recorded conversations for less than $200. One result: More business for private eyes as costs drop, Mr. Brown insists.

Increasingly, makers and retailers of eavesdropping devices stress that their products have constructive uses. In ads, they point out that homeowners can cut down on burglaries by using surveillance equipment and that businessmen can stave off nosy competitors by employing anti-bugs to detect bugs.

Thus, Continental Telephone Supply claims that with its "intruder detector" you can hear what's happening in home or office "without the burglar knowing it." Continental also provides three-man teams to "electronically sweep" offices, seeking out phone taps or hidden mikes.

One of many manufacturers that works both sides of the street is a Miami firm, which asks that its name not be published. This outfit's line ranges from the "Tiny Tim," a transmitter described as "ideal for behind drapes and over cornices," to the "hound dog," a detection device for sniffing signals of concealed transmitters—like the "Tiny Tim," for instance.

A BRISK BUSINESS IN SCRAMBLERS

Some large electronics concerns, too, are entering the de-bugging field. One is Hewlett-Packard Co., Palo Alto, Calif., which says it's doing a brisk business in scramblers. A scrambler is a battery powered device that fits against a telephone's mouthpiece and receiver, electronically scrambling the words into an unintelligible garble. An identical unit at the other end unscrambles the conversation. The factory-coded devices sell for $550 a pair.

A New York law enforcement officer claims that an ordinary FM radio is as good a debugging device as any. "Just turn on light music or something, and the radio signals will jam any concealed FM mike in the room."

But Harvey C. Smith, manager of Market research for Vulcan Materials Co., Birmingham, Ala., is more cautious. He recently told a meeting of the National Industrial Conference Board that executives should completely avoid mentioning confidential data in public places.

"If you must talk confidentially," he said, "talk in noisy subways or in a rattling commuter train. If you're in a hotel room, talk in the bathroom with a noisy shower turned on, or turn on the radio or TV loud. And if the TV set doesn't work, get suspicious; it may not work because it has a built-in mike attached to the antenna, terminating in a tape recorder in another room."

[From the New York Times, July 7, 1967]

THE TEXT OF A MEMORANDUM BY ATTORNEY GENERAL RAMSEY CLARK ON NEW REGULATIONS LIMITING WIRETAPPING AND ELECTRONIC EAVESDROPPING BY FEDERAL AGENTS

It is essential that all agencies having any responsibility for law enforcement take steps to make certain that electronic and related devices designed to intercept, overhear or record private verbal communications be subject to tight administrative control to assure that they will not be used in a manner which is illegal and that even legal use of such devices will be strictly controlled. In order further to assist you to achieve these ends, the following rules have been formulated.

I. PROHIBITION AGAINST USE OF MECHANICAL OR ELECTRICAL DEVICES TO INTERCEPT, OVERHEAR OR RECORD CONVERSATIONS

A. Prohibition against interception of telephone conversations

1. Section 605 of the Communications Act (Title 47, U.S.C. Section 605) prohibits the interception and divulgence or use of telephone communications and is applicable to Federal law enforcement agents.

2. Interception by Federal personnel of telephone conversations, by any mechanical or electronic device, unless with the consent of one of the parties to the conversation, is prohibited by Presidential directive, and this prohibition applies whether or not the information which may be acquired through interception is intended to be used in any way or to be subsequently divulged outside the agency involved. Any question as to whether the use of a particular device can be said to involve a prohibited interception of a telephone conversation should be referred to the Department of Justice.

3. To further assure protection of the privacy of telephone conversations, each agency shall adopt rules governing the interception by its personnel of telephone conversations under circumstances where a party to the conversation has consented. Such rules shall, where appropriate, provide for the advance approval by the agency head of such interception.

B. Prohibition against overhearing of nontelephone conversations

Legal principles applicable to the overhearing and recording of nontelephone conversations are discussed in paragraphs 1–3 below. The principles are consistent with the recent decision of the Supreme Court in Berger v. New York, 35 Law Week 4649, decided June 12, 1967.

1. Eavesdropping in any form which is accomplished by means of a trespass into a constitutionally protected area is a violation of the Fourth Amendment. The penetration by inches into a party wall by the spike of a microphone has been held to involve a trespass. Silverman v. United States, 365 U.S. 505 (1961). And, although the question has not been squarely decided, there is support for the view that any electronic eavesdropping on conversations in constitutionally protected areas is a violation of the Fourth Amendment even if such surveillance is accomplished without physical trespass or entry.

Homes, private offices, hotel rooms and automobiles are clear examples of constitutionally protected areas, but other locations may also be held within the scope of constitutional protection depending upon the particular circumstances.

2. Even where no invasion of a constitutionally protected area has occurred, surreptitious electronic surveillance involving an intrusion into a privileged relationship, such as that of attorney-client, may violate rights entitled to protection under constitutional provisions other than the Fourth Amendment, including the First, Fifth and Sixth Amendments.

3. Under presently controlling court decisions, however, certain uses of electronic de-

vices are legal. See, for example, the decisions in Lopez v. United States, 373 U.S. 427 (1963) and in Osborn v. United States, 385 U.S. 323 (1966), where the use of recording devices was held to be legitimate if the consent of a party to the conversation had been obtained. Moreover, the use of mechanical or electronic equipment to record statements intended to be disseminated to the public generally, public speeches for example, is clearly not illegal and is not subject to the rules formulated in this memorandum.

4. In the light of the immediately foregoing discussion in paragraphs 1–3, any use of mechanical or electronic devices by Federal personnel to overhear or record nontelephone conversations involving a violation of the constitution or a statute is prohibited.

5. In order further to assure protection of the right to privacy, to resolve questions which may arise under paragraph 4 and strictly to limit legal electronic surveillance, agencies shall, except as provided in Paragraph II. 2, below, obtain advance written approval from the Attorney General for any use of mechanical or electronic devices to overhear or record nontelephone conversations without the consent of all of the parties to such conversations.

II. CONTROLS OVER THE USE OF MECHANICAL OR ELECTRONIC EQUIPMENT

1. A request for advance approval from the Attorney General pursuant to Paragraph I. B. 5. hereof for the use of mechanical or electronic devices to overhear or record nontelephone conversations shall be made to the Attorney General in writing by the head of the requesting investigative agency and shall contain the following information: (a) the reason for such proposed use; (b) the type of equipment to be used; (c) the name of the person involved; (d) the proposed location of the equipment; (e) the duration of proposed use; and (f) the manner or method of installation.

2. If, in the judgment of the head of the investigative agency involved, the emergency needs of an investigation preclude obtaining such advance approval from the Attorney General, he may, without having obtained such approval, authorize the use of mechanical or electronic devices to overhear or record nontelephone conversations without the consent of all of the parties thereto. In any such circumstances, however, the head of the investigative agency shall, within 24 hours after authorizing such use, provide the Attorney General in writing with the information referred to in Paragraph II. 1, above, and with an explanation of the circumstances upon which he based the judgment that the emergency needs of the investigation precluded him from obtaining such written advance authority.

3. In connection with the use of mechanical or electronic devices authorized above, the responsible agent shall, where technically feasible, record the conversations overheard by means of a tape or similar permanent record. The responsible agent shall preserve the tape or other permanent record of the conversations.

He shall also submit to the investigative agency a written report setting forth the actual use or uses made of each mechanical or electronic device in connection with the authorization. Such report, the tapes or other permanent records of conversations, and any logs, transcripts, summaries or memoranda and similar material which may have been prepared shall be treated as agency records, but shall be specially classified, filed and safeguarded and shall not, nor shall information contained in such material, be made available to agency personnel or others except when essential to Government operations. A record shall be made and retained concerning each person to whom such information or material has been made available.

4. The head of each investigative agency should be responsible for limiting the procurement of devices primarily designed to be used surreptitiously to overhear or record conversations to the minimum necessary to use consistent with the rules formulated herein. To the extent possible, all mechanical or electronic devices used in intercepting, overhearing or recording conversations shall be stored in a limited number of locations to insure effective administrative control.

5. The agency shall maintain an inventory of all such equipment at the place where it is stored, including a record of the date that the equipment was assigned to an agent and the date the equipment was returned. Copies of these records should also be maintained at agency headquarters, together with the written report of the responsible agent referred to in Paragraph II. 3 hereof. All agency records should be maintained for a period of six years.

6. The head of each investigative agency shall submit to the Attorney General on July 1 of each year a report of all uses of mechanical or electronic equipment by such agency during the previous year in accordance with the rules formulated in this memorandum, containing with respect to each use the information required by Paragraph II. 1, above, and a brief description of the results obtained. The report shall also include a complete inventory of the devices referred to in Paragraph II. 4, above, in the possession of the agency.

7. The functions to be exercised by the head of an investigative agency in accordance with this memorandum may be delegated by him to another officer of his agency.

III. NATIONAL SECURITY

The foregoing rules have been formulated with respect to all agency investigations other than investigations directly related to the protection of the national security. Special problems arising with respect to the use of devices of the type referred to herein in national security investigations shall continue to be taken up directly with the Attorney General in the light of existing stringent restrictions.

[From the New York Times, July 7, 1967]

A SWEEPING BAN ON WIRETAPPING SET FOR U.S. AIDS—ATTORNEY GENERAL'S RULES ALSO BARS MOST BUGGING EXCEPT IN SECURITY CASES—OFFICIALS ARE CRITICAL—FEDERAL AGENTS DECRY CURB ON USE OF DEVICES PLACED WITHOUT ACTUAL TRESPASS

(By Fred P. Graham)

WASHINGTON, July 6.—Attorney General Ramsey Clark has issued sweeping new regulations forbidding all wiretapping and virtually all eavesdropping by Federal agents except in national security cases.

The new regulations go beyond limitations placed on eavesdropping by President Johnson in 1965 in several respects, the most important of which is a ban on devices that can pick up conversations within a closed room without a physical trespass.

This action has generated widespread controversy among Federal agents and prosecutors, since conversations overheard by such devices are deemed constitutionally obtained and admissible in evidence under present Supreme Court decisions.

RELIANCE ON DEVICES

Federal anticrime agents have relied increasingly on these devices in the last five years, since most other forms of eavesdropping have been declared unconstitutional by the courts, and several major organized-crime convictions have been obtained through their use.

The regulations issued today are the product of a two-year study by the Justice Department, ordered by President Johnson when he cracked down on Federal snooping in a memorandum to all agencies on June 30, 1965.

Mr. Clark's new rules were issued on June 16 but have not been made public. However, copies have begun to circulate on Capitol Hill and in the executive branch, where they have been criticized by some officials who insist that some police eavesdropping must be permitted if organized crime is to be controlled.

The rules, which apply to all agencies of the Federal Government but not to cases involving the national security, provide as follows:

Wiretapping—the interception of telephone conversations without the consent of either party—is absolutely forbidden. Although formerly the Justice Department said that the Federal law that outlaws wiretapping is not violated if the information is not divulged outside the Government, the new rules forbid wiretapping regardless of divulgence.

Bugging—the planting of hidden microphones by means of trespass—is also forbidden. Bugging is illegal under the laws of seven states but not under Federal statutes.

The use of other devices is forbidden if they pick up conversations, even without a trespass, in "constitutionally protected areas." Under present court decisions these are homes, private offices, hotel rooms and automobiles, but the memorandum points out that other areas may also be protected if under the circumstances they appear to be private places.

Electronic intrusions into constitutionally privileged relationships, such as attorney-client talks, are forbidden, whether or not the conversations take place in constitutionally protected places.

The use of electronic gear to monitor a conversation in which one party knows of the surveillance—such as a transmitter or recorder hidden on an agent's clothing—is permitted, but only with the written permission of the Attorney General. In emergencies, agency chiefs can authorize use of such devices without prior permission, but the Attorney General must be told of the incident within 24 hours.

GEAR MUST BE LOCKED UP

The new regulations also require agency heads to keep electronic eavesdropping gear locked up and requires that detailed records be kept of any use of it.

President Johnson cracked down on Federal eavesdropping in the wake of a series of disclosures—many by a Senate investigating subcommittee headed by Senator Edward V. Long, Democrat of Missouri—that various forms of electronic snooping were being carried out by Federal agents often without the knowledge of their superiors.

The President's memorandum prohibited wiretapping in all but national security cases, but appeared to allow room for some other types of electronic surveillance. Mr. Johnson said merely that such eavesdropping should be "fully in accord with the law and with a decent regard for the rights of others."

However, the impression spread throughout the Government that President Johnson had ruled out all bugging that involved a physical trespass.

DEVICES ALLOWED

His memorandum did not appear to rule out the use of "detectaphones" (electronic stethoscopes that will pick up conversations within a closed room when pressed against the outside wall), "sill mikes" (tubular microphones that can be placed on the floor near a closed door and will overhear conversations inside the room), and parabolic microphones designed to pick up conversations across open distances.

Goldman v. United States, a 1942 Supreme Court decision, held that such devices do not violate the Fourth Amendment—and consequently that conversations picked up by them are admissible in evidence—because they do not involve a physical trespass.

However, many legal scholars have argued that the Supreme Court's emphasis on the element of trespass in eavesdropping cases

is artificial, and have predicted that the Court eventually will prohibit all intrusions into private places, whether by trespass or not.

The Supreme Court has agreed to reconsider its Goldman decision in a case to be heard next fall. Mr. Clark, apparently expecting that the Court will charnge its mind, banned eavesdropping in areas protected by the Fourth Amendment, whether or not a trespass is involved.

On this point, the regulations say:

"Although the question has not been squarely decided, there is support for the view that any electronic eavesdropping on conversations in constitutionally protected areas is a violation of the Fourth Amendment even if such surveillance is accomplished without physical trespass or entry."

THE PROBLEMS OF CITIES

Mr. BROOKE. Mr. President, in view of the fact that the Subcommittee on Housing and Urban Affairs of the Committee on Banking and Currency will begin hearings next week on several housing bills, it seems appropriate for me to place in the RECORD at this time a penetrating and provocative article about the problems of our cities and possible solutions to those problems, written by one of the ablest reporters of the Christian Science Monitor, George Favre.

Mr. Favre covered the Boston "city hall beat" and urban affairs generally for the Monitor during the time that I was attorney general of the Commonwealth of Massachusetts. He has an extraordinarily deep insight into the problems of urban America. Those who read his almost daily articles in the Christian Science Monitor while he was stationed in Boston were well informed not only about day-to-day developments but, even more important, about the long-range problems of the city and the new ideas and concepts which could be brought to bear on these problems.

In his dispatch from Philadelphia of May 11, Mr. Favre explores in some depth the partnership which in some municipalities has been welded between government and private industry. He makes particular mention of the constructive proposals which the distinguished Senator from Illinois has made and which will be considered by the committee and Congress in the coming months.

The Philadelphia situation which Mr. Favre describes could as well have been written about Boston or any American city.

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:

SLUM RENEWAL MEANS PEOPLE, TOO

(By George H. Favre)

PHILADELPHIA.—On Lambert Street in North Philadelphia a young cherry tree blooms outside a pair of neat, white-painted, brick-row houses.

They are in startling contrast to the rest of the scene. For up and down both sides of Lambert Street, except for a few other newly decorated homes, are the unmistakable signs of a slum.

A pile of garbage is heaped in the street. An upturned ironing board, a discarded easy chair, and several barrels overflowing with rubbish litter the sidewalk. Most of the houses are dilapidated, their doors and window-sills peeling off cracked paint, their old brick sagging and badly in need of painting.

Aside from the paint and the cherry tree, these houses stand out from their neighbors for a more significant reason. They are, or soon will be, owned by their occupants.

Philadelphia's poor, mostly Negroes, are not homeowners by tradition. They are habitual renters.

Month after month they pay out $50 or $60 for badly maintained, dirty, ill-equipped quarters. Now, here on Lambert Street, a few fortunate ones will move into totally renovated houses. They, too, will pay around $50 a month. But that $50 will be paying off a low-interest mortgage that after 25 or 30 years will make the house theirs.

DRINKING STOPPED

The second part of this "renewal" story is human renewal.

One example: A man who rents a dilapidated house will soon move into a six-room house across the street. This man stopped drinking at the same time he put in his application for the new house he hopes to own, because he wants to put as much equity money as possible into the first house he has ever owned.

Slum renewal and human renewal are the twin goals of an organization known as the Interfaith Interracial Council of Clergy (IICC). It is made up of 400 churches—most of them Negro Baptist storefront congregations. They were brought together by the Rev. William L. Bentley, pastor of Emmanuel Institutional Baptist Church, after the riots of 1964.

Out of that organization whose initial goal as the Rev. Mr. Bentley describes it was to get ministers concerned "not only with the word, but with how people live," has grown an effective housing and human-renewal program.

The program is masterminded by a white minister, the Rev. Raymond Anderson of St. Paul's Lutheran Church.

The Rev. Mr. Anderson, whose smile and easy affability cloak a sure executive capacity, emphasizes human renewal.

"We started out with a building operation to give these people hope," he says. "But our hope is the rehabilitation of people."

KEEN AWARENESS REQUIRED

Such dedication has put this minister at the head of an operation that requires a keen awareness of the uses of power as well as of moral suasion. The IICC's housing committee, which he heads, controls the general housing policies as well as the finances of the operation.

Together with Samuel Alper, who is executive director of the IICC by title and a builder by trade, the two have completed 10 units, are working on 3 now, and contracting for 8 more. At the same time they are negotiating to buy a bloc of 105 more houses.

In 1967 they expect to finish 200 houses. Federal officials, who are backing the effort with funds through the Federal Housing Administration and the Federal National Mortgage Association (Fannie Mae), want them to set a pace of 200 a year.

In addition, the group wants to experiment with the proposal of housing consultant Charles Abrams to partially renovate houses to the point where they are in "move-in" condition. Then they would be sold to new owners for around $4,000 or $4,500 each, and the new occupants would put on "the frills," such as paint and wallpaper.

With a Federal Housing Administration-guaranteed loans bearing 3 percent interest, new owners could put down as little as $100 and pay off the balance at $50 or so a month for 25 years.

But, as the Rev. Mr. Anderson insists, the lure of owning one's own renovated home at the same price as renting one in deplorable condition is just a carrot.

GOAL KEPT IN VIEW

The IICC's goal is human rehabilitation. It is worked into the IICC program in many ways and at many levels. For one thing, the rebuilding program offers training in construction skills and jobs to the people who will eventually occupy the houses. Many of these men now are jobless.

Human renewal comes in other forms. Because many of the poor who have been raised in slum conditions now do know how to care for property, each new owner must take a course in simple home maintenance. They must also learn to save, and credit unions are being set up by the churches. These can be used both to save money, or to borrow at token interest rates of around 1 percent.

A prospective owner must have a job and must have held it for at least two months. The IICC helps find jobs for these people.

"Only the churches are geared to do this kind of intensive personal guidance into home ownership," the Rev. Mr. Anderson says.

Marital status is another sticking point. Title companies will not insure a mortgage for an owner whose marital status is not clear. In one case, a couple who have lived together for 17 years and raised a family were not married. Their situation is being specially handled by having the woman take title in trust for her grandchildren. Meanwhile, they plan to become legally married.

"It all takes time and money," says the Rev. Mr. Anderson.

Human renewal ties in most obviously with urban renewal in the matter of keeping a rebuilt area from sliding back into a slum condition. This is done through follow-up counseling both with individual families and on a block basis in neighborhoods.

ASSOCIATION FORMED

Lambert Street residents have formed an association. They have a regular cleanup party every other week, and a painting committee. So far the results have been spotty. On the morning this reporter visited the location rubbish, garbage, and castoff furniture littered the street. But Mr. Albert and the Rev. Mr. Anderson have learned the virtue of patience.

Integration is another area where the Rev. Mr. Anderson sees a coincidence in human and urban rehabilitation. "We haven't much chance of integrating the hard-core Negro ghettos like Lambert Street," he admits. But he sees an opportunity for stopping the spread of ghettos by tackling mixed neighborhoods now in decline.

In the Strawberry Mansion area, just north of the Lambert Street ghetto, the IICC has bought a large nine-apartment house. It is just one block from a pleasant parkway and in a district that once was fashionable. Moving with extreme caution, the IICC is hoping to make over the apartment house into nine "posh" apartments.

In this way they hope to attract middle-income whites. This will bring new affluence into the neighborhood and hopefully act as a catalyst for other single-family and apartment-house owners to follow suit.

The question that arises from the IICC's experiment is whether its program is applicable to other cities. Mr. Abrams says it emphatically is. "Not in New York," he says, "because development here is vertical—apartment houses. And not in Chicago. But the same situation of one-family dwellings in large slum areas is true in many, perhaps most, American cities. Here home ownership is feasible for the poor."

PHENOMENON EXPLAINED

Mr. Abrams explains the phenomenon of cheap prices for single-dwelling slum homes in terms of "a simple law of economics." This law holds that a building's value is determined by capitalization of its net income. Slum homes are occupied by low-income minority groups who cannot pay more than $50 or $60 a month rent.

Under these circumstances, says Mr. Abrams, the market value, regardless of replacement value, is governed by that rent and the small profit it brings to the owner.

In Philadelphia, the IICC has taken advantage of this fact in acquiring its buildings. In some instances, like latter-day Robin Hoods with turned back collars, they have used the not-so-gentle forces of moral suasion and public censure to force landlords into selling for as low as $1,000. In some instances city agencies, with more funds, had been paying from two to four times as much for identical houses.

The IICC is satisfied that its work is a success. It is spreading out into the Ludlow section and even across the river into Camden, N.J.

The IICC effort is one of the programs on which Sen. Charles H. Percy (R) of Illinois, based his bill to set up a national private foundation to bring home ownership to the poor. If Senator Percy's bill goes through, it would be of decided help to the program here.

The Percy bill is opposed by United States Secretary of Housing and Urban Development Robert C. Weaver, who favors rentals for the poor.

Which view will prevail depends on Congress. But Mr. Abrams, who wants many options available to the poor, argues that the Philadelphia experiment is showing that a federal program—though not necessarily Senator Percy's—would widen the chances for poor city dwellers to find decent housing.

SOVIET REARMAMENT OF ARAB STATES

Mr. McINTYRE. Mr. President, the most recent intelligence reports indicate the Russians are in the midst of a crash rearmament program for the Arab States. Already, it is reported more than half the materiel destroyed by Israel has been replaced. By sea and by air, a billion dollars' worth of high-quality equipment and ammunition has been transported to Egypt, Jordan, and Syria. Despite public expressions of concern by our Government, despite behind the scene diplomatic remonstrances, the Soviets show no sign of diminishing their effort. If the present pace of Arab rearmament continues, within a very short time Israel will again be confronted by hostile nations, not only well armed but dedicated to her destruction. Again, the fuse leading to another Arab-Israel explosion has been ignited.

This is the unpleasant fact. It is time we faced up to it. For too long, we have tried to placate the Arabs while at once supporting Israel. We have tried to sustain our image as a beneficent, neutral interpreter in the midst of a dialog where naked power is the only language understood. This has been a policy distinguished by its futility.

It is time for us to admit this to ourselves. It is time for us to make a clear-cut decision regarding our policy in the Middle East. It is time for us to make it explicitly clear to both the Arabs and the Russians that the United States will not sit idly by and watch the intimidation and, eventually, the elimination of the Israeli nation.

There is nothing subtle about the Russian motive in the Middle East. There must be nothing subtle about our response to it. There is every possibility this would lead to another critical confrontation between the two great world powers. But there have been similar confrontations in the past—in Berlin and in Cuba. It was not without risk that our Government met them with forthright action. Once again, our national resolve and our national courage are being put to the test.

Mr. President, we must not allow them to be found wanting.

POLITICAL REFUGEES

Mr. FONG. Mr. President, according to an article appearing in the Washington Post on June 10, 1967, the U.S. Government is opposed to accepting political refugees from Communist China who attempt to enter this country by way of Hong Kong.

When I subsequently checked with both the Washington office of the Immigration and Naturalization Service and the Department of State Visa Office, I learned that the basis of this exclusion was not a specific statutory bar, but rather the administrative interpretation of section 203(a)(7) of the Immigration and Nationality Act.

According to that provision, certain refugees—a maximum of 10,200—may be admitted to the United States each year on a conditional basis if they fulfill the following requirements:

First. If they are fleeing "any Communist or Communist-dominated country" or the Middle East because of persecution or fear of persecution on account of race, religion, or political opinion; are unable to return to that country for those reasons; and are not nationals of the countries in which their application for entry is being made; or

Second. If they are uprooted by "catastrophic natural calamity"—as defined by the President—and are unable to return to their homes.

As this provision of law is administered, political refugees from Communist nations must enter, conditionally, from one of only seven countries—Austria, Belgium, France, West Germany, Greece, Italy, and Lebanon. None of these nations, it should be noted, is in the Asia and Pacific areas; and all but Lebanon are in Europe.

It is clear, then, that any political refugee in flight from a Communist country who tries to enter the United States by way of any Asia or Pacific area will be barred from admission to this country—unless he somehow reaches one of these seven countries.

Mr. President, this interpretation, to me, is a clear violation of the spirit of the Immigration Reform Act, which the Congress passed in 1965, and which the administration so strongly supported for the very reason that it would eliminate racial discrimination from our basic immigration law.

What we have eliminated by law in 1965 is being restored by administrative decree.

This is most unfortunate and smacks of racism. I deplore it in the strongest terms.

I have therefore this day urgently requested the Secretary of State to add the British Crown Colony of Hong Kong on the Chinese mainland, and another country in Southeast Asia—perhaps Thailand, or Singapore—to the list of areas through which political refugees from Communist countries may be granted entry into the United States.

By doing this, we would be putting into practical effect one of the primary purposes of the Immigration Reform Act of 1965. And it would also be a humanitarian gesture of great import in a world torn by strife.

Mr. President, I ask that the full text of my letter to Secretary Rusk be printed at this point in the RECORD.

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

JULY 12, 1967.

Hon. DEAN RUSK,
Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: It is my understanding that political refugees from Communist China escaping into Hong Kong may not enter the United States conditionally, as provided under Section 203(a)(7) of the Immigration and Nationality Act, because as that provision is administered, political refugees from Communist nations must enter on a conditional basis from one of only seven countries—Austria, Belgium, France, West Germany, Greece, Italy and Lebanon. None of these nations, it should be noted, is in the Asia and Pacific areas, and all but Lebanon are in Europe.

This to me is a clear violation of the spirit of the Immigration Reform Act which the Congress passed in 1965, and which the Administration so strongly supported because it would eliminate racial discrimination from our basic immigration law. What we have eliminated by law is being restored by Administration decree. This is most unfortunate and smacks of racism.

I therefore urgently request that Hong Kong and another country in Southeast Asia—perhaps Thailand or Singapore—be added to the list of areas through which political refugees from Communist countries may be granted entry into the United States.

With aloha.

Sincerely yours,

HIRAM L. FONG.

PROGRESS OF DEMOCRACY IN SOUTH VIETNAM

Mr. McGEE. Mr. President, with the vital presidential elections in South Vietnam less than 2 months away, Washington Evening Star correspondent Richard Critchfield has given us an informative and, in many ways, hopeful picture of the progress of democracy in that land, despite the war that rages there. In village and hamlet elections of recent dates, Critchfield points out in a dispatch from Saigon, published in the Star on Monday, July 10, the poll has been encouragingly high—remarkably high, in fact. It is a good sign.

I ask unanimous consent that correspondent Critchfield's dispatch be printed in the RECORD.

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

MASSIVE VOTE HOPED FOR IN VIETNAM

(By Richard Critchfield)

SAIGON.—With less than two months before the presidential elections, Saigonese are neck-deep in bargaining, secret deals and intrigue.

The entire dramatis personae of the past 13 years, when stars rose and fell so quickly, seems to be coming out of the wings and back on the political stage again.

Everybody who has ever been anybody in

South Vietnam seems to be contesting the elections for president and the senate scheduled for Sept. 3.

But who will vote?

So far the ordinary Vietnamese peasant and worker, with a marked lack of excitement, has refused to be roused. This is understandable.

No government in Saigon has yet succeeded in refuting the Viet Cong propaganda line it represents only an unattractive residual feudal group propped up by the Americans.

BROAD-BASED PYRAMID

The U.S. answer to this argument has been to try and erect a broad-based pyramid of democracy at break-neck speed through elections of village councils and hamlet chiefs, each Sunday, up and down the country since April.

In the successful September 1966 election for the Constituent Assembly, 82 percent of 5.2 million registered voters representing 10 million of some 15 million South Vietnamese went to the polls.

An estimated 52 percent of those casting ballots were officially classified as urban voters.

Since then 3.3 million peasants have participated in village elections over 11 weeks ending in mid-June. The hope is presidential election's voter registration will go as high as 5.9 million. This would blanket about 12 million of the total 15 million population.

REMARKABLY HIGH

In the first phase of the village and hamlet elections, which ended June 11, the poll was remarkably high. (The elections are continuing but only as each village and hamlet is declared secure enough.)

As of now, 78 percent of 3.3 million registered voters in village elections and 79 percent of 2.9 million registered voters in hamlet elections were officially reported to have cast ballots.

Most observers agreed the voter's motive ranged from the complete apathy of the man who thought it prudent to get his identity card stamped to those who were aware of and enthusiastic over what they were doing.

Anyone who watched last year's elections came away with the impression Vietnamese like to "di bau," or go voting. Polling places have a festive holiday atmosphere and most voters wear their best clothes and come in family groups.

TERRORIST ATTACKS

The other side of the coin was the toll from Viet Cong terrorist attacks. In the village contests there were 555 incidents of candidates murdered, kidnaped or voters intimidated or attacked on election day.

In the hamlet elections, which were limited to more secure areas, this fell to only 35 incidents, and included what Vietnamese officials described as Viet Cong "intimidation visits."

But despite assassination threats, 24,277 candidates competed for 13,944 council seats, a 1.4 to 1 ratio and there were 2.3 candidates for each hamlet chief's job.

One of the miracles of the Vietnam war is that every time a hamlet or village chief is assassinated, there always seems to be another peasant ready to step up and take his place.

The over-all picture seems reasonably clear. The peasants, caught in the middle of all the fighting the last 22 years, may feel little allegiance to Saigon (a recent poll indicated less than 25 percent have ever heard of Premier Nguyen Cao Ky), but they do not want to be ruled by the Viet Cong either.

Polling has now been carried out smoothly in 44 percent of South Vietnam's 2,535 villages and 33 percent of its hamlets, of which there are between 11,000 and 14,000. (A "village" in Vietnam is essentially an administrative unit of about 5 to 6 hamlets. The hamlet is a collection of houses and about 1,000 people.)

This should not imply the Viet Cong control the other 66 percent. U.S. authorities estimate at the moment only 315 villages and around 4,000 hamlets are not controlled by the Saigon government at all in the sense it cannot administratively reach them.

Under this new attempt to move into institutions, which will reflect the will of the people at the bottom of society, elected peasant officeholders receive the equivalent of $40 a month as opposed to $16 in the past.

Of the new hamlet chiefs, 14 are women; 2,263 are peasants; 1,760 are former chiefs or village officials; 284 are small traders and 247 are former civil servants.

The elections also furnished some degree of proof a Viet Cong can drop his arms and peacefully win an election. Four defectors were elected to village councils and three as hamlet chiefs, including one who rallied to the government side only four months ago.

FOOD IRRADIATION

Mr. CURTIS. Mr. President, the Atomic Energy Commission authorization bill for fiscal year 1968 provides $1.4 million for work by the Commission on the development methods of preserving food by ionizing radiation. This program is being carried out in the United States as a coordinated program between the AEC and the Army. The AEC has been concentrating on low dose pasteurization techniques for the preservation of food, while the Army has been concentrating on sterilization doses for the same purpose. Results of the program, thus far, have indicated a great deal of promise for this technique.

The Food and Drug Administration has already approved potatoes, bacon, and flour preserved by ionizing radiation for unlimited human consumption. A number of other food products are now before the FDA for approval.

In May of this year the White House issued a report prepared by the President's Science Advisory Committee entitled "The World Food Problem." This report concludes its section on food irradiation with the following sentence:

> These and other problems indicate that radiation is not likely to have a significant application for food preservation in the foreseeable future.

This statement is contained in the section entitled "Marketing, Processing, and Distribution of Food." The basis of the statement is not given. This assertion is in direct contradiction to the information the Joint Committee has been given on the use of radiation to preserve foods. The Joint Committee has asked the Director of the Office of Science and Technology to explain the basis for this pronouncement.

The statement in the President's Science Advisory Committee report is very important for a number of reasons. If it is based on sound technological knowledge, this knowledge should be made available as soon as possible since, in addition to affecting the work being supported in the bill before us today, it affects the work of over 54 nations interested in developing this process to alleviate the nutritional problems of the world's growing population. A number of countries have already approved the use of food preserved by radiation for human consumption. These countries include Canada and the Soviet Union in addition to the United States.

Thus it is very important that the basis of this statement be made known. If there is no basis for the statement, a correction should be published without delay.

Another aspect of this matter which gives me concern is the apparent lack of coordination among Government agencies on critical matters such as those which may affect the world food supply. Reviewing the Marketing, Processing, and Distribution of Food Products Subcommittee membership, under whose direction the statement on radiation preservation was prepared, I note no representation from either the AEC or the Army under whose direction the major effort on this method of preservation is being carried out. It appears that the primary sources of information, therefore, were not utilized in the evaluation of the radiation technique for the preservation of foods. This apparent lack of coordination among organizations in the executive branch of the Government is very disturbing since it results in inefficiencies in Government and much unnecessary confusion. The Joint Committee has asked the Director of the Office of Science and Technology specifically to provide information on what inputs were obtained from the Army and the AEC in preparation of the report on world food problems. I am sure that the Joint Committee, in keeping with its policy, will publish whatever information we can obtain on this matter.

THE THAI CORN PROJECT

Mr. McGOVERN. Mr. President, I am greatly pleased that through the fine efforts of Charles Cogliandro, president, Calabrian, Inc., New York; U.S. Ambassador to Thailand Graham Martin; the Agency for International Development; and the Government in Thailand, steps are being taken to initiate a corn-growing project in Thailand which includes private enterprise, the Thai farmers, and strong backing by the Thai and U.S. AID mission.

A pattern is being developed in the project which can help stem the crisis in food production in a vitally important part of the world. The project will be a demonstration of what private industry can do, using its best resources and technical know-how, in advancing the war on hunger.

We must continue to seek out ways—both private and governmental—to increase our dollar investments in the agricultural economy of the less developed nations to assist them in producing food instead of exclusively relying on our exports. The Calabrian arrangement brings private capital into the war on hunger, as must be done increasingly.

Another facet of the Calabrian-Thailand corn project which I shall watch with great interest is the use of American farmers to assist Thai farmers in all phases of production from plowing to transporting the crop to market. The county agent system of giving assistance and guidance has been an important force in helping the U.S. farmer during the past 50 years, and I am hopeful that

Thailand's agricultural economy will benefit from this advisory innovation being introduced by Calabrian, Inc.

I ask unanimous consent that the text of a New York Times article, April 21, 1967; an article from the Bangkok World, June 25; and an editorial from the Bangkok Post of June 26 be printed in the RECORD.

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

[From the New York Times, Apr. 21, 1967]

PRIVATE AID TO THAIS GUARANTEED BY UNITED STATES

(By Felix Belair Jr.)

WASHINGTON, April 20—The United States began blazing a new trail today to induce private capital to help increase agricultural production in developing countries.

In a radical departure from its usual government-to-government loans and technical assistance grants, the Agency for International Development issued an "extended risk" guarantee of a $3-million bank loan by the Chemical Bank New York Trust Company to modernize agriculture in Thailand.

The bank loan goes to the Thailand subsidiary of Calabrian Company of New York. The effect of the arrangement is that the New York trading concern is guaranteed against loss if the Thailand subsidiary defaults. The same guarantee applies to Chemical Bank New York Trust Company.

Herbert Salzman, assistant administrator of AID, who is in charge of its new private resources division said:

"This project is a good example of what private initiative and resources—United States and local—can do to increase world food production and reduce the world food crisis. It is also a practical demonstration of government-business cooperation in the war on hunger.

"We have been a catalyst in helping to get this project started by making our extended risk guarantee available."

Under an extended risk guarantee, the United States investor is protected against loss from expropriation, war or revolution, and currency inconvertibility. He is also protected against normal business risk, although not against fraud.

Calabrian Company and its Thailand subsidiary have already invested about $600,000 in surveys, research and demonstration projects among Thai corn farmers in the last two years.

The purpose of the new loan is to triple Thailand's corn and other feedgrain production thereby expanding its livestock industry and raising its foreign exchange earnings through the commercial exports of corn.

CORN SOLD CHEAPLY

Thailand has been producing between 800,000 and 1-million tons of corn annually—most of it for export. But because the corn has never been graded according to commercial standards, it has always sold as "fair to average" and at bargain prices on the world market.

The Calabrian program will provide, among other things, for a grading of the corn crop.

The Thailand effort is unusual in several respects. For one thing, it marks the first attempt by aid and private industry officials here and abroad to use an investment guarantee to organize many small farmers—some 7,000 in Thailand—into an efficient economic unit that can supply food on a sustained basis.

Calabrian Company is supplying its own staff of 25 United States farm experts to train Thai nationals in all phases of the industry—from cultivation and harvesting to the formation of rural credit institutions, and marketing and storage.

[From the Bangkok World, June 25, 1967]

THAI CORN TO BE GRADED TO BOOST PRICE AND REPUTATION

(By Michael Burns)

Calabrian (Thailand) Co. Ltd., American-operated import-export firm, is making plans to introduce grading for Thai corn which should raise its reputation and price in the world market.

The ratings, based primarily on shelling and drying processes, would correspond roughly to U.S. Grades 1.2 and 3. Far East Superintendence Co. and OMIC of Japan will certify grading standards to ensure uniformity.

The difference between Grade 2, at which 80 per cent of Thailand's corn has been sold to Japan, and top grade will be determined by world demand and acceptance of quality Thai corn, Calabrian Managing Director Irving Sverdlik said.

"With just a little effort the grade of Thai corn could be excellent," he said, and with a certified standard it would command higher prices in foreign markets outside Japan, principally in Europe.

That difference could amount to a considerable sum, since this year's estimated production of 1.3 million tons (should this unseasonable dry spell be broken) could double within the next three years, Mr. Sverdlik said. Thailand is now the world's third largest exporter of corn, ranking behind the U.S. and Argentina.

To gain its share of this booming market, Calabrian plans to spend $4–5 million this year constructing nine 1,000-ton capacity elevators and a giant 65,000-ton structure at Tha Rua, plus expanding its agricultural research, crop loans and procurement programs. A large marine elevator at Sriracha is also planned for construction in the next two years to supplement present ship loading facilities at Klong Toey.

Calabrian recently received a three million dollar loan guarantee from the U.S. government to help finance this program and Mr. Sverdlik indicated the firm will be spending several times that in the next few years to expand and intensify operations. Calabrian modestly expects to buy about 100–200,000 tons of corn when this year's crop is harvested in late July and August, and erection of elevator facilities will begin within the next two weeks.

Proper drying and shelling will upgrade corn, Mr. Sverdlik noted, while better storage facilities will reduce heat and weevil damage and maintain uniform quality. So while Calabrian will build (and has built) a number of small flat storage bins for temporary storage, modern vertical elevators are the key to the company's improvement program.

Calabrian expects to help the farmer cash in on the boom, "to change the subsistence cycle, to give the farmer a little economic impetus," he said.

In May, Calabrian signed an agreement to provide corn crop loans at one per cent a month through the Bank for Agricultural Cooperatives to farmers in Saraburi, Prae, Chiengrai, Petchaboon and Sukhothai provinces. The 20 million baht program will expand as other Bank branches are set up and may be opened to other crops in the future.

These low-interest loans will enable farmers to break away from traditional reliance on middle-man merchant have been important to the farmer, feeding his family until the harvest, collecting the crop in barely-accessible fields and paying him a small amount of cash, Mr. Sverdlik noted.

But with a little help, the corn farmer can be stimulated to improve his crop, to make more self-reliant. Through individual farm visits, work with Thai government experimental stations and 11 Calabrian test plots in the Central-North corn belt, Calabrian's team of 10 Americans and Thais are providing technical assistance in almost every phases from plowing to transporting the crop to market.

But Mr. Sverdlik warned against introducing revolutionary concepts too rapidly. Calabrian is providing some fertilizer to farmers along with careful instruction. While fertilizer can boost crop yields, it can also ruin crops or have no effect, he pointed out; it is only one of many production factors and must be used knowledgeably.

Similarly, the hybrid varieties planted in test plots are unsuitable now because they are too new and because they do not generate seed for the next year, forcing farmers to buy seed every year. And tractor plowing of test plots may not be practical for existing smaller, scattered cornfields of Thai farmers.

* * * of Finance and Administration, also cited the danger of marginal farmers overextending themselves financially to purchase land and supplies in impetuous attempts to cash in on a "wonder crop."

"We want to prevent any cultural and social problems arising from the transition in corn production," Mr. Sverdlik emphasized.

Now a profitable supplement to rice crops, corn may prove an economic support for the lagging rubber industry in the South. Calabrian and the government have made investigations in that section but the results are inconclusive.

Calabrian, a 20-year-old New York firm, has been in Thailand since 1962 when it contracted to conduct a series * * * throughout the country.

The next year the firm made a feasibility study for a sugar refinery. Calabrian found the refinery an unwarranted expense but convinced Thailand to apply for a U.S. sugar quota. Thailand got a 15,000 to 20,000 ton sugar quota and Calabrian got the exclusive contracts for the commodity's exports to the U.S. and Vietnam. The firm also deals in rice and millet.

While commodity export rights are essential, so is the goodwill of the individual farmer, Mr. Sverdlik noted. No matter what the financial investment and organization, it is always the man who raises the crop who eventually determines a commodity firm's success or failure.

[From the Bangkok Post, June 26, 1967]

AID FOR FARMERS

The report last week that agreement had been reached between a bank and a commercial firm to help the country's farmers in increasing production is a welcome and commendable move towards strengthening the basic structure of the economy of the nation. The parties involved in the agreement are the Bank of Agriculture and Agricultural Cooperatives and the Calabrian (Thailand) Co., Ltd. The agreement provides for the Bank to provide credits to be loaned to the farmers and the company to extend the credits and also provide the farmers with modern farm equipment and agriculture experts. The company will also provide farmers with seed, fertilizer, insecticides, herbicides and also transport for the farm produce to reach the markets. The whole program is to be known as the "Corn Loan and Farmer Assistance and Marketing Program."

Though the program will be limited in the first instance to producers of corn in the provinces of Chiengrai, Petchaboon, Phare, Saraburi and Sukhothai it is envisaged that the program will extend before long to other provinces and also cover other farm products than corn. It is also expected the initial loan capital of 20 million baht may be increased to meet the expanded program. The program as announced is certain to assist the corn producers of the areas mentioned considerably and will be a step forward in boosting the overall corn production of the country in view of the growing demand for products like maize from foreign markets.

Any move towards aiding the farmers in increasing production by offering them more inducements towards better effort is a step in the right direction. Agriculture is the basic industry of the country and will re-

main so for long. And the farmers who sweat it out in the fields are the backbone of agriculture. Theirs is a life of constant toil and labour with rewards not often commensurating their efforts. As in almost any other Asian country the Thai farmer is more often than not in debt and unable to improve his farm and his modes of cultivation because of financial difficulties. The Thai farmer is behind none in his willingness and ability to improve farm methods and increase output if he is given the assistance he needs in this respect.

It is this assistance that the Bank Company agreement provides for the farmers of the corn belt of the country. It is the kind of assistance which needs to be extended all over the country to cover all forms of agriculture towards giving a boost to the overall farm output of the country. Agricultural indebtedness has been the bane of Asian agriculture for long and so long as that is not solved the question of modernising agriculture through the introduction of modern techniques will not make headway in any appreciable measure. This is a very essential step to be taken in Thailand as the demand for Thailand's agricultural products are continually increasing and that means the possibility of increasing the foreign exchange earnings of the country. Only with a healthy and ever expanding agricultural basis will the economy of the country be broadbased and strengthened in the true sense of the term.

RETURN OF SENATOR JORDAN OF NORTH CAROLINA TO SENATE DUTIES

Mr. BYRD of West Virginia. Mr. President, it is pleasing to note the return, to his Senate duties, of our amiable and distinguished colleague, the junior Senator from North Carolina [Mr. JORDAN]. We have missed Senator JORDAN, but we all know that there come times when circumstances beyond our immediate control intervene to interrupt our work here, and this has been the case with our beloved chairman of the Senate Committee on Rules and Administration. However, we can also be thankful that man's achievements in the field of medicine, working together with nature's healing arts, help us to overcome the ills that beset the human flesh, and we are then able to return to our posts of duty. Thus it has been with Senator JORDAN who looks hale and hearty and ready to help us tackle the heavy legislative burden that lies before us during the summer months, and we will all be grateful for his helping hand.

As one who cherishes the friendship of this congenial southern gentleman, I am glad to see EVERETT JORDAN back on the Senate floor.

THE NUCLEAR GIANT

Mr. CHURCH. Mr. President, at 8 o'clock this morning, July 12, 1967, there were 199,076,492 persons alive in the United States of America, and as the census clock in the Department of Commerce continues to gather speed with every day, our national population will reach 200,000,000 early this fall.

The phenomenal growth rate of this country goes on, and with it the urgent need to provide new services and facilities for our growing millions. The demands upon our natural resources increase with every hour.

I take great satisfaction, Mr. President, in citing another phenomenal growth pattern—one which will provide one of the most basic needs for our future millions—and a growth to which we in Idaho are proud to have contributed.

I speak of the remarkable and dramatic speed that has characterized the development of nuclear electrical power generation in the United States in 5 short years.

Perhaps the most graphic representation of this growth comes from two of the top officials of the Atomic Energy Commission, who, in recent speeches at opposite ends of the country, frankly admitted they had grossly underestimated the rapid progress of nuclear power development.

Speaking in Boca Raton, Fla., on March 22, 1967, Mr. Ernest B. Tremmel, Director of the Division of Industrial Participation of the AEC, stated that 1962 estimates for nuclear power production by the year 1980 were set at 40,000,000 kilowatts of power. By 1964, the estimate had risen from 60,000,000 to 90,000,000 kilowatts, and last year had again been revised to 80,000,000 to 100,000,000 kilowatts by 1980.

On May 12, 1967—just 2 months after Mr. Tremmel spoke—Dr. Glenn T. Seaborg, Chairman of the Commission, told a San Francisco audience that the estimate, based upon orders for new power reactors, had risen to above 100,000,000 kilowatts.

On May 31, 1967—less than 3 weeks after Dr. Seaborg's address—the AEC announced a further revision placing the total nuclear power output for 1980 at between 120,000,000 and 170,000,000 kilowatts, with a likely prediction of a median 150,000,000 kilowatts of power.

Mr. President, the total electrical generating capacity of this country today—including nuclear powerplants, fossil fuel plants, and hydroelectrical generators—is just slightly more than 250,000,000 kilowatts. Our national electrical requirements are doubling every 10 years, and by 1980 will reach about 520,000,000 kilowatts. By that time, nuclear power production will provide more than one-third of our national needs, perhaps even more.

The significance of this rise is manifold, for not only will nuclear power continue to increase, but our costs will continue to drop. It comes at a time when our fossil fuels will be reaching serious depletion levels. It comes at a time when air pollution from fossil fuel power generation threatens to choke our Nation.

I cite these facts, Mr. President, because the power reactors of tomorrow—as well as those now in operation today—were developed and tested at the national reactor testing station in my own State of Idaho. We are proud of the part we are playing in bringing both literal and figurative light to the world. The national reactor testing station has become an integral part of nuclear technological history. More importantly, its role in future nuclear reactor development and safety will grow with each new challenge of the nuclear industry.

This challenge, Mr. President, is best stated in the addresses of Dr. Seaborg and Mr. Tremmel, referred to earlier in my remarks. Accordingly, I ask unanimous consent that they now be printed in the RECORD:

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

CHALLENGES IN THE ELECTRIC POWER FIELD

(Remarks by Ernest B. Tremmel, Director, Division of Industrial Participation, U.S. Atomic Energy Commission, before the Southeastern Electric Exchange, Boca Raton, Fla., March 22, 1967)

INTRODUCTION

Last October, I had the opportunity to participate in the Engineering and Operation Section Conference of your Exchange in Atlanta, Georgia. At that time, I presented a paper on "The Surge to Nuclear Power" and, because of a busy schedule, had to immediately return to Washington without having an opportunity to exchange views with your members.

As I mentioned at the Atlanta Conference, visits to your utilities have given me the opportunity to become personally acquainted with many of your executives. I have been impressed by the dedication of your companies to supplying your customers with the most economical and best service possible and your objectiveness in evaluating the various sources of energy including any new technology available. I also know that your Exchange group is one of the most active in the United States and is held in high regard by the utility industry all over the country. It is therefore a real pleasure to have the opportunity to participate in this 34th annual conference of your Exchange.

In March of 1963, Mr. Ramey, one of our Commissioners, participated in your annual conference and discussed the atomic energy program and trends in development of nuclear power.[1] In reviewing the paper he presented, it is interesting to note the rapid changes that have taken place and how appropriate some of his comments at that time turned out to be. He referred at that time to a report to the President on the role of nuclear power in our economy, which the AEC had just completed in the Fall of 1962. The Commission has now prepared a 1967 Supplement[2] to this report which was just made public this month. I am sure you would find this report very interesting.

In my talk last October, I pointed out the trend to nuclear power that was taking place in the Southeast and I am happy to report today that this trend is also continuing. In fact, only several weeks ago, Bill Clapp's Florida Power Corporation joined the nuclear fraternity by ordering a large nuclear steam supply system from Babcock & Wilcox, and I like to believe I may have played a small part in their decision by bringing to their attention the progress being made in applying nuclear energy to central station plants. I know that the management of the Florida Power Corporation is excited with the challenge nuclear energy will bring to their system, and perhaps Disneyworld appropriately will be fueled by power generated from a nuclear plant. Other utilities in the South are presently obtaining proposals on nuclear plants so you can see that your members are rapidly moving into the nuclear age.

Since Mr. Ramey reviewed the background in his speech in 1963, of the Commission's civilian nuclear power program, and my talk in Atlanta last fall[3] discussed and factors

[1] See Remarks by James T. Ramey, Commissioner, U.S. Atomic Energy Commission, at Annual Conference of the Southeastern Electric Exchange, Boca Raton, Florida, March 17, 1963 (AEC Public Release S–10–63).

[2] See AEC Press Release K–50, dated March 2, 1967, giving an Introduction and Summary of the AEC's 1967 Supplement to the 1962 Report to the President on Civilian Nuclear Power.

[3] See Remarks entitled "The Surge to Nuclear Power" at Atlanta, Georgia, Before the Southeastern Electric Exchange, October 13, 1966.

that caused the rapid growth in the rate of nuclear power plant announcements which began in 1965, I will not repeat these areas in my talk today. What I would like to do at this conference is briefly review the various segments of the nuclear industry that are involved in central station power plants and bring to your attention some of the problems and challenges in each of these segments. A number of charts are attached which provide additional information in regard to these segments.

DEMAND FOR POWER

Nuclear power

Most of us now take for granted the Commission's important early efforts directed toward the development of an economic nuclear power industry, which was planned to encourage private industry to take the lead in applying reactors for the production of electric power.

In 1963, less than ten years after the inception of the Power Demonstration Reactor Program, these efforts really reached fruition with the award of contracts for four nuclear-powered generating units with a total electrical capacity of nearly two million kilowatts. One of these awards, that of the Jersey Central Power and Light Company, was particularly significant in that the choice was made solely on the basis of anticipated economics in direct competition with fossil fuel.

One factor which was brought out clearly by the Oyster Creek Plant was that the larger the generating installation, the more favorable the economics of nuclear power. The unit capital cost of several power plants versus size (shown on one of the attached charts) readily illustrates the reason for this. Two of the small early prototypes, Big Rock Point and Humboldt Bay, had unit costs in the $400–$500 per kilowatt range. The larger, Dresden I and Yankee plants, had costs of $250 per kilowatt, over twice that of coal-fired plants and three times that of gas-fired plants. Since a nuclear plant has a great deal of heavy equipment and heavy concrete structure involved in its construction, the total cost of the plant is less sensitive to size than a fossil-fired plant and additional capacity can be provided at a small additional cost.[4] Therefore, when the 500 MWe Oyster Creek and Nine Mile Point plants were committed, the cost came down by a factor of two and recently announced plants have approached the cost of coal-fired plants. Detailed costs are shown on some of the attached charts.

In the past two years reactor suppliers have achieved further economies in production and operating costs of nuclear plants, and the past year saw the award of contracts for 21 nuclear generating units with a total capacity of more than 16 million kilowatts. One of the most significant of these was the choice of nuclear power by the Tennessee Valley Authority for a plant in the southeastern United States near major coal fields. Last year, for the first time, more nuclear power than fossil-powered generating capacity was announced by electric utilities in this country, far exceeding the estimates of the most optimistic forecasters.

In our 1962 Report to the President, estimates of nuclear power growth were projected as 40,000 megawatts of installed capacity by 1980. Since the '62 Report, we have revised our estimates several times. In 1964, we increased our estimates to a range of 60,000 to 90,000 megawatts by 1980. In 1966, our estimate was again revised to a range of 80,000 to 110,000 kilowatts of installed generating capacity by 1980. The 1967 Supplement to the Report to the President indicates that 25 to 30 per cent of the generating capacity in 1980 will be nuclear and that updated forecasts to 1980 and beyond are again being developed. I am certain that at the time of Mr. Ramey's speech in 1963, the most optimistic forecasters would not have dared predict the surge in nuclear power plant orders that occurred in 1966 and seems to be continuing in 1967.

At the beginning of this year I was planning on forecasting in my talk today that 1967 could not possibly approach 1966 in total kilowatts ordered and especially in nuclear announcements. This was based on reports of increasing costs for nuclear plants because some of the reactor suppliers had reached their plant capacity for early delivery, and also because of the long term delivery being quoted on nuclear turbine-generators. Already this year, however, orders[5] have been placed for nine new nuclear generating units with a total capacity of more than six million kilowatts, so I am not even going to be so bold as to try and predict what will happen. One of the factors that has worked in favor of nuclear plants is the attention being given to air pollution. Nuclear power plants offer advantages over fossil-fueled plants by being able to control waste, and it is hard to predict what effect this will have on the use of nuclear power-plants in the future.[6] Air pollution was the subject of a national conference in Washington, D.C., on December 13, 1966, at which Dr. Seaborg discussed the advantage of nuclear power in this area.

Electric power growth

This tremendous increase in nuclear orders also reflects the phenomenal growth in the demand for electric power which I understand has about doubled in the past ten years in this country. Of course, this demand results to a considerable extent from the dramatic growth that is occurring in our population. The current population in the United States is approaching 200 million and it is conservatively estimated that by the end of the century, that is another 33 years, we will have over 350 million people in the United States. This increase in population, together with the increasing energy requirements per capita, naturally is being reflected in our total energy requirements in the United States which is increasing at a rate of about 3¼% per year and our demand for electricity is nearly doubling every 10 years. It is my understanding that the current annual electric generating capacity in the U.S. is around 250 million kilowatts. By 1980, it is expected to be 520 million kilowatts and it is expected to exceed one and one-half billion kilowatts by the year 2000. Our 1967 Supplement to our Report to the President has not changed our estimate that about half of this capacity will be nuclear in the year 2000. Reviewing the statistics of total generating units ordered over the last five years demonstrates rather dramatically the growth in demand for electric power that is taking place: 1962—8,300 Mw; 1963—19,000 Mw; 1964—22,100 Mw; 1965—26,700 Mw; and 1966—45,500 Mw.

Nuclear power apparently reached a point of economic competitiveness at a most propitious time. The cost of generating electricity from fossil fuels has been declining in recent years, due to the fine record of our fossil fuel suppliers (the coal, oil, and gas industries) and you utility representatives in achieving greater economics. Reductions in transportation costs and the savings inherent in the mine-mouth location of very large generating plants have been some of the factors responsible for significant savings. In my position in the AEC over the last five years, I have had occasion to become acquainted with the coal industry through the National Coal Association and the National Coal Policy Conference, and also with the oil and gas industries. Let me assure you I never cease to be impressed with their truly aggressive and competitive spirit. In fact, a few years ago some of us wondered how nuclear power could ever compete with the moving competitive target presented by fossil fuel.

Incidentally, total estimated consumption of bituminous coal and lignite in the U.S. had an increase of 5.9 per cent in 1966 and electric utility use increased 8.8 per cent in 1966 from the 1965 level. The outlook for the fossil fuel suppliers shows a market in 1980 of about double today's demands.

The trend toward lower fossil fuel costs, however, appears now to have been slowed so that in my opinion we can be grateful, historically speaking, that nuclear energy arrived on the scene when it did. With the rapid expansion in electric power use and the possible levelling off in the cost of fossil fuels, competitive nuclear power is providing an abundant new energy source for electric generation and at the same time giving the utility industry a new technology to help continue to bring down the cost of electricity in this country.

THE CIVILIAN NUCLEAR POWER INDUSTRY TODAY

In carrying out its responsibility to foster a private nuclear industry, the Commission has followed a firm policy of withdrawing from areas as private capabilities are developed and the competence and reasonableness of the private sources are demonstrated. We have, therefore, for a number of years been proceeding on a course intended to permit the nuclear power industry to flourish with minimum government involvement. The net effect of this AEC policy, coupled with the initiative of private industry, has been that all the materials, equipment and services needed to support nuclear power plants are now available on the private, commercial market—and largely on a competitive basis—with only one important exception, the enriching of uranium in the U–235 isotope.

I would like to briefly review the various segments of the nuclear industry that are involved in supplying central station nuclear plants and point out the problems and challenges in which utility management will have a particular interest. Of course, the first segment involves the mining and milling industry, which supplies the basic fuel for nuclear plants.

The uranium mining industry

The known world reserves of uranium are vast and new reserves will surely be discovered.[7] In our 1967 Supplement to the Report to the President on Civilian Power, it is estimated that with reactors of current technology, the known and estimated domestic resources of uranium at less than $10.00 per pound of U_3O_8 are adequate to meet the requirements of the projected growth of nuclear electric plant capacity in the U. S. for about the next 25 years. Should a requirement develop for thorium, at least 100,000 tons is available at about $10.00 a pound for thorium oxide. We do not see, however, any near term large requirement for thorium.[8]

Currently, the U. S. mining and milling industry has an annual capacity of about 16,000 tons U_3O_8 which can be expanded to meet larger demand. One of the areas the Commission has worried about is a possible gap around 1970 in the market for uranium that would occur when the Government contracts expire and this industry has to look entirely to a commercial market for its sales. The Commission some time ago adopted a stretch-out program which extended the Commission's procurement program for

[4] The average size of the nuclear generating units ordered in 1966 was approximately 790 MWe.

[5] Through 3/10/67.

[6] See AEC Public Release S–49–66.

[7] See Remarks by Robert D. Nininger, Assistant Director, Division of Raw Materials, USAEC, Before the 35th Annual Convention of Prospectors and Developers Association, Toronto, Canada, March 7, 1967 (AEC Public Release IN–765).

[8] Refer to speech by Commissioner James T. Ramey, USAEC, at the National Western Mining Conference, Denver, Colorado, February 5, 1965 (AEC Public Release IN–561).

uranium concentrate from 1967 through 1970 in order to provide a market until the utility market developed.

The Commission and the Joint Committee on Atomic Energy also established a policy which prohibits enrichment of foreign ore for use in domestic nuclear power plants until the domestic uranium mining industry viability is reasonably assured. This policy is to be studied from time to time and when the uranium industry is assured of a reasonable market, foreign ore would be permitted to be used. With the recent surge to nuclear power and the resulting demand for uranium, this prohibition may be lifted sooner than could have been originally anticipated. The Commission is presently studying this problem, and you may wish to get a copy of Mr. Faulkner's statement that he filed with the Joint Committee at the FY 1968 Authorization Hearings earlier this month. (Mr. Faulkner is Director of our Division of Raw Materials.)

Exploration for uranium both in the U.S. and Canada is proceeding now at a faster rate than anticipated and if shortages of uranium should temporarily occur, additional uranium should eventually be available from foreign producers and also some AEC stockpiles could be released.

The AEC has publicly committed itself to continue an $8.00 price on uranium through mid-1973 (as the incremental uranium concentrate cost of the enriched uranium we will sell) which provides assurance of a minimum price at least through that date. I understand that some reactor manufacturers are now quoting prices on nuclear power plants based on purchasing enriched uranium from the AEC. An $8.00 price as the cost of ore in the AEC's enriched uranium price should be equivalent to approximately $7.60–$7.70 as ore purchased in the market place due to the added cost of paying interest while the ore is being converted to UF_6 and enriched.

In summary, this segment of the industry is entirely in the commercial sector of economy and seems well on its way to finding an adequate commercial market as the government market phases out. As I stated earlier, some utilities and reactor manufacturers feel the time has come to start thinking of removing the restrictions on foreign ore entering this country for domestic use. This is an area which you utilities will certainly want to follow and make your views and opinions known to the Government from time to time. You, of course, will want to keep informed on the progress of exploration efforts by the mining industry in developing additional supplies of uranium.

Conversion of U_3O_8 to UF_6

This step in the nuclear fuel cycle has been accomplished in the past in government-owned plants and in a privately-owned plant at Metropolis, Illinois. These plants are now in stand-by; however, the Allied Chemical Company, owner and operator of the private plant, expects to again be converting U_3O_8 to UF_6 in 1968. Indications are that other companies will enter this field as soon as the market develops and provide adequate competition. Present estimates of the market for conversion service are as follows: 1968 (first year Allied will be in operation)—3,000 to 4,000 tons U_3O_8; 1969—6,000; 1970—10,000; 1971—15,000; 1972—17,000; and 1973—20,000 tons U_3O_8. The present capacity of the Allied plant at Metropolis, Illinois, is approximately 6,000 tons per year and thus you can see additional capacity will be needed for 1970 and beyond. We know that other companies are considering entering this field but have been waiting for the market to develop. This is again an area that you will want to follow as the industry develops.

Enriching uranium

Uranium enriching is now the only important step in the fuel cycle for which private nuclear power is dependent upon the Government and we have reached the point where the future possibility of private industry becoming involved in this function is now coming under serious study. The Commission announced on March 9, 1967, that it has agreed to cooperate with the Atomic Industrial Forum in its study of the feasibility and desirability of transferring to private industry one or more of the Commission's gaseous diffusion plants.[9]

The AEC has agreed to cooperate by providing to a limited number of security-cleared Forum representatives certain classified information pertinent to the study. The Forum report on its study, however, will be unclassified and available to the public.

In the study, which is estimated to require six to nine months, the Forum plans to answer two main questions, primarily from the viewpoint of the private nuclear industry: is it feasible and desirable for the AEC to lease or sell some or all of its gaseous diffusion plants to industry, and if so, when and how can this transfer best be accomplished? The Commission is conducting its own internal study of the feasibility and desirability of the transfer. The Commission study will also be concerned with national security aspects and will be classified.

Pending completion of the Forum study, the AEC does not intend to consider requests from other groups to undertake similar studies.

You utilities will certainly want to follow the Forum study and make your own views known.

Power reactors

A very competitive industry exists today in the sale of nuclear power plants. In 1966, Babcock & Wilcox and Combustion Engineering received orders for nuclear plants in addition to General Electric and Westinghouse, thereby having the opportunity to become established competitors, and this trend is continuing so far in 1967.

General Atomic continues to be a competitor in the reactor field and its position depends to a considerable extent on the success of the gas-cooled reactor concept. Atomics International has declared its intention of being a competitor in the liquid metal cooled breeder reactor field. There are, therefore, six potential suppliers of nuclear steam supply systems. A number of suppliers in addition to the reactor manufacturers have also emerged in the fuel cycle area, such as, United Nuclear, Nuclear Fuel Services, Kerr-McGee, NUMEC, Allied Chemical, and National Lead. These companies supply items in the fuel cycle such as uranium oxide or pellets, metallic fuel elements for test reactors and plutonium fuel in various forms.

We like to believe that the utility industry and the AEC have done a pretty good job in attempting to establish a diversified and competitive nuclear industry. In fact, perhaps in the past we have encouraged too many to get in. There is no question but that the competition between General Electric and Westinghouse has done much to reduce costs to levels competitive with conventional fuels. We have been pleased, however, that in the past year two other suppliers have received orders for water reactors.

The problem of the fuel cycle suppliers has attracted attention lately in that, to the extent the reactor suppliers furnish initial cores and make their own oxide, pellets, zirconium tubing, and fuel elements, no market will exist for the independent fuel suppliers. The award of a replacement core for the Dresden I reactor by the Commonwealth Edison Company to United Nuclear was an important development and may be an indication of a trend to eventually purchase replacement cores from other than reactor manufacturers. For some time I have been of the opinion that the independent fuel suppliers will have to eventually be in a position to bid on complete replacement cores with appropriate guarantees if they are to remain in the nuclear industry. This is an area in which the purchasing policies followed by your utilities will have a direct influence. More details on competition are shown on some of the attached charts.

As a part of its responsibility under the Atomic Energy Act to "strengthen free competition in private enterprise," the AEC has arranged with the Department of Justice to jointly study competition in the nuclear industry. The study will analyze the economic structure of the industry and the conduct and performance of those supplying reactors, reactor components, nuclear fuel, or other products or services associated with the design, construction and operation of nuclear electric plants.

Converters and fast reactors

The four objectives of the Commission's Nuclear Power Program which were listed in our 1962 Report to the President are shown on an attached chart. These objectives were not changed in our 1967 Supplement. We believe that with the fine cooperation we have had from the country's nuclear industry and electric utilities, we have successfully carried out our commitments to the first two objectives, leading to the demonstration of economic nuclear power and helping to establish a self-sufficient nuclear industry.

Today's light water reactors use only a very small fraction of the energy contained in their uranium fuel. Accordingly, with the acceptance of today's light water reactors, we have shifted our efforts more and more to the third specific objective stated in our 1962 Report, the development of reactors which will be best suited to stretch out the low cost reserves of nuclear fuel and eventually to make use of the high cost nuclear fuel through more efficient utilization. These types are known as advanced converters and breeders.[10]

The Commission effort to develop advanced converters, until March 9, 1967, had been concentrated on three approaches: the high temperature gas-cooled concept, the seed-blanket light water breeder concept, and the heavy water moderated reactor with emphasis on the organic-cooled version. Each of these concepts has promise of higher conversion ratios of Uranium–238 to Plutonium–239 and the other abundant nuclear source, Thorium–232, to fissionable fuel. Just as fossil fuel has been a moving target for the light water reactors, so now light water reactors as well as fossil fuel will be a moving target for the advanced reactors.

The 1967 Supplement to the Report to the President pointed out that studies were underway which were expected to lead to a further narrowing of focus on these advanced reactors. As a result of these studies the Commission on March 9, 1967, announced their decision to close out the Heavy Water Organic Cooled Reactor concept.[11] Work will continue, however, on a heavy water reactor base research and development program which will take advantage of the heavy and light water reactor experience in this country, and the HWR experience in Canada and Europe.

In the last several years more and more attention has been focused on the high gain breeder reactor. When developed commercially, high gain breeders will increase fuel use to over 50% of the uranium or thorium reserves. Their application will be relatively insensitive to ore prices, and will thus make large deposits of high cost ores economically usable. They will also produce excess fissile material in a timely manner to fuel new reactors.

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[9] See AEC Public Release K–62, dated March 10, 1967.

[10] See paper presented by E. B. Tremmel at National Coal Association Annual Convention on June 14, 1965.

[11] AEC Public Release IN–769, dated March 9, 1967.

Intensive development of the high gain breeder over the long term is now being undertaken with emphasis being placed in particular on the development of the liquid metal-cooled fast breeder using sodium as the coolant. Effort is also being continued on the steam-cooled and gas-cooled alternates on a lower priority, and studies are presently being carried out to determine the emphasis to be placed on these systems. Work is also being carried out on the molten salt thermal breeder concept which uses the thorium fuel cycle.

I am proud that the utility industry again is demonstrating its farsightedness by showing its awareness of the importance of developing breeder reactors. A group of 17 investor-owned utilities, working jointly with the AEC, General Electric, and a West German nonprofit organization partly sponsored by Euratom, are building the Southwest Experimental Fast Oxide Reactor, near Fayetteville, Arkansas. Some of your companies are among the 17 sponsors. More recently, General Electric has entered into a two-year design study of an approximately 300,000 kilowatt electrical capacity sodium-cooled breeder reactor power plant with a group of investor-owned utilities, including Duke Power from your region and the SEFOR group. It is my understanding that General Dynamics, Atomics International, and Westinghouse are also actively contacting utilities in regard to entering into an arrangement similar to G.E.'s. Babcock and Wilcox and Combustion Engineering are also interested in this field. In a country with a utility system as varied and strong as ours, and with the rapidly increasing demand for power, I will be disappointed if two or three other groups do not embark on similar design studies with other reactor manufacturers before the year has ended, leading eventually to the construction of a number of breeder demonstration reactors on utility systems just as occurred in the light water program.

Reprocessing

Both the technology and the industrial interest in this segment of industry are sufficiently advanced to indicate that commercial competition should be available. Nuclear Fuel Services, Inc., began operation of its West Valley, New York, reprocessing plant on April 20, 1966, and at the end of 1966 had processed about 120 metric tons of spent fuel. The General Electric Company filed an application on November 22, 1966, for a construction permit to build a chemical-reprocessing plant for operation in 1970 at Morris, Illinois. The Allied Chemical Company continues to indicate that they intend to build a plant in the early 1970's. The problem that exists at the present time is that there will be insufficient fuel available for reprocessing to supply a full load for the NFS plant until around 1971–1972. After 1972, the market increases quite sharply and additional plants should be required.

It is interesting to note that utilities are not only receiving quotations from both NFS and G.E. but from foreign interests as well. Recently UKAEA representatives have been calling on some of you in an effort to obtain your reprocessing business, so apparently at the present time utilities can obtain quotations from at least three sources. In addition, the Eurochemic facility at Mol, Belgium, is actively competing in the foreign market in an effort to obtain loads for their plant. This keen competition is occurring at this early date even though a sizeable market is still about five years away. Incidentally, the market for reprocessing has been a receding one partly due to the longer life being obtained from the fuel elements in the early reactors.

The AEC's present reprocessing policy for receiving and reprocessing non-production fuels, in cases where it is determined that chemical processing services are not available from private facilities at reasonable terms and conditions, terminates on June 30, 1967. The AEC's processing charge under the present policy would be based upon the costs associated with the processing of certain types of irradiated materials in an assumed chemical processing plant (conceptual plant) which was designed back in 1957 specifically for this purpose. This paper plant is described in AEC report WASH–743, "Summary Report—AEC Reference Fuel Processing Plant."

The Commission has recently reviewed the need for the AEC to continue the existing policy beyond June 30, and is tentatively planning on extending this policy with some minor changes through December 31, 1970. The Commission has invited the Atomic Industrial Forum to give their comments on the extension of our policy. If any of you have any comments or suggestions in regard to the proposed policy extension, I suggest you make your views known to the AIF.

Fuel reprocessing will be the subject of a two-day meeting, May 11 and 12, sponsored by the Southern Interstate Nuclear Board in cooperation with the AEC. It promises to be an excellent meeting, and I would urge all of you with an interest in nuclear power to attend.[12]

THE CHALLENGE OF THE FUTURE

Early in this conference, Mr. Clapp outlined the problems and opportunities in the electric industry. Mr. Cook outlined the rapid growth in uses for electric power, in his talk so appropriately titled "The All-Electric Way—Wave of the Future." The advances already made in harnessing nuclear energy, the breeder reactor advances we see around the corner and the continued efforts by fossil fuel suppliers to improve their products, should usher in an era of abundant energy supplies—with plenty of energy for all purposes and at even lower costs than today's. I mentioned earlier the much more rapid rise in the use of electricity than in the use of total energy in all forms. This, of course, is directly due to the impressive record of your industry in bringing the cost of your products down while the general price index has been increasing.

Nuclear power may be responsible more directly for certain other opportunities in the future. Because of size and generating costs, the larger the nuclear plant the greater the savings to the consumer. This is largely responsible for the clear advantages nuclear power brings to dual-purpose, water desalting and electric power plants, which has resulted in the rather unique project in California where two investor-owned utilities are cooperating with a public power system and a state agency in a proposed dual-purpose plant to be built on an artificial island off the California coast.

Looking even further into the future we may see vast industrial complexes built around large nuclear power plants in the multi-million kilowatt range. These would produce electricity and process heat so cheaply that they could be used to separate and recycle enormous quantities of waste of all kinds and convert raw materials into feed materials for manufacturing plants in the same complex. Such a nuclear complex would be quite clean and compact, and underground arteries, conveyor belts and pipelines might replace the maze of roads and rails usually associated with such operations.

Today I have concentrated mainly on discussing nuclear power through nuclear fission but there is another long-range development that could further challenge your industry, that is, controlled thermonuclear fusion. The development of controlled fusion would provide mankind with a virtually limitless supply of energy, as it would mean we could use as a fuel the heavy hydrogen found in common seawater. Controlled fusion presents many difficult problems which may take decades to solve. However, those involved in this difficult work feel that these problems can eventually be solved and it is our policy to support and further their efforts.

Marshall McLuhan has spoken of learning how to control the thermostat of the environment in order to shape the new world to come.[13] It occurs to me that nowhere in our society have we as much experience with and understanding of "thermostats" and "environments" as we have in our energy suppliers and in our electric utility industry.

CONCLUSION

Today I have discussed the development of light water reactors and also the challenge that is facing all of us in developing breeder reactors. If one can believe the potential economics of a breeder reactor, the challenge to develop them will be even greater than the light water reactors. This brings me to the concluding message I would like to leave with the members of this conference. As I see your industry, for the last several decades your main emphasis has been on improving the technology of fossil fuel plants in order to achieve additional economies and on improving technologies such as in the use of high voltage lines. The trend throughout your industries toward extensive interconnections has also been a challenge in human relations. Nuclear energy as a power source has brought to your industries an entirely new technology and is offering all of your management a real challenge in adopting and becoming familiar with this technology.

Of prime importance in my opinion is that you understand what you are getting into. The need for knowledgeable top management and for trained nuclear engineers is self-evident and is a challenge to your entire industry. Your utilities must have staffs who will see to it that your nuclear power plants are built right and that they operate right. This means you have to have good engineers who understand the design and have the ability and experience to handle operational and maintenance problems. This in turn requires management philosophy from the top down which understands and respects the need for good engineers and the importance of safety without being awed by it.

Some utilities have been fortunate in that they have gained this understanding through participation in reactor prototype development type projects. For example, it is interesting to note that of the owners of the Carolinas-Virginia tube reactor plant at Parr, South Carolina, the Carolina Power & Light Company, Duke Power Company, South Carolina Electric and Gas Company, and the Virginia Electric and Power Company have placed orders for large nuclear power plants. Other utilities have learned through participating in various studies of possible nuclear power plants. Those less fortunate are making or must make a determined effort to build up their staffs and participate in various training and educational programs.

Fortunately with the challenging new technologies facing the utility industry, in my opinion, incentives exist which should enable your industry to attract some of the best talent to your companies.

I hope that in my talk today I have not only outlined for you some of the areas in connection with the present nuclear industry that you should follow, but I also hope that you will share my enthusiasm for the challenges that face your industry. These challenges appear to me to be greater than ever before in your history; however, I am confident that your industry will rise to meet them.

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[12] Information on this meeting may be obtained from Robert H. Gifford, Executive Director, Southern Interstate Nuclear Board, 800 Peachtree St., N.E., Atlanta, Georgia 30308.

[13] See *Newsweek* for March 6, 1967.

A NEW LOOK AT NUCLEAR POWER

(Remarks by Dr. Glenn T. Seaborg, Chairman, U.S. Atomic Energy Commission, to the Commonwealth Club of California, San Francisco, Calif., May 12, 1967)

I am honored by this third invitation to speak to the Commonwealth Club of California, an organization that has been addressed by so many distinguished speakers. When I last had the pleasure of speaking to you, in June 1965, my topic—"The International Atom: Peril or Promise?"—was broad and had a few harsh overtones. Today I would like to both narrow my subject matter and place my emphasis on a most promising aspect of the atom. I believe it is fairly easy to do both since so much has happened in the field of nuclear power in the United States during the past two years that is encouraging and merits discussion.

Why is this an appropriate time for a new look at nuclear power in the U.S.? Primarily because the electric utilities in this country are accepting the large nuclear power reactor as a reliable and an economically competitive means to generate electricity and are putting a good deal of their money where their conviction is.

I was not sure that this situation would ever arise when I spoke to the Commonwealth Club ten years ago. This is what I stated on August 9, 1957: "It is too soon to say—coming back to the question of cost—whether nuclear energy will be able to compete with other forms of energy such as coal. In order to be competitive in this country, on the average, the overall cost will have to be on the order of 6 to 7 mills per kilowatt-hour. That's usually the unit of energy that is used to describe this. Now, there have been some estimates by competent engineers that this will be possible. But on the other hand a number of equally competent engineers have expressed grave doubts. However, the present cost of electrical energy is greater in some areas, and in some places in the world the cost is much greater than in the United States, so that nuclear energy will in any event be competitive in such situations beginning almost immediately. It should be emphasized that nuclear energy will be important regardless of the eventual outcome of the cost situation because of its concentrated form, and hence of its possibility of doing things that no other form of energy can do at any price, and hence you can't put a cost value in dollars and cents on it."

That is what I said ten years ago. Today I am happy to say that those "equally competent" but more conservative engineers were wrong. The cost of electricity from the large water cooled nuclear power plants being constructed today is projected to be on the order of 4 to 5 mills per kilowatt hour. In addition to the economic factors promoting nuclear power is the fact that the general public is now accepting nuclear power as a safe, clean source of the electricity which every year in growing amounts becomes more essential to our way of life.

The growth of nuclear power within the past two years has been nothing short of remarkable. To explain why, let me go back a little farther in our nuclear history. As you may recall, by the end of 1962 private industry and the electric utilities working closely with the AEC had placed in operation around the country several relatively small light water reactors to demonstrate the reliability of nuclear power to generate electricity. But as reliable as these reactors proved to be they were not economically competitive with conventional power plants, and therefore utilities were in no hurry to contract for nuclear plants on their own. A turning point began, however, late in 1963 with the announcement by the Jersey Central Power and Light Company that it had contracted for a 515,000 kilowatt nuclear plant at Oyster Creek which, according to the company's economic evaluation, would be competitive with a fossil fuel plant. This was the first case where a utility had selected a nuclear power plant on purely economic grounds, without Government assistance, in direct competition with a fossil fuel plant.

But perhaps more important from the standpoint of the nuclear industry, it was the beginning of the realization that the key to the economic success of nuclear plants was their size. Units ranging from 500,000 up to and exceeding 1,000,000 kilowatts could compete with fossil fuel plants, and in some cases would later compete successfully even in areas where these fuels were naturally abundant. Although other nuclear plants were announced in 1963 it took about a year for nuclear power to start growing significantly, and that it is now doing in an almost snowballing fashion.

In 1965 orders for ten nuclear plants with a combined capacity of more than 5,000,000 kilowatts were announced. In 1966 orders for another 29 nuclear plants with a combined capacity of more than 23,000,000 kilowatts were announced. As of May 1 of this year—although we expected orders to taper off—we have already had 14 new nuclear plant announcements for a total of more than 11,000,000 kilowatts. I should add that these new orders include second and third orders of nuclear plants by the same utilities. And in some cases nuclear plants are being planned essentially in the heart of coal-producing areas.

As of May 1, the U.S. had 14 nuclear power plants in operation, 16 under construction, and plans had been announced for the construction of 43 additional nuclear power plants. The total capacity of these 73 plants will be about 44,000,000 kilowatts. And this is enough electricity to take care of all the electric power needs of more than 30 million people.

What is perhaps even more indicative of the sudden success of nuclear power is the fact that the 29 nuclear power plants announced last year represented 55 per cent of the steam-electric generating capacity announced by the utility industry in 1966.

At this point let me inject the thought that while economics played a major role in the surge of nuclear power, another advantage of nuclear power has recently been getting its fair share of attention, and rightfully so. There has been a growing awareness that nuclear plants are clean sources of power which do not contribute to the current burden of air pollution.

All this has given some trouble to those of us whose business involves projecting the growth of nuclear power. We have had to continue updating our projections. For example, when I spoke to this organization in 1965 I was enthused about the fact that we were predicting about 6,000,000 kilowatts of nuclear power in operation by 1970. Today, only two years later, we are confident that we will reach 10,000,000 kilowatts by 1970. I also stated two years ago that we might have 70,000,000 kilowatts of nuclear power installed by 1980. Today the AEC is predicting more than 100,000,000 kilowatts by that date. And some analysts are already calling our current forecast far too conservative.

This remarkable growth of nuclear power has not been the result of an interest in the atom alone. Our use of all energy sources is growing, and particularly our demand for electricity which has for some time been doubling every decade. Many of us feel that the growing economic competitiveness of nuclear power is only a first step in a process which will see the atom dramatically affecting our ability to produce electric power at an increasingly lower cost. As the cost of nuclear power comes down through the introduction of more efficient and larger nuclear systems, so will the competitive cost of other power resources be reduced. The results of these reductions could mean substantial savings to the consumer. It has been projected that sometime within the coming decades, on a saving of as little as 1 mill per kilowatt hour, the power-consuming public in the U.S. could begin to profit by savings of more than a billion dollars a year!

This type of reward and perhaps even far greater benefits could be possible through the use of large breeder reactors. The breeder reactor creates new fissionable material for refueling itself and other reactors while producing power. The extensive use of large breeder reactor systems (and we are at work today developing these) could offer electric power cheap enough to revolutionize much of our industry from both a technological and economical standpoint. One can see very low-cost nuclear electricity and process heat radically affecting the way we obtain our water, grow our food, control and recycle our waste, process our raw materials and produce our new products.

During the past year or so I have, on several occasions, projected some thoughts on a highly automated, nuclear-powered industrial complex that would desalt seawater, process natural resources, recycle old materials, and turn out new products while also supplying electricity to distant cities and transportation systems. Such complexes, many parts of which might even be underground, may someday allow us to live in a junkless, unpolluted world where our cities and our countryside can be relatively independent of our heavy industry. Admittedly, all this is is not just around the corner, but based on developments taking place today and the type of environmental thinking engaged in by many of our leading scientists, engineers and social planners, the potential is there. And the current acceptance of nuclear power today is an important step toward this kind of goal.

Now, having established the present status and future promise of nuclear energy in the U.S. in general, let me address myself specifically to its impact upon this great State of California. California has been accustomed to being first among the states in many things—or, if not first in each and every category, at least having the near-term potential of being first. California is the state which has had, in the last five years, a net increase of 300,000 people per year. It is a state in which the population has grown from 7,000,000 in 1940 to 20,000,000 today—a figure which makes it the most populous state in the Union. Its Gross State Product has risen from approximately $7.2 billion in 1940 until today it has reached more than $85 billion, while its Gross Personal Income rose from a 1940 level of about $6 billion to the point today where it exceeds $65 billion. California's dynamism has almost reached the category of a household word throughout the nation. Even the world-be detractors of the state stand a bit in awe at times of its past accomplishments and future potential.

If I were to stop here, I might well qualify as a member in good standing of the Chamber of Commerce. Unfortunately, there is a darkening cloud which looms over all this, one which is of concern to me as a Californian and to other Californians. This great social, cultural, industrial complex that has blossomed here on the West Coast is in the real sense of the word a "High Energy Society." I have used that term over the past several years to describe a truly modern technological culture whose measure of advancement can almost be equated to its consumption of energy and particularly energy in its most useable form, electricity—electricity to power industry, electricity to help produce and process a plentiful harvest, electricity to air-condition the home.

Up until the past few years, California has been blessed with nearby resources of hydro power, supplemented by efficient electricity generating steam plants. Unfortunately, with the advent of the air pollution problem, it has been necessary to place certain restrictions on the fuels that electricity generating steam plants could burn—restrictions which generally require cleaner burning, higher cost fuel. Coincidentally with

this, most of the potential hydro electric sources have now been tapped.

Today, the State of California and its citizens are faced with momentous questions. There are demands for increased energy now, and even greater demands can be foreseen tomorrow. Some of these may spring from essentially new developments. For example, it has recently been estimated by the Federal Power Commission that by 1985 electric automobiles in the U.S. might require approximately 50 billion kilowatt hours of electricity annually. Since California has more than ten per cent of all the automobiles registered in the U.S.—and its share seems to be increasing every year—at least another five billion kilowatt hours of electricity could be added to this State's annual demand for electricity by that time, if these non-polluting cars are in common use by then. And the current interest in them seems to make at least a good portion of that a good possibility.

If California were to proceed along the path that it has in the past, relying on the traditional sources of electric energy, there is no doubt that the cost of energy would increase substantially in the coming years. This is directly related to the fact that the new increments of electric energy required would have to be supplied by electricity generating steam plants fueled with cleaner burning, higher cost fuel.

If there were no alternative scurce of electric energy available to California, I could predict some rather dire economic consequences for its future. For after all, California is not the only high energy sector in our country. The East Coast, the Midwest, and the South are all burgeoning and growing. California may be a step ahead in the race at this point, but the race is not over. If California had to make do with significantly higher cost electric energy than other areas of our great Nation, California might well find itself falling behind in the race while other high energy sectors of our Nation forge ahead to build the scientific and technological societies of the 70's and the 80's.

Now, of course, there is an alternative. As a Californian, I would not have painted this black a picture if there were not a way out. As Chairman of the U.S. Atomic Energy Commission, I am happy to suggest as an alternative the use of nuclear power. As I indicated earlier in my remarks, nuclear power is here today—it is a real honest-to-goodness alternative. Utility officials say it can produce electric energy competitively, not only as compared to conventional fuel here, but competitively with other areas of the country. This latter point arises from the fact that the cost of producing nuclear energy is largely independent of geography. No massive quantities of fossil fuels need to be transported daily, weekly, or monthly to the generating plants. Instead, every year or two only small amounts of new nuclear fuel need to be brought in and the safely packaged waste products taken out for reprocessing and disposal elsewhere.

A further benefit of nuclear power, and one that I touched on before, is that it does not contribute to the air pollution problem. Nuclear plants do not create combustion products. Nuclear energy is a clean source of power and, in fact, it is possible to construct nuclear power plants without tall stacks or chimneys. Such a power plant is being built in New York State today.

With all of this going for it, the obvious question is why isn't the California countryside sprinkled with nuclear generation stations? One answer to this is that there have been problems in bringing nuclear power here which are specific to this area of the country. And I will discuss these in a moment.

Logically, California should be among the foremost users of nuclear power. California was an early leader in the nuclear age, with the pioneering work of Professor E. O. Lawrence at the Radiation Laboratory of the University of California, a laboratory with which I was fortunate enough to be associated for some years.

Nuclear power also had an early beginning here with the Sodium Reactor Experiment generating facility outside of Los Angeles and the Vallecitos boiling water reactor outside of San Francisco. While both of these experimental units have now ceased operation, they were followed by the Humboldt Bay nuclear power plant of Pacific Gas and Electric Company, which is operating successfully and reliably today. This nuclear power plant near Eureka was one of this country's first ventures in the use of the power of the nucleus to provide electric power for our homes. Its initial operation in February 1963 followed closely the startup of the pioneer Yankee and Indian Point reactors on the East Coast and the Dresden Nuclear Power Station in the Midwest near Chicago.

Since then a number of problems have clearly slowed the pace of development of nuclear power in California. Resolution of these problems will require patience and understanding. Their solution will require not only the best efforts of the AEC but also of the people of California, their State and local governments, their utilities and industries, and their citizen organizations.

As you are all well aware, the safety of nuclear power reactors is a major responsibility of the Atomic Energy Commission. Our emphasis has been and will continue to be based on a conservative approach to this important regulatory responsibility, with the public's well-being considered first and foremost. In our view, reactor location, or siting, is one of the most important considerations related to public safety during this present period when operating experience with nuclear power reactors is being accumulated.

Thus, we consider it to be vitally important that locations be selected for large power reactors based on a careful, thorough, and objective evaluation of all the environmental factors which can potentially affect reactor safety. Of crucial and unique importance to the siting of power reactors in California are the geological and seismological conditions of this part of the country.

The immediate question which then comes to mind is, are there any sites in California seismically adequate for the construction of nuclear power reactors? And, if so, how can they be identified? The answer to the first question is a resounding yes. In a state approximately 800 miles long and 300 miles wide, there are areas which are not beset by major active faults and other significant seismic features. In answer to the second question, the AEC and its earth science consultants stand ready to assist prospective applicants in the site selection process when the relative geological and seismological considerations of alternate sites are being considered.

In addition, the AEC and the U.S. Geological Survey have embarked on a related program to gather together all pertinent information on the history of faulting along several of the major California fault systems. This information, even though as yet incomplete, can now be used by Survey personnel in providing their consultative advice to the AEC on potential seismic effects at alternate sites which a prospective applicant may have under consideration. Of course, when this work is completed, it will be published and publicly available to all.

Finally, the AEC is supporting a large research and development program whose purpose is to develop reactor design features which can reliably compensate for some of the geological and seismological conditions such as those found here in California. This program is being coordinated by our Oak Ridge National Laboratory and will develop conceptual designs of reactor plants which would accommodate moderately severe seismic effects, including permanent ground displacement.

Assuming that it is possible to site reactors here in California which will meet the high safety standards set by the AEC, there would still remain some real issues to be resolved. As a Californian myself, I am aware of the great heritage of natural beauty which we enjoy in this State. We have been blessed with an environment that is the envy of the other states. When we look about us and see the effects of air pollution and the damage ofttimes wreaked by man upon nature, there are many of us who would wish to put a stop to it all. Of course, the extreme is not the answer to this situation. We cannot, nor do most of us want to, return to a primitive state in order to retain our planet in a totally unspoiled and unsullied form. The needs of man and society both for creature comforts and basic necessities require that we make use of our natural resources.

But I sincerely believe, as I know many others do, that it is possible for civilized man to coexist with nature. It is not an "either or" situation. A rational man can both enjoy and use his environment. There is a constructive approach—an approach of reason which must be applied to the future growth of the State and to nuclear power plants in it. For if this State is to continue to grow and prosper and flourish, new nuclear electric generating facilities will have to be constructed. By their very nature, these new facilities will require cooling water, and the general trend is to place them along the coast or near large rivers, both of which are scenic and recreational areas. If we proceeded to build plants randomly along our coast and waterways with no regard for conservation and scenic beauty, I would be as much concerned as any other Californian. But, again, constructive reasonableness would seem to say that carefully selected sites can be found along our coasts and waterways for the generating plants needed to meet the future high energy requirements of the California area, that it will be possible for natural beauty and nuclear plants to coexist. In this regard, I am greatly encouraged by the constructive reasonableness shown by the members of the Sierra Club in their recent decision concerning the Diablo Canyon site for a nuclear plant.

A few people may still feel we can always revert to more traditional lines and build only fossil fuel generating plants. But complete reliance on such plants may not be much of an alternative in the future, when limited fossil fuels grow more costly and air pollution restrictions grow more stringent. And, if one pauses to reflect for a moment, in addition to its other advantages, a nuclear power plant may be more aesthetic than a fossil fuel plant. There need be no coal pile or large fuel storage area at the plant site, nor continuous rail traffic to and from the site. Nuclear power plants—without tall stacks—can offer relatively attractive buildings designed to blend into the surroundings. They can be the type of facilities that lend themselves to coexistence with nature.

An example, which may be a bit embarrassing to us Californians, but nonetheless a good example of what can be done in the way of coexisting with nature, is the Turkey Point Nuclear Plant in Florida. Florida Power and Light Company is working with the Tropical Audubon Society, the Boy Scouts, the Girl Scouts and other citizen groups to use the area surrounding and adjacent to the plant as a wildlife preserve and recreation area. On the 1700-acre site surrounding the power complex, which will include two large nuclear plants, there has already been created a 1500-acre wildlife sanctuary, the Boy Scout and Girl Scout Camps (discreetly separated), two nature trails, a new beach and picnic area, and four miles of canals which will be available for canoeing and boating. The wildlife preserve, by the way, is the home of more than 100 kinds of birds, raccoons, foxes, otters,

bobcats, panthers and alligators. Orchids and native ferns abound in the area. And all this variety of life will continue to thrive there while the nuclear plants quietly go about their necessary job of generating electricity for the growing communities of Southern Florida.

But enough about Florida! Being an old Californian and imbued with California's capabilities, I am certain that this State will be more than a match for any other. I feel confident that California and its people will continue to progress and prosper in the High Energy Society which lies ahead of us in the decades to come. I am also certain that it will be possible for the people of this State to enjoy the benefits of an increasingly scientific and technological society while still protecting and enjoying their natural heritage.

One benefit of nuclear power that I think California will be the first to enjoy is that of large scale nuclear desalting. The dual-purpose nuclear electric and desalting plant currently being planned for the Los Angeles area by the Metropolitan Water District, the City of Los Angeles, the Southern California Edison Company and the San Diego Gas and Electric Company, the AEC, and the Office of Saline Water of the Department of the Interior will be the world's largest nuclear desalting plant. It will generate 1,800,000 kilowatts of electricity and desalt 150 million gallons of water per day. (I often point out that this is enough water to supply the needs of a city the size of San Francisco, but then some wag usually asks, "How come you're building it in Los Angeles!")

As Chairman of the AEC, one of the most interesting phenomena I have observed in recent years and often commented on is our growing awareness that modern science and technology must serve and not dominate man. In a democratic society this can happen only when all men try to understand something of the forces of science and technology, their environment, and their common goals. With some understanding of these, some patience, and some imaginative leadership, plans can be laid, rational decisions made, and real progress can take place.

Nuclear energy today is a force that lends itself to such progress. And the fullest use of its enormous potential will not depend solely on the work of a few scientists, or the AEC, or the power industry, or the electric utilities. It may depend to a great extent on the understanding and cooperation of the power-consuming public. I hope you will help us in our efforts to use this great new source of power widely and wisely so that the promise which it is beginning to fulfill today can be more fully realized in that rapidly approaching tomorrow.

FORDHAM UNIVERSITY—URBAN UNIVERSITY

Mr. JAVITS. Mr. President, as one who has long been interested in the concept of the urban university—a university which makes use of the great and varied resources of the city and enriches the city in return—I am glad to call to the Senate's attention an article in the Saturday Review describing the exciting initiatives and innovations of one of New York's finest universities.

Fordham University, which was founded more than a century ago in the Bronx, is at present nearing completion of a $25 million, in-town campus adjacent to the site of the Lincoln Center for the Performing Arts. Under the leadership of its president, Father Leo McLaughlin, S.J., the university has continued to expand its program and enlarge its facilities, and has reached out to become deeply involved in the life of the New York community. Fordham is a Catholic institution, but recent initiatives to become one of the Nation's great centers of learning, has made it a Catholic university of which we can all be very proud. Mr. President, I ask unanimous consent to insert in the RECORD a recent article in the Saturday Review of June 17, 1967, entitled "Fordham University: Renaissance in the Bronx."

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

[From the Saturday Review, June 17, 1967]

FORDHAM UNIVERSITY: RENAISSANCE IN THE BRONX

(By James Cass)

American Catholic colleges and universities have traditionally provided higher education for the faithful in an alien and often unfriendly culture. To protect their students from the seduction of secularism, they closed their doors to the outside world and became bastions of orthodoxy where too often spiritual dedication was prized above academic competence. In recent years, however, all this has been changing. Although the "siege mentality" sometimes remains, American Catholicism generally is no longer on the defensive. Widespread acceptance of the values of our pluralistic society, a growing awareness that Catholics are seriously under-represented among the nation's scientific and technological elite, the emergence of Catholic leaders in many other areas of American life, the movement for reform in all of higher education, and the profound ecumenical impact of Vatican II have all played a part in revolutionizing the environment in which Catholic higher education functions. As a result, a growing number of institutions are evolving a new vision of their role in the society of which they are a part.

Among the Catholic universities that are, for the first time, determined to move into the first rank, Fordham University, located in the upper reaches of New York City's Bronx, is undergoing the most rapid change. The university's president, the Reverend Leo McLaughlin, S.J., has declared that Fordham "will pay any price, break any mold in order to achieve her function as a university." When he took office, in the fall of 1965, Father McLaughlin took over an institution that was already changing. A new $25,000,000 in-town campus is being built at the southern edge of New York's glamorous Lincoln Center, new home of the Metropolitan Opera and the New York Philharmonic. A coordinate women's college, first of its kind for any Catholic university, opened its doors just three years ago last fall. Protestant clergymen and a Jewish rabbi have been added to the philosophy and theology faculties. Plans are under way to upgrade the graduate school. Regulations governing student conduct are being relaxed, and an active recruiting program is bringing more non-Catholic students to the campus. Most important of all, Fordham's relationship to the Greater New York community is changing dramatically.

But Fordham, like its sister institutions (St. Louis University and Notre Dame, for example) faces a difficult problem as it moves up the rocky path of self-renewal. It must prove that the critics are wrong when they contend that the phrase "Catholic university" is a contradiction in terms. The hard fact is that today no Catholic university stands among the leading institutions of higher learning in the nation, and every Protestant church-related university that enjoys first-rank status long ago severed all but the most tenuous ties with its founding church.

Today, Fordham's 11,000 graduate and undergraduate students are scattered in a variety of schools and colleges from lower Manhattan to Westchester County. The School of Education, which has trained teachers mainly for local parochial schools, is located on lower Broadway, just north of City Hall, along with the undergraduate School of Business Administration, a haven for the city's vocationally oriented youth. The School of Social Service, devoted primarily to supplying workers for Catholic Charities, is located on East 39th Street in Midtown. The Rose Hill campus houses Fordham College (the liberal arts college for men) and Thomas More (the three-year-old coordinate college for women), both institutions of superior quality, an Uptown branch of the School of Business, a School of General Studies, a College of Pharmacy, and an undistinguished Graduate School of Arts and Sciences. A College of Philosophy and Letters, for training Jesuit teachers, is located in Shrub Oak, New York, 35 miles north of Manhattan.

Manifestly, Fordham lacks many of the flashier accoutrements of a prestigious university. It does not have a nuclear accelerator, a collection of Nobel Laureates, nationally famous faculty commuting to Washington to advise on public policy, or research projects that attract world-wide attention. Some of these will come. But meanwhile it does have a traditional commitment to undergraduate teaching, two strong liberal arts colleges on which to build, courageous and imaginative leadership, and a free-wheeling willingness to innovate that makes students complain that if they miss the evening newspapers they don't know what happened on campus during the day.

Yet the rolling lawns and spring-flowering trees of the Rose Hill campus give little overt evidence of radical change. The mood of the campus is one of decorum and restraint. Button-down collars, ties, and jackets are the mode for men, and coeds are scarcely distinguishable from their contemporaries in Midtown business offices. Youthful couples are seemingly careful to avoid any public display of affection, and even the endless softball games, played on the parade ground in the center of the campus, have a curiously sedate quality. Life at Fordham can be fun—even naturally boisterous on occasion—but the pervading impression is one of earnestness, a quality that seems to reflect the university's past more directly than it does the passionate, messy exuberance of many contemporary campuses.

Fordham today is an institution of many contradictions. It is very much a university in transition from a past that is not quite gone to a future that has not yet arrived.

The 5,200 undergraduates are bright—average college board scores for the liberal arts students are in the low 600s and in the high 500s for the professional colleges. Seventy percent of the men and 60 per cent of the women go on to full-time graduate or professional study; nearly 40 per cent of these receive scholarships or fellowships from the better schools—substantial numbers from the nation's top universities. Yet Fordham lacks that elusive quality, "prestige." Only 10 or 11 per cent of students are alumni children, despite some preference given them by the admissions office. ("When a Fordham graduate makes it big, he sends his son to Amherst or Stanford.") And it is only beginning to develop the intellectual freedom and excitement that are the hallmarks of the top-flight secular college.

Founded in 1841 as St. John's College, a Roman Catholic institution for men, and placed under the direction of the Society of Jesus five years later, Fordham has traditionally educated the sons of immigrant Irish and Italian families. As a commuter college, it provided higher education for the sons of the parish faithful that was safe both from the enticements of the sinful city and the even more fearful seductions of religious heterodoxy. It was an institution under seige that protected the virtue of youth by closing its doors to the non-Catholic world.

Over the years the university has grown in size and diversity, but it has changed its

essential nature only slightly. To be sure, compulsory daily mass and annual retreat are gone, and application blanks haven't demanded the prospective freshman's race and religion for nearly ten years. The proportion of laymen on the faculty has been rising as the student body grew faster than the supply of Jesuit teachers, and a Faculty Senate was established in the spring of 1965. But until very recently the university bore the parochial stamp of earlier years.

More than three-fourths of undergraduates are still commuters and, typically, they still come from lower-middle-class Irish, Italian, and Polish families in which they are the first college-going generation. An estimated 75 to 80 per cent attended Catholic secondary schools. They reflect the conservatism of their parish origins where faith is prized over thought, but are finding a new brand of intellectual freedom on campus that they never experienced before. ("Most students and parents still expect this to be the safe old Catholic Fordham of the 1950's," according to one commuting student.) The Conservative Club and ROTC are still the "big things" on campus, but this past year a left-wing Students for a Democratic Society (SDS) group was formed, and on April 15 nearly 200 students and faculty marched from Central Park to the U.N. in the Spring Mobilization to End the War in Vietnam. Two years ago at the gala spring ROTC Review, a lone student picketed for peace. Last year there were sixty pickets protesting the review as a symbol of militarism—and an equal number of counterpickets protesting the protestors. But last month more than 200 peace advocates marched in a drenching rain outside the fieldhouse to which the review had been removed.

It is probably significant, given the contradictions that abound at Fordham today, that the two most popular political figures on campus are New York's Senator Robert F. Kennedy, a Democrat, and William F. Buckley, Jr., Conservative candidate for Mayor in 1966. ("It's the sense of personal involvement they give that's more important than their ideas," a student said.) Fordham students can't afford the luxury of total commitment to ideas, or to causes, or to knowledge for its own sake that many of their wealthier contemporaries at more prestigious colleges display. Education for them is the doorway to upward mobility; they do not have wealthy families to present them with an assured future—they have to make it for themselves. Several hundred students do work with FUSE (Fordham University Social Effort) to help deprived children in many parts of the city and in Appalachia and the Deep South. Some discover the pure joy of learning for its own sake, and others devote themselves to the cause of peace. But for most, the college years are expected to pay off in very practical terms. Therefore, the typical student's commitment is academic rather than intellectual, and his primary concern with Vietnam or the draft is whether his education will be interrupted.

Among the girls at Thomas More College, mini-skirts, textured stockings, and long, lank hair are rarities. Like their male colleagues, the girls typically represent the first college generation in their families, and the freedom of new experience and exposure to new ideas has enormously widened the normal generational gap. ("I can't talk to my mother about anything that's important to me any more.") "It is significant," says Thomas More's attractive Dean Patricia R. Plante, "that our students come from Brooklyn and the Bronx rather than from Westchester. They don't have understanding mothers who have been through it all themselves and are just waiting patiently for them to grow up, like the girls at Sarah Lawrence or the Seven Sisters. So they don't have to do something spectacular in order to revolt." Fordham girls, she notes, are much more in the position of the Negro scholarship student at a Midwestern college whose counselor suggested that he spend his junior year abroad. "Man," he replied, "I'm already abroad."

The faculty of the liberal arts colleges (Fordham College and Thomas More) bring impressive credentials to their task. A very high proportion, both lay and clerical, hold the doctorate, and many of the degrees were earned at leading universities in the United States and Europe. Orthodoxy is no longer a substitute for scholarship. "Since the younger generation of Jesuits became more professional in their scholarship," a lay department head said, "we operate on the same wave-length." Salary schedules have been rising in an attempt to attract and hold effective teachers, and in the fall of 1968 are expected to rival the best in the country with an average full compensation of $22,500 for full professors.

Faculty and students agree that they enjoy complete freedom in teaching and learning. "I never knew any place as free as this," one young Thomas More girl said. "I can't imagine anything freer." There is general agreement, too, that students accept less and question more than they used to (though some faculty members say that much of the time they have to prod students to challenge them), and that a clerical collar is no longer the inhibiting symbol of authority it once was. But comparisons with other campuses are difficult—few students or faculty have had any experience with undergraduate teaching or learning at first-rate, non-Catholic schools.

Students, as elsewhere, complain of dull classes and not being pushed to capacity. But a "Course Evaluation Report," published by the Student Government, hands out more bouquets than barbs, and lacks the lethal sting that marks similar ventures at Berkeley and some of the Ivy Colleges. Students also complain that the lay teachers, who are largely Catholic and now make up more than 70 per cent of the faculty, have taken over the conservative, priestly function. "It's the young Jesuits that are the radicals," they say, "they're the real swingers." And it was a "swinging Jesuit" who laughingly admitted, "Sure, our theme song these days is 'Should Aud Aquinas Be Forgot?'"

"The changes are fantastic," the visitor is constantly assured, "and we're only beginning." The facts seem to bear out the assertion. Next fall Marshall McLuhan, provocative interpreter of the role of media in contemporary society, will join Fordham's faculty. He will occupy the Albert Schweitzer Chair in Humanities, one of ten distinguished professorships created by the New York legislature in 1964 to attract world-famous scholars to colleges and universities in the state, each funded at $100,000 annually for staff and research facilities. Professor McLuhan's presence at Fordham promises to make it an "instant center" for scholars of many disciplines interested in research and teaching on the influence of media on human perception and cultural change.

An Experimental College will be launched next month with thirty students in an apartment house just off the Rose Hill campus. Planned to explore new and better paths to learning the college will offer a completely unstructured three-year, year-round course of study designed cooperatively by students and faculty, leading to the B.A. degree. An additional thirty students will be admitted each year until the total enrollment of ninety is reached. Directed by the Cambridge-educated poet, critic, and author, Elizabeth Sewell, the college will seek new answers to the ancient question of how students can learn best, and the expectation is that new approaches discovered will lead to modification of the educational program of other colleges in the university. The only requirement for graduation from the college is the study of Urdu.

A new 3-3 program, inaugurated last fall with Fordham Preparatory School, is designed to offer students an opportunity to complete the four years of high school and four years of college in a total of six years. An attempt to coordinate high school and college studies more effectively—in the light of the growing number of years that students must devote to graduate study—the program allows the highly motivated average college-bound student to pursue his education more efficiently.

Even more dramatic and far-reaching in its effects on the future of the university, however, is the new Lincoln Center campus which will pull together the university's scattered in-town schools and add a new undergraduate liberal arts college designed specifically to serve the inner-city student. The School of Law already occupies its own new building on the north side of the campus, and will be joined in the fall of 1968 by the School of Education, the graduate School of Social Service, the School of Business Administration (which will change from an undergraduate to a graduate school), and the new Liberal Arts College.

But it is the vision of the new role of the university that will find expression on the Lincoln Center campus that gives meaning to the changes that are taking place. Turning its back on the intellectual and spiritual isolation that has characterized its history, the university today is determined to sink its roots deeply into the contemporary community and serve that community by grappling directly with the multiple problems of our urban society.

The School of Education, under direction of its new dean, Dr. Harry Rivlin, a Jew and former dean of teacher education at City University of New York, will initiate next fall a completely new teacher education program geared specifically to preparing teachers for urban schools. Operating in close cooperation with schools in the city, the program will offer prospective teachers on-the-job training very early in their careers. Students will learn that education is a social as well as an intellectual process and, in cooperation with the school of Social Service, will learn to work with the wide variety of individuals and subcultures that are found in urban schools.

In similar fashion, the School of Social Service, under the direction of its new dean, James R. Dumpson, former welfare commissioner of New York City, a Negro, will fashion its new program to train more effective workers for the many local, state, and national programs operating in our cities. And Fordham Law School, in conjunction with the New York Legal Aid Society, this past spring initiated a program to train law students to work with the poor.

The Liberal Arts College at Lincoln Center will focus its interest on the city student, and "will exercise a special predilection for the talented poor." Many resources in the schools and the community will be used to identify prospective students and they will be chosen through ordinary college entrance selection procedures, with the addition of a nonverbal test to identify intelligence, as well as a special verbal test. When a talented student displays serious verbal disabilities, an attempt will be made to increase his verbal capacity through remedial work.

Freedom for student and teacher will fall somewhere between the traditionally structured pattern of the Rose Hill liberal arts colleges and the totally unstructured Experimental College. There will be no "required" curriculum, in the usual sense, but there will be a core of study around which the student will be "expected" to build his course, and his faculty advisor will "urge" him in this direction. Advisor and student will, however, enjoy great freedom in working out a reasonable course of study.

A special feature of the Liberal Arts College will be its attempt to use "every resource and cultural advantage of the city to strengthen

its educational effort." The practicing artist, for instance, will be asked to help the beginning art student, and "the complexity of urban life will be studied first hand" by students of sociology and social welfare. The program will not, however, be tailored to provide preprofessional training or to prepare students specifically for graduate school.

The university's ambitious plans for Lincoln Center, if they all come to fruition, promise radical changes in the nature of the institution. Obviously, some proposed programs run counter to strong trends in higher education today; others are exploring completely new approaches to education. All, in one way or another, are planned to serve the "new immigrant" of the inner city (the Negro and Puerto Rican) in the same way that Fordham has served the Irish and Italians in the past.

Prime instigator of Fordham's revolution is the university's fifty-four-year-old precedent-setting president and rector, Father Leo McLaughlin. A vigorous, intense, and imaginative man who laughs easily, he lacks the smooth public manner of many college presidents, but radiates a sense of restrained personal warmth. A native New Yorker, he studied at a number of institutions in the United States, and received his bachelor of arts degree from Georgetown University before earning his Docteur ès-Lettres at the University of Paris in 1950. Returning to the United States, he came to Fordham for the first time and became dean of Fordham College in 1953, where he remained until 1959. After leaving to become dean, and later president of St. Peter's College in Jersey City, he returned as Fordham's president in the fall of 1965.

Shortly after taking over his new responsibilities he gave notice that new horizons were beckoning the university. Three dozen Jesuits, many of them oldtimers, were assigned to positions elsewhere, and the rule governing retirement at age sixty-five was strictly enforced—in contrast to past practice. Younger men—at least younger in spirit—were sought out, both in and out of the university, and were moved into positions of authority. Today, none of the six vice presidents, three of whom are laymen, has yet occupied his position for a full two years.

Personnel changes, however, were only the beginning. "For many years we shut out the world," one top administrator says, "and that made for inbreeding. Now our doors are wide open and we're reaching out to bring in new blood, new ideas, and new ways of looking at education. Father McLaughlin is always trying something different. I don't always agree with the things he does, but it's great to go to him with an idea. He listens and then says, 'I don't know whether it will work—but why don't you try it?' "

But an institution that is on the move must also tap new sources of support. In the past Fordham's in-town schools and colleges have usually turned a modest profit, but operating at the new Lincoln Center campus will be more expensive. A commuter institution with only a limited number of wealthy alumni, Fordham has begun to receive some substantial support from New York's business and financial community. But much more is needed if the vision of a new Fordham is to become a reality. "If we're good enough we'll get it," Father McLaughlin says. "We have to operate on faith, so we can afford to be irrational—but we can't afford to be foolish!"

A number of leading Catholic colleges and universities have, in the past few months, moved to divest themselves of ecclesiastical control. Webster College in St. Louis recently renounced its ties to the Sisters of Loretto and became completely secular in ownership and control. St. Louis University and Notre Dame turned over ownership of their institutions to mixed boards of trustees in which laymen were in the majority. In each case, however, the president will continue to be a member of the founding religious order, and control over changes in the charter or bylaws of the institution also remains in the hands of the religious.

Fordham has moved somewhat more slowly in the same direction, but appears ready eventually to go rather further in placing the future of the institution in the hands of a lay-dominated board. (Father McLaughlin has said repeatedly that he may well be the last Jesuit president of Fordham, and adds that, given the uncertain financial future of private universities, Fordham may cease to be a Jesuit institution in the next fifteen or twenty years.)

Owned and governed by a nine-member Board of Jesuit Trustees, of which the president of the university is chairman, Fordham also has a thirty-two-member Advisory Board of Lay Trustees. Although legal responsibility for the university remains with the Jesuit Trustees, since last September the university has been governed by the combined boards, under the lay chairman, and all decisions have been made by majority vote. Meanwhile, the effort continues to work out the legal and financial problems of turning ownership and control of the university over to the combined lay-Jesuit board. (Among the many issues that must be taken into account is the value of "contributed services" by Jesuit teachers which totals $400,000 to $500,000 annually.)

While Fordham is reaching out for greater freedom, it is unlikely that it will, in the foreseeable future, follow the precedent of Protestant universities that have moved far from their religious origins. These institutions reflected the gradual secularization of a dominant culture of which they were very much a part. An institution that has devoted itself for more than a century and a quarter to defending the faith in an often inhospitable culture is not likely to find it easy to shed its "siege mentality." Fordham fully expects the "Jesuit presence" to endure on campus. Yet once the doors are opened to the secular world, and to members of other faiths, an irreversible process is set in motion, and the end cannot be clearly seen. The university's leaders, nevertheless, contemplate the prospect with admirable calm.

This past year, for the first time, courses on religions other than Catholicism were offered undergraduates. A Methodist clergyman, the Reverend Robert C. Neville, has been teaching in the Department of Philosophy since 1965. Rabbi Irwin M. Blank has spent the past year on campus as visiting lecturer in Judaism, and a Lutheran clergyman, the Reverend Robert L. Wilken, will join Fordham's faculty in the fall, as a professor of patristic theology. A cooperative program with Union Theological Seminary, for the exchange of faculty and graduate students, was initiated in February of 1966.

Meanwhile, a growing number of undergraduates, especially residential students, are testing the bounds of freedom by declaring that they are no longer "practicing Catholics." (A commuting student says, "You know, when you get up on Sunday morning and your mother tells you to go to mass, you do it whether it means anything or not.") The response of faculty and administration is that faith that hasn't been tested by knowledge and personal experience is not worthy of the name. "Deliver us," said one top administrator shortly, "from a *lumpen Katholik!*" Yet the hope is that after most students have traversed the first stage of doubt, and then progressed to active anticlericalism, they will "put the pieces back together" for themselves and arrive at a sound and enduring faith.

It is clear that profound changes are taking place at Fordham. There is little doubt that as the university looks outward rather than inward it will perform vital services for the Greater New York community, and possibly for the nation. Whether it, or any American Catholic institution, can become a great university is less clear. The basic issue is freedom to follow truth wherever it may lead. The restricting hand of the Church has placed severe limits on Catholic scholars in the past—even the recent past—as they sought to explore crucial areas of faith and doctrine. Yet it is true that a new spirit exists today. The Reverend Timothy S. Healy, Fordham's Oxford-educated executive vice president, says, "It's hard for most people to realize what a difference Vatican II made—how many doors it opened." And it is possible that Fordham has been more profoundly affected than any other institution by the winds of change that are sweeping the Catholic world. Yet the rhetoric of academic freedom rings differently in Catholic and non-Catholic ears.

Father Healy, discussing Catholic higher education in an address before the National Catholic Education Association this past spring, asserted "We are free. . . . In many ways our freedom can be measured precisely by our religious commitment. First of all, it frees us from noncommitment, which has erected itself into an orthodoxy in academic America that would have warmed the hearts of our inquisitorial ancestors. . . . Having even a pretense of theology, we are saved from absolute physics, absolute art, absolute biology, absolute sociology—even from absolute athletics."

But such a statement, for all its satisfying reassurance to the committed, seems to the non-Catholic to avoid the issue. Certainly, a theology of science can be as restrictive as a theology of religion—even though its revelation may be derived by the scientific method. Authoritarian teaching and uncritical learning may occur in any institution—and they are bad wherever they are found. The problem is more subtle.

As individuals, we all live by faith, whether secular or religious, and our view of reality is colored by the nature of our commitments. Freedom is also qualified in some degree for every institution by its constituency—whether it is a state university answerable to the legislature; an independent institution that must answer to its board of trustees; or a church-related university that is committed to a particular faith. But on every Catholic campus there are two lines of authority—the academic and the religious. Even when the university frees itself from legal control by the Society of Jesus, the Catholic presence and spiritual commitment it represents will remain. Major Catholic universities have developed in Europe in the secure environment afforded by predominantly Catholic cultures. It remains to be seen whether it is also possible for faith to allow scholarship the requisite freedom in a pluralistic society.

If it is possible, the odds are good that it will happen at Fordham.

TEXAS STATE CONVENTION OF AMERICAN GI FORUM ENDORSES BILINGUAL AMERICAN EDUCATION BILL

Mr. YARBOROUGH. Mr. President, the Texas State Convention of the American GI Forum has endorsed S. 428, the bilingual American education bill. The GI Forum, founded by the dynamic Dr. Hector Garcia, of Corpus Christi, Tex., is an outstanding organization which time and time again has shown that it stands for and is willing to fight for freedom, justice, and equality for all citizens.

S. 428 would authorize financial assistance to schools for setting up new and imaginative educational programs to meet the special educational needs of students from Spanish-speaking backgrounds. It also provides funds for teacher training.

Strong support has been voiced for the

legislation in hearings held in Washington, D.C., Texas, and California.

I ask unanimous consent that the text of the American GI Forum resolution be printed at this point in the RECORD.

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

RESOLUTION BY AMERICAN GI FORUM

Whereas, there is now pending in the U.S. Senate, Senate Bill 428, sponsored by Senator Ralph Yarborough of Texas and co-authorized by Senator Robert Kennedy of New York, Senator Montoya of New Mexico, Senator Tower of Texas, Senator Kuchel and Senator Murphy of California and Senator Fanning of Arizona.

Whereas, Senate Bill 428 will provide federal funds to implement bilingual education in Spanish and English at the elementary level to all school districts who adopt the program.

Whereas, the opinions of educators that have studied this program are that having bilingual teachers in the first grades of elementary school and using Spanish as a tool in the classroom to teach English has been a resounding success in pilot projects that have been established in Laredo and San Antonio, Texas.

Whereas, bilingual teaching in the first few grades tends to build confidence in the Mexican-American child that is not found in a pure English teaching environment.

Therefore, be it resolved that the Texas State Convention of the American G.I. Forum go on record as endorsing Senate Bill 428 and urge every school district in Texas with bilingual children to implement the program as soon as the federal funds are available for this purpose.

That copies of this Resolution be sent to the President of the United States, every Congressman and to the two Senators from Texas.

POSITIVE THINKING ON THE BALANCE-OF-PAYMENTS DEFICITS

Mr. HARTKE. Mr. President, the Honorable Joseph W. Barr, Under Secretary of the Treasury, addressed the Japanese Economic Mission on June 30, 1967. Secretary Barr's remarks represent the kind of positive thinking needed in meeting and solving persistent and difficult problems of this nature.

The old approach which is still being used today, concentrates too much on the short term benefits that accure to a basically unsound movement into partial economic isolation. The development needs of the world are too great for the United States to continue to inhibit the outflow of vitally needed capital. Yet, as Secretary Barr points out, we must have the cooperation of those countries that continually run a payments surplus. If the world desires American capital, there must be a recognition of the responsibilities of all nations concerned that international monetary reform is a prerequisite to the successful continuation of both our commitment to the developing nations and our resolve to maintain the dollar as the de facto currency of international exchange.

Mr. President, I ask unanimous consent that the text of Secretary Barr's address be inserted at this point in the RECORD.

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

INTERNATIONAL COOPERATION FOR ECONOMIC GROWTH AND MUTUAL SECURITY

(Remarks of the Honorable Joseph W. Barr, Under Secretary of the Treasury)

I am indeed happy to be here before this distinguished group and to have the opportunity to participate in a venture designed to improve mutual understanding between Japan and the United States and to expand the flow of trade between our two countries.

It is a particular pleasure for me today to welcome this mission and its Chairman, Mr. Kazutaka Kikawada to the United States.

My pleasure in greeting you is reinforced by memories of the most cordial reception given me by your countrymen in the course of my travels to Japan, most recently last summer when I had the privilege of participating in the U.S. Delegation at the U.S.-Japan Committee on Trade and Economic Affairs in Kyoto. I hope that your visit to my home state of Indiana was as useful and enjoyable as have been my visits to Japan.

I understand that you have had a busy schedule in the Midwest and this week in Washington. I gather that there have been many opportunities to discuss trade and investment flows between our countries and that you have been briefed on the economic outlook in the United States.

I would like, therefore, to turn briefly this afternoon to a different subject. It is one with which I have been concerned frequently during my tenure here at Treasury—that of finding solutions to the U.S. balance of payments problem consistent with a continuation of world-wide economic growth and prosperity.

The broad outline of our problem is familiar. In sixteen of the past seventeen years—with the sole exception of 1957, when under the influence of the Suez crisis our balance of payments showed a small surplus—the U.S. has experienced payments deficit, on a liquidity basis, has persisted despite swings in our current account position from a deficit of $2.3 billion in 1959 to a surplus of $5.7 billion in 1964. As a result of the series of deficits, our gold stock has dropped, to $13.2 billion at the end of last year.

Let me assure you—in case there is any doubt—that we fully recognize our payments problem, and that it is a difficult one.

I want to make it crystal clear that we regard it as a problem that must be solved in a long-term, fundamental sense.

Considerable constraints on our freedom of action throughout the world—which no one in this country wants—would follow if we had to conclude that our present approach to the problem could not yield equilibrium when we no longer have the extraordinary foreign exchange costs of the Vietnam conflict. It is important, not only to us but the rest of the world, that the solution to our payments problem be found, for the long term, in a combination of sound economic conditions in this Nation and in collaboration with us by other countries.

The rest of the world has a large stake in the United States' ability to avoid constraints affecting our contributions to mutual security and development aid, as well as continuation of our liberal trade and payments policies.

I need only mention two of the principal, short-term measures—the Interest Equalization Tax and the Voluntary Federal Reserve Program to restrain capital outflows from banks and other financial institutions—to illustrate that the method by which we solve our problem is important to you.

You will recall the difficulties presented by the imposition of the IET which culminated in our granting an exemption from the tax for $100 million per year of Japanese Government or Government-guaranteed debt in the U.S. At the same time, I am sure you realize these restraints have played a vital role in a period in which Vietnam costs have had a major adverse effect on our payments position.

The United States has sought to avoid solutions to our balance of payments problem which would impede progress toward an open, competitive, and fruitful world economy.

We recognize the U.S. should continue to meet its fair share of international commitments on behalf of mutual security in the Free World and economic development in the poorer nations of the Free World. In addition, the United States should export private capital.

To deprive a world that needs capital of access to the most efficient capital market in the world would, over the long run, constitute an act of economic perversity.

Our long-range program to improve our position in a manner consistent with these considerations is a varied one.

A major emphasis of our program is to improve our trading position. We hope to achieve a trade surplus $3 to $4 billion higher than the $3.7 billion of last year. We have had a trade surplus of this magnitude before, in 1964. Such an increase is neither unreasonable nor would it create havoc in an expanding international trading world in which the exports of all countries currently exceed $200 billion. Among the measures we have taken to encourage our exports are to simplify procedures and expand facilities for export financing by the Eximbank; expand efforts to work with private firms to find new markets; enlarge commercial staffs in our embassies abroad.

Aside from the export field, we have taken other actions to improve our position fundamentally. I will mention only a few here.

We are requiring all Government agencies to conduct their programs abroad to minimize their foreign exchange costs. We are searching for ways to increase foreign tourist travel in the U.S. We are seeking to make foreign investment in this country more attractive.

We have gotten legislation, based on pioneer work in this field by Secretary of the Treasury Fowler, designed to make foreign investments in this country more attractive. And, we are constantly pressing European countries to improve their capital markets, in order for them to assume a more equitable part of the responsibility for providing international finance.

These measures, while helpful, cannot do the entire job alone. If our deficit is to decline, surpluses of other countries must fall. Therefore, surplus countries must also assume a measure of responsibility if a better payments equilibrium is to be achieved within a cooperative framework.

Much of this cooperation necessarily must be on the part of the persistent surplus countries of Western Europe. But all nations are concerned, particularly those whose role in international trade and finance is important in their economic life. Japan is clearly such a nation.

Let me discuss briefly the balance of payments relationships between the United States and Japan. Data show a consistently large surplus in favor of Japan over a number of years. Japan has benefited in particular from large net military expenditures by the United States in Japan, which totaled $450 million in 1966 and are expected to be even greater in the current year. May I emphasize that this is a matter of vital concern to us.

The trade balance between our two countries which had traditionally been favorable to the United States, turned heavily in favor of Japan during the past two years. Large capital flows from the United States to Japan in the early 1960's, however, were also reversed in 1965 and 1966. When all items are totaled, our balance of payments deficit with Japan has averaged half a billion dollars annually in the 1960's.

What can Japan do to help insure a solution to the U.S. balance of payments prob-

lem that is beneficial to Japan as well as to the U.S. and the rest of the world?

Japan has cooperated in many ways. This has been demonstrated, in the monetary field, by Japan's reserve policies and its position in the international liquidity negotiations.

In the same spirit, Japan might consider other actions. Your trip here, for example, might have given you some ideas on how you could expand your imports from the United States.

I know you have made an effort to expand your trade with Europe. Despite the obstacles that have been placed in your way, I wonder if more could not be done.

In the financial area, you have traditionally looked to the United States as a source of funds. In recent years, you have turned to some extent to European capital markets for financing, but has, perhaps, the time come to more fully utilize the possibilities there?

Could Japan, perhaps, consider further investments in the U.S.? We have noted with interest the many plans for expanded Japanese investments in Canada. We would welcome more direct investment by your companies in the United States. Is this not also the time to strengthen the close links between the financial markets of our two countries by increasing your portfolio investments in this country? You may be aware that the recent enactment of the Foreign Investors Tax Act increases the attractiveness of such investment, as I mentioned earlier.

Now let me turn your attention to the need for more equitable burden-sharing among the developed countries in meeting the capital requirements of the less developed world.

I will not dwell on the basic problem we face today. President George Woods of the World Bank put it succinctly last September when he said:

"At this moment of increased potential, it is a matter of high irony that development, instead of proceeding at the faster pace of which it undoubtedly is capable, is threatened by a serious loss of momentum. The effort is faced by a crucial finance gap—the difference between the capital available and the capacity of the developing countries to use increasing amounts of capital effectively and productively."

To close this gap is the challenge to the developed countries—a challenge which Japan has increasingly demonstrated it is willing to meet. We welcome such statements as that of Prime Minister Sato in addressing a session of the Diet on March 14, this year:

"As an Asian nation and as one of the leading advanced industrial nations, our country is conscious of its responsibilities and will extend further cooperation to many developing countries."

We also note the record shows you are steadily increasing your economic aid program from year to year and that the recently announced figure for aid to developing countries in 1966—$538 million—was nearly 11 percent more than in the previous year. This figure included private disbursements as well as official aid, it is true, and given the debt burdens of many developing countries, the terms of some of the loans were relatively hard. Nonetheless, your effort has been a commendable one.

Speaking frankly, however, we believe your remarkable achievements during recent years in economic growth will permit you to do even more in the future to assist the developing world.

I cannot fail to recognize the leading role Japan is progressively playing in promoting regional economic development, as demonstrated most recently at the Ministerial Conference on Southeast Asian Development held in Manila last April. But perhaps the best evidence of Asian initiative in the economic field, including a crucial role by Japan, is the Asian Development Bank. I have a very personal interest in the Bank, having been one of the signers of the Bank's charter at the Manila meeting in December 1965. Japan has not only provided $200 million of the Bank's capital (as has the United States), but as you know, has also furnished the Bank an able and conscientious president in the person of Mr. Takeshi Watanabe.

These new initiatives in Asia have the warm support of the American people. As President Johnson put it last year on his trip to Asia and the Pacific:

"We shall also be the friends and partners of those in Asia who want to, and who are willing now to work together to fashion their own destiny. From you must come initiative and leadership. From us will come cooperation."

Our role as a non-Asian country is to assist, to help, to encourage, to support. We intend to continue such support.

As Secretary Fowler pointed out in his speech at the inaugural meeting of the Asian Development Bank in Tokyo last November, our support must be consistent with our responsibility and obligation to achieve and maintain a reasonable equilibrium in our own balance of payments. This is essential to help preserve the continued sound working of the international financial system, of which a dollar "as good as gold" is a crucial element.

In the final analysis, regional development has promise and viability only in the context of an orderly, smoothly-functioning monetary system. It should be possible for us to devise imaginative methods to achieve the dual objective of increased aid and protection of balance of payments.

In conclusion, let me say that we all know that the United States could, if necessary, solve its balance of payments alone, but it could do so only at great cost to the economies, the aspirations, and the safety of all the nations of the Free World. However, we believe that we should and that we shall, with the cooperation of Japan and other nations who recognize their stake in the continued viability of the world's economy, find a solution to this problem in a combination of measures consistent with the responsible role of the United States in international economic and financial matters.

CELEBRATION OF 100 YEARS OF SWEDISH DESCENDANTS' ENRICHMENT OF THE CULTURE OF TEXAS

Mr. YARBOROUGH. Mr. President, while we were in recess, on June 25, Texans of Swedish descent celebrated their 100th anniversary with an all-day festival at Municipal Auditorium in Austin, Tex. Since 1637, when the first Swedish people came to the United States, they have done their part to make our country a better place to live.

A courageous sailor named S. M. Swenson was shipwrecked near Galveston in 1837, and came ashore to settle in what was then the free Republic of Texas—the first Swedish immigrant in that new nation. Since that time the Swedish representation in Texas has grown to number in the thousands and they have worked hard and contributed much to the success of the State.

These Swedish descendants are full-blooded, first-rate Texans and Americans today in every sense of the word. They fill important roles in the social, political, and religious structure of our State. Most are Lutherans and Methodists, but Swedish Americans have integrated into virtually all of the other denominations. They have a strong family tradition which is both old fashioned and fine. Originally farmers and ranchers, these Texans of Swedish descent now are represented in most of the professions and in business.

In 1911 Swedish Methodists founded Texas Wesleyan College in Fort Worth, Tex. People of Swedish descent also publish their own newspaper in Swedish and English, the Texas Posten, Austin, Tex.

Texans of Swedish descent fought valiantly in both World War I and World War II. They have succeeded in becoming Americans of the highest caliber while retaining the best traditions that they brought with them from Sweden. I salute these outstanding Texans.

WATER RESOURCES LEGISLATION

Mr. HARTKE. Mr. President, out of the din of dire predictions, charges of Federal tyranny and industrial chicanery, and cries of "Wolf, wolf," that so often seem to attend our efforts to pass constructive legislation in the field of water resources, it is refreshing to hear a clear statement of objectives and a calm and constructive approach to the really serious water problems that face every section of the country.

I refer to the speech of the junior Senator from Utah, Senator Moss, before the Washington Chapter of the Public Relations Society of America on June 20, 1967, a copy of which was sent to me by a member of the society.

In recent years, we have come to respect the words of the junior Senator from Utah on the subject of water resources. While he comes from a State which is in a water-short area of the continent, he does not speak with a sectional bias, nor is he interested only in the water problems of his own part of the country. He sees the water problem in a national perspective and recognizes the importance of conservation in Appalachia, pollution control in New England, and restoration of the health of the Great Lakes, as much as he values water for irrigation and industry in Utah.

Furthermore, he approaches American industry, as it is represented by the public relations people in Washington, on the basis that these people are just as interested as he is in preserving America's natural beauty and resources. He takes the position that the public relations people have to be the conscience of American industry and he assumes as much as he requests their cooperation in getting full industrial participation in the long-range effort to restore and preserve the life support capability of America's water resources.

Senator Moss this month published a book entitled "The Water Crisis," which has a foreword by our recent colleague, the esteemed former senior Senator from Illinois, Paul H. Douglas. It deals with every aspect of our national water problem. It is more than a cry of alarm. The junior Senator from Utah offers solutions that make sense and offers people an opportunity to do more than just wring their hands. Since Senator Moss' talk to the Washington public relations people provides a good insight into the book, I ask unanimous consent that a copy of his speech before the Public Relations Society be reprinted in the CONGRESSIONAL RECORD.

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

REMARKS OF SENATOR FRANK E. MOSS, DEMOCRAT, OF UTAH, BEFORE THE WASHINGTON CHAPTER OF THE PUBLIC RELATIONS SOCIETY OF AMERICA, JUNE 20, 1967

It would be hard to think of a more appealing audience for me to address these days than the Washington chapter of the Public Relations Society of America.

For one thing, from the standpoint of a politician, you are the people most skilled in the art of communication with the public, which is the life blood of politics.

For another, I have just published a book on a subject of significance to the business community and you have direct access to the Nation's business leaders.

More importantly, as modern public relations men, you are, as a group, the real conscience of American business and my subject today is one which commands your interest.

The only improvement I can think of would be to hold this meeting in Utah. As a matter of fact, that's a good idea. Utah is a wonderful place to meet. As United States Senator from the State of Utah, I extend to you a very warm invitation to visit our State. Utah would be a fine place to talk about water because it is the site of major water developments. One of these include, Lake Powell—the 186 mile long "Jewel of the Colorado"—which is the subject of the feature article coming in the July issue of National Geographic.

Also, Utah is a State where water is valued for its true worth. Water, like other commodities, changes in value as it becomes scarcer. This fact brings to mind the story of a famous Senator, whom some of you may remember, whose well advertised appreciation of good bourbon was quite in keeping with his oratorical attainments. His critics said there was a connection. At any rate, in prohibition years, between his family and his doctor, he found it increasingly difficult to maintain the standard to which he had become accustomed. After one long dry spell, a faithful retainer brought him a bottle of his very favorite, handing it over with profuse apologies about the cost.

The old man held it up to the light admiringly and said, "tut, tut, my boy, think nothing of it. Suppose they had charged you what it's really worth?"

There's a lesson in the jest. Does anybody know what water is really worth?

I can tell you this. The price is going up.

For the next generation of Americans, water may be the Nation's most critical problem.

The root cause of the problem is quite simple. The total amount of water available to us is fixed by nature. The number of persons to use it and the demands they make on it are not.

Our expanding industrial society is putting such pressure on water that the resource itself is deteriorating. It is in question whether or not we will reverse the trend, restore our waters, and provide the additional amounts we need for use. This is the "water crisis," which is the title of my book, scheduled for publication in July.

I have tried to treat the subject constructively. I wished to do more than sound the alarm. I believe the water problem can be solved. This is not the first time America has faced resource destruction. During our westward expansion, other generations raided the forests and the wildlife.

This generation is raiding the rivers and lakes. It is easy to see why. The demand for water is truly prodigious—and increasing. Every year, we must find larger amounts to supply the kitchens and bathrooms of sprawling cities and suburbs; to water parks, and irrigate crops in the drier States; to supply industry. Whole regions compete for river-flows today with all the jealousy with which early settlers in the west fought for water holes.

You have heard it said that we have plenty of water if only we take care of it. That could be true. With three percent of the fresh water available on the globe's land surface. America is better off than many nations. But a more accurate way of stating the case for the United States is this: we have enough water only if it is properly managed. Today it is not being properly managed.

We can't go on like this.

Some parts of the United States have already run out of water, that is, the number of persons occupying a given basin has grown to the point that they either must bring water in from other basins or mine ground resources. This is going on in the southwest today. In other parts of the country, the cost of living, or the cost of doing business—they can't be separated—is going up because the quality of the water is going down due to pollution. Elsewhere, even normal cyclical variations in precipitation cause serious trouble. In still other areas, actual resource destruction is undermining water supply. Take Rock Creek. The lower third of its watershed, except for Rock Creek Park, has long been fully developed. Before World War II, the middle third was rich farming country. But by now, the woods and pastures have been replaced with massive housing developments, and urban sprawl is pushing into the watershed's upper third.

In fifty years, the stream's drainage area has been cut in half. Chevy Chase, Woodmont, Forest Glen, Kensington, Garrett Park—each has dried up tributaries of Rock Creek. Now the rain scoots off the land, filling the stream with yellow mud.

An analysis of the Nation's 22 water resource regions shows that most have major problems, for many, the problems are critical. Surely we are capable of something better than this. Just plain pride, if it weren't also our lives, should make us want to do better. We can, and the way is clear. That is what I have tried to show in my book.

Doing better means the kind of a program on which public relations people and politicians can join hands. Let me elaborate on this point. You know better than anyone else that, in our kind of society, you have to organize and drum up support for any policy position you want to make stick. Well, in the water field, we have lots of separate policies and as many organizations trying to further their separate goals. We have a lobby for ducks, a lobby for fish, a lobby for power, a lobby for navigation, a lobby for pollution abatement, a lobby for irrigation, a lobby for flood control, a lobby for nearly everything you can think of—save one. There is no lobby for John Q. Public, for the Nation as a whole and its greatness and beauty. We have several lobbies for leaving things as nature left them, but if we are going to keep on increasing the number of people, we surely have to give nature a helping hand in trying to provide water resources for them.

The crying need today is for support for a water policy that will serve the national interest. And those whose job it is to keep the public informed bear a heavy responsibility for the adoption and implementation of such a policy.

We have made a start toward recovery of some of the lost ground. Sensing the peril that faces us, I believe our people are prepared for the long haul job.

As a matter of fact, a water resource restoration movement is underway. The stage was set by the Senate Select Committee on National Water Resources which studied water supply and demand and issued its report in 1961. With the cooperation and support of President Johnson, the 88th and 89th Congresses enacted more constructive water resources legislation than any of their predecessors. Much groundwork, of course, had been laid by President Kennedy and the 87th Congress. And we cannot afford to let the pace slacken.

There are two areas of activity which call for the professional competence of this group. These are areas where there is a need for greater initiative and leadership in the business community, as well as need for understanding by the public. One is the area of broad national water policy, which I have mentioned briefly. The other is the obvious one of pollution control.

In a sense, the pollution control program is a tremendous business opportunity. As great as any in our history. We think of the railroad building era in the West as the great economic expansion of the last third of the last century. Our current effort to restore our environment, both air and water, demands a tremendous program of research, construction, and equipment manufacture.

There is a dual opportunity for American business. You know, we tend to forget the extent to which our whole business structure depends upon the theory that the corporation is a person before the law. The corporate form was one key to the realization of the vast developmental opportunity in the last century. Now, something new has been added. The responsibilities, as well as the opportunities of the citizen are increasingly recognized as devolving upon the corporation.

This is the solid foundation of today's industrial public relations. The needs of the American people in the national water pollution crisis offer a rare public relations opportunity. At the start-up of the pollution control program, the response of some spokesmen for 8 businesses sounded as though water were the business of some other citizens, or perhaps of the corporate citizen of the last century.

But the signs of change are in the air. There is growing recognition of a simple proposition stated by the New York Times in December of 1965—there is no inherent right to pollute water. We started doing that in the early days of our industrial development, and business was no more to blame than the rest of us. It was inexpensive—and mostly harmless—to let our rivers carry away the wastes of factories, refineries, slaughterhouses and homes. But there are too many of us to do that any more.

Changing such a convenient and ingrained habit doesn't come easy. It costs money. Somebody is going to have to pay. The cost is bound to go into the cost of doing business, and may come out in the price of the product. I believe American consumers are ready to pay the price, especially if the story is put to them right. This, too, is a public relations challenge.

Looking again at national policy, the aerospace people have taught us to use the term "system approach" for solving big problems, all right, we need a system approach to the national water problem. To get it we will have to make use of the famous slogan—think. We must think ahead, think "organization," and think big.

Thinking ahead means long-range planning. In 1965, New Yorkers had to restrict the serving of water in restaurants while southern Californians could water lawns, wash cars, and fill their swimming pools. California's secret was planning. Even under eastern drought conditions, twice as much rain fell on New York as on Los Angeles.

We can understand the size of the Los Angeles water problem if we realize that ten million people live on a near desert within the metropolitan water district of southern California. Most of their water is brought two hundred and forty miles across mountain ranges and desert. It is then distributed through four hundred and fifty miles of lines to one hundred and nineteen cities and many large unincorporated areas. California is one state that realizes how long it takes to plan and build water projects. A 1966 pamphlet issued by "Californians for Water Action" emphasized—"there is a gap of twenty-five years from planning table to the water tap." The "California water plan,"—now be-

ing built—involves the most massive transfer of water yet attempted on this continent, and will satisfy expected southern California water demand through 1990. But we need a California water plan for the whole United States and for every river basin in it.

Thinking "organization" means taking a hard look at the existing governmental structures through which we Americans manage our water resources.

In 1965, Newsweek magazine charged that the big obstacle to restoring the Hudson Valley was bureaucracy. Newsweek said that "more than fifteen Federal agencies from the Coast Guard to the Department of Commerce tangle with the New York State Departments of Conservation, Health and Public Works, as well as, commissions for fish and game, parks, water resources and motor boats, to name a few. And few of these are under any obligation to consult with each other or a higher authority."

Congress has recognized such fragmentation in the Federal Government. Under the provisions of the Water Resources Planning Act of 1965, the Water Resources Council was formed to coordinate the water policies and projects of more than a score of Government agencies among which have been scattered responsibility and money for water resources work.

The Council has a very highgrade staff of specialists. They are professionally competent and skilled in the art of government. But they are not the responsible political policymakers.

The members of the council are the Secretaries of: the Army; Agriculture; Health, Education, and Welfare; Interior; and the chairman of the Federal Power Commission. The job of planning and managing our water resources has become too big to be handled by a committee. And whatever we call it, this council functions as a committee to reconcile bureaucratic differences. To give the needed direction to Federal efforts, I have proposed a full-fledged Department of Natural Resources.

Thinking big means giving careful consideration to such proposals as the NAWAPA scheme. (NAWAPA is an acronym for North American Water and Power Alliance.) Recognizing that northern Canada and Alaska have enormous quantities of fresh, clean water that flow unused into the Arctic seas, the engineers of the Ralph M. Parsons Company proposed a one hundred billion dollar project of continental water resource development. It would recapture from 15 to 20 percent of the excess runoff of the far north and redistribute it to Canada's prairie provinces, the U.S. West and Midwest, and possibly, Mexico. The 500 mile long trench in the Canadian Rockies would be used as a great reservoir from which water would be distributed south to many States and east to the Great Lakes and beyond.

Three years ago, I was chairman of a subcommittee of the Senate Public Works Committee, which took a look at the NAWAPA proposal. We made a comparison with the inventory of all Federal projects foreseeable for the next twenty years. It appeared to us that for twenty-five percent more money NAWAPA could deliver twice as much water and was subject to expansion.

Of course, the Canadians have something to say about this—and they have said plenty. In between the pros and cons, however, there is a great body of Canadians who feel that if appraisals of their resources and projections of their needs show a marketable surplus, they could do worse than sell it to the United States. After all, water can be produced as a sustained yield crop. It is not subject to depletion as are the uranium and natural gas that the Canadians are very happy to sell to us.

One of the great values of massive proposals like Nawapa is that they focus attention on other aspects of national policy.

Nawapa's $100 billion price tag makes people stop and think. It compels us to intensify watershed conservation, and to clean up the rivers through which this water would be distributed.

Except for the need to study new water for the Great Lakes, the U.S. is no more ready to enter into a water transfer compact than are the Canadians. We have barely begun to study the possibilities of full development of our own water resources.

I have mentioned cost previously.

A tragic irony of the recent water for peace conference in Washington was noted both by President Johnson in his opening statement and Secretary Rusk in his closing one—we could do a lot more both in the developed and the developing nations if it were not for the financial drain of Vietnam.

There are those who worry about the economic impact of a sudden reduction of military spending. I tell you we should welcome the event for more reasons than the obvious one. We need the money—not just for development but for actual natural resource preservation.

A nation that aspires to put a man on the moon should be able to solve its life-dependent problem of water resource management. A nation that spends ten percent of its gross national product on defense can certainly put whatever it takes into preserving something to defend. I have heard it suggested that we start investing in resource conservation at least one-twentieth of what we spend on defense. This would be a kind of depreciation allowance, five percent for restoration and maintenance. We can surely afford it.

Man's inability to manage water resources caused ancient civilizations to crumble. We need not suffer their fate. We are not less dependent upon water than was man a thousand years ago; but we have far more scientific knowledge and technical capability to control our environment. We need not run out of water if we can solve the political problems that stand in the way of an adequate national water management program. As I have said, solving these problems is a challenge for both statemanship and public relations.

To bring some order into the national water picture, the administration has asked for a national water commission. It would be composed of prominent persons outside of government. It would have five years to study and prepare recommendations.

Such an investigation could be of great value in settling long range policy questions. It could help put in proper perspective various courses of action: conservation, pollution control, additional re-use of water, desalting, weather modification, inter-basin transfer systems, and improved water use practices in agriculture, industry and the home. All these are things that must be done to assure water for tomorrow. A commission could take a national view—in contrast to Congress, whose Members represent regional interests.

But the formation of a commission must not be used as an excuse to "wait and see." America has run out of time in which to repair her water resources.

We must push ahead with water supply development. We must improve State, regional and federal water management methods. We must press the national clean water effort to the full extent of the law.

The future of every American depends on water, regardless of his income, profession or station in life. This is one battle we have to win.

BIG THICKET NATIONAL PARK BILL SUPPORTED BY TEXAS TOURIST COUNCIL

Mr. YARBOROUGH. Mr. President, since introducing my bill (S. 4) calling for the establishment of a Big Thicket National Park in southeast Texas, I have been greatly impressed by the enthusiastic endorsement of the proposal by many individuals and groups, including the Texas House of Representatives and the National Parks Advisory Board.

The Texas Tourist Council is the latest among many who have resolved to support this effort "to preserve our rapidly diminishing enclaves of nature's unspoiled beauty" by creating a Big Thicket National Park. By resolution of May 31, 1967, the council affirmed its keen interest in the establishment of the park. I ask unanimous consent that the Texas Tourist Council's resolution be inserted at this point in the RECORD.

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

RESOLUTION

Whereas, the Texas Tourist Council is a private enterprise association interested in the many scenic beauties and variety offered visitors in Texas—The Land of Contrast; and

Whereas, Out-of-state visitors to Texas have doubled in the past six years and with the decreasing length of the work week and with higher disposable incomes, more time is being used for recreational activity and travel; and

Whereas, The Council is cognizant of the need to preserve our rapidly diminishing enclaves of nature's unspoiled beauty and leave them for the enjoyment of future generations; now, therefore be it

Resolved, That the Texas Tourist Council send to all Congressional Representatives from Texas this Resolution to express our keen interest in the creation of Big Thicket National Park and encourage them to pursue the establishment of this national recreational area for the use of all citizens of the world.

ROBERT W. KNEEBONE,
President.

Dated this 31st day of May 1967, Austin, Texas.

ACT OF HEROISM OVER GULF OF TONKIN

Mr. LAUSCHE. Mr. President, it is an honor for me to invite the attention of the Senate to an act of heroism that took place recently in the sky over the Gulf of Tonkin, Vietnam.

An Air Force KC–135 Stratotanker has been credited with saving six Navy carrier-based aircraft in an air refueling mission. The commander of the KC–135 is Maj. John H. Casteel of Akron, Ohio. The major's parents, Mr. and Mrs. Harold J. Casteel, reside at 397 Stetler Avenue, Akron. He joined the Air Force in 1954 and was commissioned in 1956.

He is assigned to the 902d Air Refueling Squadron at Clinton-Sherman AFB, Okla., where he resides with his wife Colleen and their three children, John Scott, 10; Holly Wynn, 8; and Diane K., 4.

I ask unanimous consent that the contents of the release of the Department of Defense detailing the action involved be printed in the RECORD.

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

USAF TANKER ENGAGES IN TRI-LEVEL REFUELING WITH NAVY CARRIER AIRCRAFT

An Air Force KC–135 Stratotanker has been credited with saving six Navy carrier-based aircraft in an air refueling mission over the Gulf of Tonkin.

The Strategic Air Command tanker, operating from a 3rd Air Division location in the Western Pacific, was on a routine mission involving air refueling of two Air Force F–104 Starfighters over the Gulf of Tonkin when the crew, commanded by Major John H. Casteel, was advised to contact a Navy ship regarding a possible emergency air refueling.

The Navy ship verified the emergency and vectored the tanker North to intercept two Navy A–3 Skywarrior tankers from the carrier USS Hancock, supporting strike and rescue operations in North Vietnam. The Air Force tanker headed for the rendezvous with the two F–104s providing fighter cover and receiving periodic refuelings enroute.

When rendezvous was completed, one of the A–3 tankers had only three minutes of usable fuel remaining. In addition he had 4,000 pounds of fuel which could be transferred to another aircraft, but which he could not use himself.

The Air Force tanker transferred a token amount of fuel to the first A–3 to prevent flame-out. This A–3 then moved into observation position permitting the second A–3 to refuel. During this refueling another rendezvous was called for a new emergency refueling, this one involving two Navy F–8 Crusaders from the carrier USS Bon Homme Richard.

The most critical of the F–8s had only 300 pounds of fuel remaining and could not wait for the Navy tanker then being refueled to break away. The F–8 slipped in behind the A–3 and hooked onto the Navy tanker. There were then three planes flying hooked up in line.

At the same time, the other A–3 shared a portion of his meager onload with the second F–8. He later took on additional fuel from the KC–135.

In the midst of this fuel transition, the Navy ship called in another emergency involving two F–4 Phantoms and vectored the entire cell toward that rendezvous.

The KC–135, now low on fuel, could not reach its initial destination so it headed toward an alternate Air Force Base in South Vietnam, still accompanied by the two cover F–104s. A final refueling to the F–104s was made before landing.

All nine Air Force and Navy aircraft involved—the Air Force KC–135, and two F–104s and the two Navy A–3s, two F–8s and two F–4s—landed safely.

Major Casteel's KC–135 is assigned to the 902nd Air Refueling Squadron of the 70th Bomb Wing, Clinton-Sherman AFB, Oklahoma, and was on temporary duty with the 3rd Air Division's 4258th Strategic Wing in the Western Pacific.

Major Casteel, 32, is from Akron, Ohio. Other crewmembers, all from Clinton-Sherman AFB, were: Captain Richard L. Trail, 30, of McCook, Nebraska, Pilot; Captain Dean L. Hoar, 29, of Idana, Kansas, Navigator; and Master Sergeant Nathan C. Campbell, 34, of Pine Bluff, Arkansas, Boom Operator.

Commenting afterward on the mission, Major Casteel said, "We could see Haiphong Harbor. I was concerned with the low altitude at which the mission was performed—necessary due to Navy aircraft having insufficient fuel to climb to a higher altitude, but my crew did a fantastic job."

As a result of this demonstration of superior flying skill and heroism, Major Casteel, Captain Trail, Captain Hoar, and Sergeant Campbell each will be awarded the Distinguished Flying Cross.

THE NATION'S HOUSING PROBLEMS

Mr. MURPHY. Mr. President, we who are deeply concerned with the housing problems facing the Nation and acutely aware of the deficiencies and inadequacies in our present housing programs are hopeful that the Senate this year will hold hearings on S. 1592, which was introduced by the distinguished Senator from Illinois [Mr. PERCY], and cosponsored by every Republican Member of the Senate.

One of the exciting concepts embodied in the Percy proposal is the self-help idea. California has had some experience with this concept. The results have been encouraging. Under the self-help program in California, workers using "sweat equity" or equity raised through their own labor as a substitute for ready cash which they lack, are becoming homeowners and for the first time are experiencing the pride and the dignity in homeownership. Its success is readily apparent in the faces of these new owners.

Recently the Oakland Tribune published an outstanding editorial praising the Percy housing plan. As the article states:

> The Percy plan instead of perpetuating dependency offers the disadvantaged an opportunity to become independent homeowners.

Mr. President, I am confident this proposal of Senator PERCY's has broad support across the country and provides us with a new approach which, if enacted, will be a great stimulus to making decent housing available to all of our citizens, particularly the disadvantaged.

I ask unanimous consent that the Oakland Tribune article of April 27 be printed in the RECORD.

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

PERCY'S HOUSING PLAN

One of the fatal defects in the Johnson Administration's efforts to meet the housing needs of the poor has been the essentially negative approach of many of these programs.

The major incentive offered to the poor who occupy public housing projects is to stay poor—because when the family income reaches a certain level, they must move. The same negative incentive is present in the controversial "rent supplement" program, the direct subsidy paid for low-income families to help meet part of their rent in privately-owned housing. Rent supplements go only to families whose income stays below a certain level.

Instead of encouraging the poor to move up the economic ladder, the subsidy approach actually encourages the status quo. By earning more, a poor family jeopardizes either its eligibility for public housing or its government-paid rent subsidy.

An equally negative byproduct is the fact that these programs offer no incentive to the poor to maintain their homes. They don't own them and under the public housing and rent supplement approach, they never will.

As an alternative, Sen. Charles Percy, R–Ill., has proposed a plan to help rehabilitate urban slums by promoting home ownership among the poor.

The program, known as the National Home Ownership Foundation Act, would establish a foundation with the authority to sell $2 billion worth of bonds to help arrange home purchases by the poor.

The Foundation would issue loans to local non-profit housing associations which would rehabilitate slum housing and sell it to low-income families. The mortgages would be held by the Foundation to help repay the loans on rehabilitated housing.

To help launch this self-supporting program, Congress would appropriate $60 million over the next three years to help poor urban and rural home-buyers pay interest on their mortgages.

The plan is co-sponsored by all 36 Senate Republicans, including California's George Murphy and Thomas Kuchel. Senate Democratic Leader Mike Mansfield predicts it will get substantial Democratic backing.

We hope Congress gives the program prompt consideration. The basic self-help feature of the Percy plan is one that should be part of every federal program aimed at rehabilitating the nation's cities. Instead of perpetuating dependency, it offers the disadvantaged an opportunity to become independent home-owners.

If urban rehabilitation is to work, the poor must have a stake in improving both their housing and their economic status. Government must stop encouraging the poor to depend upon special subsidies that, however nobly intended, have the effect of perpetuating poverty.

THE LESSON OF SUEZ IN PANAMA

Mr. LAUSCHE. Mr. President, the Cleveland Plain Dealer of June 27, 1967, published an editorial entitled "Lesson of Suez in Panama."

The views expressed in this editorial are sound and worthy of sympathetic consideration. The editorial points out the absolute need of establishing by law an assurance that the Panama Canal will always be kept open for the passage of all innocent vessels carrying cargoes in the world markets. The editorial points out that as far as the Panama Canal is concerned, assurances should be made that it will never deny the use of its facilities to vessels carrying cargoes in world trade on a similar unjustified basis as was experienced by innocent ships in their purpose to use the Suez Canal and the Tiran Straits.

The editorial states:

> The United States has to make certain that freedom of transit between the Atlantic and the Pacific exists for everybody.

It further points out the absolute need of assuring, through the proposed new treaties to be executed between the United States and Panama, that our Government shall have the ultimate right through the treaty provisions to keep open the canal for usage by all innocent vessels of all the nations of the world.

My own view is that the Suez Canal and the Panama Canal ought to be placed under international control, making all of the nations of the world answerable for the free use of the facilities of these artificial bodies of water that connect the oceans of the world. However, if that is not to be achieved, then it is imperative that the United States make certain that what happened in the Suez Canal through the shortsightedness of Nasser shall not happen in the Panama Canal.

Mr. President. 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:

LESSON OF SUEZ IN PANAMA

In order to get the Republic of Panama's negotiators to okay future construction of a new sea-level canal between the Atlantic and Pacific across the Panamanian isthmus, the United States had to make tremendous political concessions.

It had been determined by President Johnson and Panama's President Marcos A.

Robles in 1965 that a new treaty would be drafted to replace the one of 1903 that gives the United States sovereignty over the Panama Canal and Canal Zone, 10 miles wide. Announcement that the pacts have been negotiated—although the texts still are secret—has led to some heated opposition in Congress, where the Senate must ratify any treaty.

One of the three proposed treaties, it is made known, "concerns" U.S. military bases in Panama for defense of the canal.

This is actually the key point. National interest must not be forsaken. Politics may change but geography does not. The war-breeding lessons of Egypt's Nasser, the Suez Canal and the Gulf of Aqaba are fresh before the world.

The United States has to make certain that freedom of transit between the Atlantic and the Pacific exists for everybody. What happens under these proposed treaties if a Nasser becomes president of Panama? Where does our national interest stand then?

Already there is talk, since the Arab-Israeli hostilities ended, that both the Suez Canal and the Panama Canal should be internationalized.

Study of new canal routes, either in Panama, in Colombia or on the Nicaragua-Costa Rica border was agreed to only after the Canal Zone riots of January 1964 that left 21 Panamanians and four U.S. soldiers dead. For a time Panama broke relations with the United States, restoring them only after being assured the 1903 treaty would be replaced.

It is obvious that a new water-level canal will have to be built someplace, eliminating the present lock system that is vulnerable to attack and sabotage. The oil supertankers and largest aircraft carriers already are too big for either the Panama or Suez Canal.

Benefits of a new canal in the end may outweigh seeming disadvantages in yielding so much to Panama, provided that the United States maintains the absolute right to protect its own lifeline.

HEALTH LESSONS TO BE LEARNED FROM DEXTER MANOR PROJECT

Mr. SMATHERS. Mr. President, on June 22 and 23, the Subcommittee on Health of the Elderly, of the Special Committee on Aging, began an inquiry into costs and delivery of health services to older Americans. As chairman of that subcommittee, I am pleased to report that expert witnesses gave testimony that will serve the subcommittee well as it continues hearings on a subject of vital importance, not only to the old but to others who will benefit from improvements in the organization of medical services.

The mood at the hearing clearly was one of innovation and fresh thinking—very similar, in fact, to the overall mood that could be felt the following week at the National Conference on Medical Costs.

It is clear, I think, that the implementation of medicare and medicaid programs have already unleashed a strong desire to make quality medicine more readily available to all Americans, while at the same time preserving the best features of the present system.

A perceptive report on one experiment in providing such services to one group of older Americans was given on July 3 in an Associated Press column written by Mr. Martin Segal, of New York City. Mr. Segal, an articulate and farsighted authority on older Americans, gives a vivid description of a project that, with necessary adaptations, might well be useful in other communities. I can assure you that the subcommittee will look further into the project as its inquiry continues.

Mr. President, the article is timely and informative. 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:

SECURITY FOR YOU: HEALTH SERVICE HELPS ELDERLY

(By Martin E. Segal)

Medicare, medicaid, preventicare, higher Social Security benefits, special services for the elderly—all have one underlying purpose: to allow older persons to live adequate, independent lives. But sometimes a little understanding, a little forethought, can do as much as all the major program. Like the people who planned and worked to put a health unit into Dexter Manor.

Dexter Manor is a public housing project for the elderly in the downtown area of Providence, R.I. The 11-story building has 200 apartments for residents 62 years old and over with incomes up to $3,000 a year for a single person, $3,600 a year for couples. There were 283 residents with an average of 72 when the health unit began operating.

The Dexter Manor health unit isn't a big, expensive operation. It consists only of a nurse, a clerk, and a part-time social worker. They operate out of a clinic provided by the Providence Housing Authority on the first floor of the building, directly across from the community room that is used by all the residents for social activities.

TYPICAL CASES

But as a result of this small health unit, a considerable number of Dexter Manor's residents have been enabled to live independent lives at home rather than spend months or years in hospitals and nursing homes. And isn't that what programs are supposed to do?

For example:

Mrs. W., 79 years old, lived alone in an efficiency apartment. She called the nurse one morning to say she had fallen the night before and injured her right shoulder. The nurse sent Mrs. W. to the hospital. X-rays showed that Mrs. W.'s shoulder was fractured. She was admitted to the hospital for treatment. When Mrs. W. was ready to be discharged from the hospital, she had limited use of her arm. Mrs. W.'s doctor recommended that she go to a nursing home. Mrs. W. and the Dexter Manor Health unit staff feared that if she went to a nursing home, she might remain there.

The nurse and social worker met with the house manager, Mrs. W.'s niece, her minister, and representatives of several social agencies.

Mrs. W. was sent home. And a homemaker was assigned to prepare her main meal and do light housekeeping. The nurse took over the task of continuing treatment and physical therapy.

Take another case: One morning, Mrs. M. came to the nurse's office to report that her husband had an extremely painful back. The nurse investigated and sent Mr. M. to his personal physician. The doctor found Mr. M. had a large abscess. He operated, then called the nurse to find out whether she could give continuing care or whether Mr. M. should be sent to the hospital.

The nurse assured the doctor that she would care for Mr. M.

The result: Mr. M. spent the next few weeks at home rather than in a hospital; a hospital bed was available for a sicker patient; and the M.'s budget was kept intact.

SIMILAR PROGRAMS

Very few housing projects have such closely associated health services. And even this program didn't start without some opposition and doubts.

Skepticism was voiced by some professionals because they feared that the presence of a nurse (without charge to the patient) would encourage elderly tenants to dwell on their health problems and imagine some they didn't have. Some people worried that tenants who were too ill to live independently and who really needed institutional care would remain in the project. The Dexter Manor experiment proved all these fears to be groundless. The natural thing, the sensible thing, would be to follow up on successful experiments by establishing similar, permanent services in other places.

INDIANA'S NEW TRAFFIC CODE

Mr. BAYH. Mr. President, as highway use continues to rise in ever increasing amounts, it becomes more and more important that State and local regulations be developed which will adequately meet the complex demands of highway safety. I am pleased to report that Indiana has recently taken significant steps toward this goal.

During the 1967 session the Indiana General Assembly, in a bipartisan effort, adopted a series of traffic safety measures which expanded and improved the State's highway regulation laws. These acts were based upon considerable research and many conferences and seminars, and they cover such varied issues as vehicle inspection, motorcycle safety, driver education and licensing, traffic courts, and police training.

Mr. President, the major aspects of this legislation were well summarized in an article written by Floyd Kline, Sr., and Dave Allen, and published in the July 1967, issue of Traffic Safety. Because the experience of one State in revising its basic traffic code is of national significance, 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:

[From Traffic Safety, July 1967]

INDIANA LEGISLATURE PASSES TRAFFIC BILLS

(By Floyd A. Kline, Sr., and Dave Allen)

(NOTE.—Floyd A. Kline, Sr., is director of the Indiana Office of Traffic Safety. Dave Allen is assistant to Gov. Roger D. Branigin of Indiana.)

The 1967 session of the Indiana General Assembly, with the backing of Gov. Roger D. Branigin, enacted several important traffic safety measures. It is to the credit of the governor, state senators and representatives that legislation dealing with the far-flung aspects of traffic safety was handled in a bipartisan manner. This assembly must stand as a benchmark to those who worked for many years to develop and perfect a comprehensive taffic safety program.

Governor Branigin in both his state of the state and budget messages to the Indiana General Assembly commented on traffic safety programing. On January 10, 1967, in his State of the State speech, the governor said:

"The year's (1966) record is proof that the state has not yet faced up to the adoption of sanctions necessary to curb highway slaughter. We must strike at once with compulsory vehicle inspection, more severe restrictions on drivers with physical and visual defects, better driver training and laws closing in on the drunk, the speeder and the irresponsible."

In his January 25 budget message, Governor Branigin recommended that the general assembly appropriate matching funds, in accordance with the National Highway Safety

Act of 1966, to develop traffic safety programs for the state and its political subdivisions.

Many state and local agencies, coordinated by the Indiana Office of Traffic Safety, worked diligently with interim legislative committees to compile the background information vital to the preparation of the bills passed in the 1967 session. The period between the adjournment of the 1965 session and the convening of the 1967 session was a busy one for agencies with traffic safety responsibilities.

It is a tribute to these people that even prior to the December, 1966, and February, 1967, draft standard announcements by the Highway Safety Bureau, Indiana either had in operation or in preparation necessary legislation which exceeded any minimum requirements that can be extracted from these draft standards.

In brief, the standards and Indiana's legislation in these areas include:

Periodic Motor Vehicle Inspection. A special committee created by the legislative advisory commission made a comprehensive study of the various vehicle inspection programs now in operation in other states. The bill passed by the Assembly was the result, with slight modifications, of this careful study. It will be operational in 1969.

Motorcycle Safety. Indiana hosted a multistate conference on motorcycle safety in December, 1966. The legislation enacted by the 1967 Indiana General Assembly is based upon the recommendations of this conference. The motorcycle code provides for the licensing of cycle operators, protective headgear, eye and face protection requirements, rules of the road for operation of the cycles, as well as the transportation of passengers by cycle operators. This Act is possibly the most comprehensive legislation dealing with motorcycles available today.

Driver Education. Long a leader in driver education programs, Indiana was again recognized by the Insurance Institute for Highway Safety as a top ranking state in this critical area. The proposed draft standard reflects Indiana's current driver education program in its scope and priority.

The regulation of commercial driver training schools was provided for by the 1967 Assembly. The bureau of motor vehicles will continue to emphasize the importance of properly trained drivers. It will require commercial driver training schools to maintain sufficient classroom and behind-the-wheel instruction in order to retain certification.

Traffic Codes and Laws. A two-year study made by Indiana officials in cooperation with the National Committee on Uniform Traffic Laws and Ordinances was completed in September, 1966. The recommendations are still under review in many instances. However, several of the proposals were introduced into the 1967 General Assembly. The first systematic revision in speed limit laws and the operation requirements for vehicles on Indiana highways was enacted. Not surprisingly, the report showed that Indiana's existing laws in most of the areas were in substantial conformity with the provisions of the Uniform Vehicle Code.

Driving Licensing. Through improved techniques available in data processing, programing and equipment, the law enforcement agencies, the bureau of motor vehicles, and the courts are better able to isolate information on individual drivers. This progress allows the appropriate agency to locate and remove the errant driver from the highways faster.

Additional refinements in the licensing control process were added by the 1967 General Assembly. The commissioner of motor vehicles was given an important advisory group when a medical advisory commission of driver licensure was created. This group of medical specialists will be able to review recurrent medical problems associated with the impaired operation of motor vehicles and to make recommendations as to the capability of specific individuals to effectively operate a motor vehicle.

The recently revised point system has enabled the state to ferret out persons who consistently commit the most life endangering traffic offenses and to have them removed from the highways before they either become or cause others to become grim statistics in the traffic fatality count.

In order to strengthen interstate cooperation in the field of driver licensing in this mobile society, Indiana has passed legislation that allows the state to become a member of the Driver Licensing Compact. This will assist in preventing a driver whose license has been suspended in one jurisdiction from fraudulently obtaining an operator's license in another jurisdiction.

Traffic Courts. The Indiana Office of Traffic Safety, Indiana Trial and Municipal Judges Association, Indiana State Bar Association, and the American Bar Association have cooperated in sponsoring traffic court conferences. These events have fostered a better understanding between the licensing and enforcement groups and the judges.

The initial step in basic changes in the state judicial system was taken by the 1967 Assembly when a constitutional amendment on judicial reform was passed. This action was but the first step, and the 1969 Assembly will have to also consider the proposal before it comes before the voters for approval or rejection.

Several procedural statutes were enacted to aid in dealing with traffic law violators when brought before the courts.

Mandatory Police Training. In an effort to further upgrade law enforcement in Indiana, the assembly established a 14-member law enforcement board with power to set minimum standards for police training in all areas of law enforcement up to the state level. Provisions are included for a law enforcement academy, a building fund and a law enforcement training fund.

Alcohol in Relation to Highway Safety. The department of toxicology of the Indiana University School of Medicine was authorized by the 1967 assembly to undertake a study of the effects of alcohol, drugs, and carbon monoxide in fatal accidents. This is the initial step in a program to obtain clinically sound data on the much-discussed problem of how often these substances appear in fatal accidents.

Perhaps the results of this study, coupled with other data, will provide more updated and medically accurate information It should also be noted that since July of 1965, the Indiana State Police have been conducting in-depth investigations into all fatal accidents that department investigates. The results of this study will also provide useful information for future traffic safety programing.

Local-State-Federal Cooperation. Three major pieces of legislation that directly affect inter-governmental cooperation in traffic safety work were passed. The Office of Traffic Safety Act of 1953 was amended to provide for a single Traffic Safety, Advisory Committee instead of the three overlapping groups formerly established. This committee will provide a sounding board for careful review of existing state programs as well as for consideration of new safety programs.

Enabling legislation was passed to provide that Indiana could participate in the programs of the 1966 Highway Safety Act. This legislation designates the governor as the official responsible for the comprehensive traffic safety programing for Indiana and authorizes him to delegate various operational aspects of the program to appropriate state and local officials and agencies.

The creation of a city-county traffic safety programs advisory board will enable Indiana to implement the provisions of the federal legislation in a manner that allows for careful local review and program development.

Indiana's comprehensive traffic safety program has been the result of a unified effort. Governor Branigin, the Indiana General Assembly, the Governor's Traffic Study Commission, the Governor's Traffic Safety Advisory Committee, and the Office of Traffic Safety spent months researching and studying Indiana's traffic safety problems and possible solutions to these problems. Public interest in and support for the legislative program were gained through the activity of the Indiana Traffic Safety Council and many civic, church, fraternal, and women's organizations that are working toward making Indiana a safer, better state.

THE METROPOLITAN EXPEDITER

Mr. PELL. Mr. President, when Congress approved and the administration put into effect the Demonstration Cities and Metropolitan Development Act last year, four target areas were selected by the Housing and Urban Development Administration to have the services of a metropolitan expediter. This very ambitious program was initiated in order to make it possible for the decaying cores of our cities to have the professional services, on a local level, of top-level HUD employees who would aid the communities in the preparation of the applications for Federal programs and help in the expediting of these applications. All of us are aware that Federal programs have grown far more sophisticated in the past few years, so that even the very large communities do not always have the expertise available to them to resolve their local problems and to obtain the necessary Federal funds to do so.

The Providence, R.I., area was most fortunate in having the services this year of an excellent metropolitan expediter, Mr. Sirrouko Howard. In the few short months that Mr. Howard has served in that capacity, he has made a very favorable impression on the city officials in his area of responsibility. Therefore, I would hope that this program could get an opportunity to get off the ground for we all know that those communities that frequently need the most help have the least professional staffing to assist them. We, who are responsible for the creation of new Federal programs, also have a responsibility to the communities which apply for them. Frequently, applications for Federal funds from Rhode Island communities come into my office, and they are bigger than a metropolitan telephone book in size and more complex than a doctoral thesis. We are all well aware of the growing bureaucracy of this Republic of ours and the many frustrations that the local community leaders have in attempting to cope with the ever-growing redtape and paperwork imposed upon them by the Federal Government.

It is my understanding that there are those who believe that the local metropolitan expediters are merely duplicating the work which is already done at the regional level. This is not the case. The facts are entirely to the contrary; and to illustrate this, I ask unanimous consent to have printed in the RECORD several communications I have received, and also an editorial entitled "Bring Back the Expediter," published in the Providence Journal of Wednesday, July 5, 1967. The editorial comments on the importance of maintaining the metropolitan expediter

program. I do hope the administration and Congress will make every effort to continue to fund this most important and worthwhile program.

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

CUMBERLAND, R.I.,
OFFICE OF THE TOWN ADMINISTRATOR,
Cumberland, R.I., June 20, 1967.

Senator CLAIBORNE PELL,
Federal Building,
Providence, R.I.

DEAR SIR: It is with considerable alarm that I am informed of the possibility of losing Mr. Sirrouko Howard, Metropolitan Expeditor, Department of Housing and Urban Renewal, because of the lack of funds to finance his office and staff.

Mr. Howard has been in the State of Rhode Island only a short time and his assistance to the Town of Cumberland has been most beneficial. He has furnished the Town with information which previously had been very difficult to obtain. He has guided the officials on present projects as well as anticipated projects. He is a dedicated public servant and his loss would be felt, I know, in the Town of Cumberland, and I am sure, throughout the State of Rhode Island.

The writer would, therefore, solicit your cooperation to find a way to keep the Metropolitan Expeditor's office in operation and, particularly, the services of Mr. Sirrouko Howard.

Thanking you for your assistance to the Town of Cumberland in the past and with kind personal regards, I remain,

Respectfully yours,
EDWARD J. HAYDEN, P.E.,
Town Administrator.

CITY OF PROVIDENCE,
Providence, R.I., May 23, 1967.

Hon. CLAIBORNE PELL,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR PELL: The House of Representatives recently approved the annual appropriation bill for the Department of Housing and Urban Development and included a provision barring the use of any funds for the Department's metropolitan expediter. Since April 30th, Mr. Sirrouko Howard has been serving in that capacity here in Providence. He has been of great assistance to me personally and to my administration. I feel that this action of the House is not in the best interest of the City and that the reesablishment of this position can be an important part of our effort to change the quality of urban living.

I would appreciate any effort which you may be able to make to see that this important position is restored to the budget of the Department of Housing and Urban Development.

Very truly yours,
JOSEPH A. DOORLEY, Jr.,
Mayor of Providence.

TOWN OF SOUTH KINGSTON, R.I.,
Wakefield, R.I., June 15, 1967.

Hon. CLAIBORNE PELL,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR PELL: At a meeting of the Rhode Island Municipal Chief Executives Association held in Providence, R.I. on June 14, 1967, it was

Unanimously voted: that this Rhode Island Municipal Chief Executives Association go on record as endorsing the concept of a Metropolitan Expediter and that Senators Pastore and Pell and Congressmen St Germain and Tiernan be so notified.

Yours very truly,
FOSTER R. SHELDON,
Secretary, Rhode Island Municipal Chief Executives Association.

TOWN OF NORTH PROVIDENCE,
OFFICE OF TOWN CLERK,
Centredale, R.I., June 28, 1967.

Senator CLAIBORNE PELL,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR PELL: The North Providence Town Council, at its meeting on June 5, 1967, declared its appreciation for the services, availability and cooperation of Mr. Sirrouko Howard, Metropolitan Expeditor, Housing and Urban Development Agency.

As you know, the Town of North Providence is desperately attempting to obtain Federal assistance for the rehabilitation of its sanitary sewer system, parts of which are in a collapsed and disintegrated condition.

The taxpayers of the Town of North Providence have already approved a $500,000.00 bond issue, in an attempt to initiate immediate action on this inherently hazardous public health situation.

Unfortunately, the total cost of this work has been estimated at approximately $1,700,000. Hence, our acute need for Federal assistance.

Mr. Howard, as the local Metropolitan Expeditor, has been of invaluable assistance in suggesting potential courses of action, as far as Federal agencies are concerned, and has eliminated much of the confusion usually involved in these situations.

The North Providence Town Council respectfully solicits your support of the continuance of this HUD program of Metropolitan Expeditors, which is currently endangered by lack of Federal funding.

Thank you for your interest and cooperation.

Sincerely yours,
THE NORTH PROVIDENCE TOWN COUNCIL,
JOSEPH T. MORRISSEY, *President.*

[From the Providence Journal, July 5, 1967]

BRING BACK THE EXPEDITER

Sen. Walter F. Mondale, Democrat of Minnesota, has launched a major effort in Congress to revive the controversial "metropolitan expediter" program. His cause is one the mayors of the nation's big cities support; it is a cause that congressmen and senators with political bases in big cities ought to rally to strongly.

The metropolitan expediter program has been shadowed by recent House action through refusal to appropriate funds for it for the coming fiscal year. Worse, the House also killed an experimental program, supported by funds from the Department of Housing and Urban Development, in four cities, including Providence which found the program most useful.

The expediter's job was to advise mayors on urban needs, to help to select federal programs best suited to meeting those needs, and to try to reduce the time lag between applications for help and approval by the appropriate agencies. In Providence, the program proved itself quickly; the program well met a basic need. HUD now proposes to maintain its service here but under a new name. The gesture is helpful, but the basic issue is unresolved.

House action was taken, so the story went, because of a fear among some congressmen that the program represented a "threat to local autonomy." The fear was groundless; expediters could only advise. It is fatuous to think that a single federal expediter could have become a czar of urban development in Providence, for instance.

The real reason for House action very probably was the fear that the expediter would take over the jobs now performed in many cases by congressmen who carry the ball in Washington on programs in which mayors back home are interested. If a mayor could turn to an expediter for direct liaison with Washington, a valuable political tool would be taken from the congressman.

A mayor would owe an expediter only a debt of personal gratitude for any help the expediter gave in handling urban development problems. But when a mayor gets help in such areas through his congressman in Washington, there is a political debt involved which any congressman would be only too glad to ask payment on at election time.

Senator Mondale hit hard on the usefulness of the program. "One of the major criticisms of the present federal programs in the urban field," he said, "is that the time period before approval is too long and that the city must wait until one review after another is completed. This program is designed to expedite the applications and meet this criticism."

Senator Mondale called for restoration of the program, describing it as "small in cost" but "most important" in long-range potential. The senator can use all the support available, and it is to be hoped that Senators Pell and Pastore and Congressman Tiernan and St Germain will do what they can to help for the sake of all the communities here interested in federal aid and grant programs.

THE RESERVE AND NATIONAL GUARD—TRIBUTE TO SENATOR RUSSELL

Mr. SYMINGTON. Mr. President, I would present to the Senate the great service rendered by the distinguished Senator from Georgia [Mr. RUSSELL] in connection with the latest revision in the reorganization plan for the Army Reserve and National Guard.

As we all know, because of his long experience, his position as chairman of both the Committee on Armed Services and the Subcommittee on Defense Appropriations, Senator RUSSELL occupies the leading role in the Senate on defense matters; and the part he has played in recent days on the realinement matter is merely another indication of the distinguished service he continually renders.

As every Senator knows, for many months the Army Reserve has been a matter of controversy.

First, the so-called merger plan for the Army Reserve and Guard was proposed, but not accepted by Congress.

Some weeks ago the Army provided another proposal for realining the Army Reserve and Guard aimed at reducing the serious imbalance in the present structure. In many ways this plan is to be commended. One aspect, however, which has caused concern is the fact that the plan would have removed all combat elements from the Army Reserve and placed them in the National Guard.

During the hearings before the Committee on Armed Services on the realinement matter, Senator RUSSELL expressed the hope that the realinement plan could be reexamined with a view to retaining at least some combat elements in the Army Reserve; and as a result of his leadership, together with the cooperation of the Army, the realinement proposal has been revised in such a manner that three combat brigades will remain in the Army Reserve, together with a number of other separate combat units.

The National Guard will retain the eight divisions and 18 brigades as proposed. Certain other combat units proposed for the Guard, however, will be placed in the Reserve; and other noncombat units scheduled for the Reserve will be programed for the Guard.

I ask unanimous consent to have printed at this point in the RECORD the text of a letter to Chairman RUSSELL from the Army dated July 12 setting forth the changes.

The matter was presented to the Senate Appropriations Subcommittee this morning; and Secretary of the Army Resor, General Johnson, Chief of Staff, and General Rich, Chief of the Army Reserve, also should be commended for their cooperation in this revision.

Mr. President, I congratulate Chairman RUSSELL for his leadership in this matter, because the new plan will result in a better Reserve and a stronger national defense.

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

DEPARTMENT OF THE ARMY,
Washington, July 12, 1967.

Hon. RICHARD B. RUSSELL,
Chairman, Committee on Armed Services, U.S. Senate.

DEAR MR. CHAIRMAN: At the hearings June 27th on the Army Plan for reorganization of its reserve components, you asked that consideration be given to retaining some combat and combat support elements in the United States Army Reserve (USAR). Other members of the Congress have made similar suggestions. Additionally, the House of Representatives in passing the Department of Defense Appropriation Bill for FY 1968 and H.R. 2 has called for a minimum strength of 260,000 in the USAR rather than the 240,000 contemplated in the Army Plan.

It is in the light of the foregoing that the Chief of Staff and I have subjected the Army Plan to further analysis. While we continue to believe that it is the best plan to meet Department of the Army objectives, altering it so that combat and combat support units would remain in the USAR is feasible. This alteration could be accomplished by adopting a reorganization which we have characterized as the Three Brigade Plan, so called because the USAR would have three brigades rather than none as in the Army Plan.

Under the Three Brigade Plan the USAR paid drill strength is increased from 240,000 to 260,000 and the paid drill strength of the National Guard would be 400,000. The total structure provided in the Army Plan is retained. The number of combat maneuver battalions is the same as in the force structure recommended by the Joint Chiefs of Staff. The proportion of combat, combat support and service support within each component would be approximately the same as exists today.

The major unit changes from the Army Plan in the Three Brigade Plan are:

(a) Retain in the USAR structure the following units which the Army Plan would have included in the National Guard: 3 brigade bases (each consisting of a brigade headquarters company, a support battalion, an aviation company, an armored cavalry troop, an engineer company and 105mm field artillery battalion), 10 infantry battalions, 15 separate artillery battalions, 16 combat engineer battalions.

(b) Retain or form in the National Guard structure the following units which the Army Plan would have included in the USAR: 2 military police brigades, 1 Transportation Corps brigade, 1 support brigade, 6 engineer construction battalions, 3 signal battalions, 13 hospitals, 52 composite service companies, 21 truck companies, 8 ordnance companies.

The Three Brigade Plan accommodates the major objections which have been raised to our original proposal. It provides the USAR with approximately 41,000 paid drill strength in combat and combat support units and a total paid drill strength of 260,000. The National Guard would have 8 divisions and 18 brigades. We have eliminated all cases of activating in one component a unit comparable to one inactivated in the other component. This maximizes the use of existing assets in both components. It minimizes organizational turbulence. At the same time, our basic reorganization objectives are met.

Sincerely,

STANLEY R. RESOR,
Secretary of the Army.

MISPERCEPTION OF AGGRESSION IN VIETNAM

Mr. FULBRIGHT. Mr. President, one of the more perceptive observers of the war in Vietnam is Ralph K. White, professor of psychology at George Washington University. Last year he wrote a detailed and documented review in the Journal of Social Issues entitled "Misperception and the Vietnam War." Now, in the latest issue of the Journal of International Affairs he has written a condensed version of this thesis entitled "Misperception of Aggression in Vietnam." His comments on the different frames of reference by which each side sees the war shed light on the reason why this tragic conflict has become, for all intents and purposes, a military stalemate. 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:

MISPERCEPTION OF AGGRESSION IN VIETNAM

(By Ralph K. White)

In the Vietnam war each side declares that it has to fight because of obvious, self-evident "aggression" by the other side. On each side there are images of a Hitler-like enemy, brutally, calculatingly bent on conquest. On each side there is a feeling that it would be weak and cowardly to let the enemy's aggression be rewarded by success; each side feels: "If we are men we cannot let this aggression go unpunished."

The thesis of this article is that both are wrong. There has been no aggression on either side—at least not in the sense of a cold-blooded, Hitler-like act of conquest. The analogies of Hitler's march into Prague, Stalin's takeover of Eastern Europe, and the North Korean attack on South Korea are false analogies. There is a better analogy in the outbreak of World War I, when, as historical scholarship has shown, both sides stumbled and staggered into the war in a spirit of self-defense (or defense of national pride against "intolerable humiliation") rather than in a spirit of deliberate conquest. (See Robert North's article in this issue.) In Vietnam each side, though by no means free from moral guilt, is far from being as diabolical as its enemies picture it, since both believe that whatever crimes they may commit are justified by the magnitude of the emergency. Each knows that it has not "willed" this war. On each side ordinary human beings have become gradually entangled, hating the war and all the suffering associated with it, honestly believing that their manhood requires them to resist the "aggression" of the enemy. But the enemy's "aggression," in the sense in which it has been assumed to exist, has not existed.[1]

For reasons that will be discussed, it follows that the only honorable peace would be a compromise peace in which each side could feel it had held out against the aggressor's onslaught and had managed to preserve at least the bare essentials of what it was fighting to defend.

CAN THEY BELIEVE IT WHEN THEY CALL US "AGGRESSORS"?

President Johnson has said, "The first reality is that North Vietnam has attacked the independent nation of South Vietnam. Its object is total conquest. . . . Let no one think for a moment that retreat from Vietnam would bring an end to the conflict. The battle would be renewed in one country and then another. The central lesson of our time is that the appetite of aggression is never satisfied."[2] Secretary McNamara has said, "The prime aggressor is North Vietnam."[3] Secretary Rusk has repeatedly declared that the whole purpose of our intervention would disappear the moment the North Vietnamese decided to "let their neighbors alone."

The great majority of the American people do not seriously doubt these statements; even among those who doubt the wisdom of our attempting to resist aggression in Southeast Asia there are many who do not doubt that Communist aggression has occurred. Those who do feel that it is our responsibility to resist the aggression that they regard as self-evident are likely to have ready answers to what they suppose to be the arguments against this belief. They may ask: "Can you deny that North Vietnam has sent troops and weapons to the South? Can you deny that the Viet Cong cadres are Communists, controlled by other Communists in Hanoi and perhaps in Peking? Can you deny that war by assassination in the villages is aggression, in principle, as much as is war by invasion of troops across a border?" And when they find that their opponents, while making certain qualifications (e.g., with regard to the completeness of the control of the Viet Cong by Hanoi), do not try to deny the essential truth of any of these things, they are likely to feel that their case is well established and that Communist aggression is indeed self-evident.

A visitor from Mars would be struck by the close parallel between all of this and the attitudes that are continually expressed on the other side. According to Ho Chi Minh, "It is crystal clear that the United States is the aggressor who is trampling under foot the Vietnamese soil."[4] According to Chou En-lai, "America is rapidly escalating the war in an attempt to subdue the Vietnamese people by armed force."[5] And according to Leonid Brezhnev, "Normalization of our relations [with the U.S.] is incompatible with the armed aggression of American imperialism against a fraternal Socialist country—Vietnam."[6] To the extent that they mean what they say, aggression by us seems as obvious to them as aggression by them seems to us.

That, then, is the essential question: to what extent do they mean what they say?

To most Americans, probably, the charge that *we* are aggressors seems like outrageous nonsense, so transparently false that honest men all over the world must put it down immediately as a propaganda trick by the Communists to cover up their own aggression. The thief is crying "Stop thief!" and must be doing it simply to distract attention from his own crime.

It is precisely here, though, that the perceptions of most Americans are, in my judgment, basically mistaken. The charge that we have been aggressors—inadvertent ag-

[1] A much more detailed and documented presentation of this thesis is contained in Ralph K. White, "Misperception and the Vietnam War," *Journal of Social Issues*, Vol. XXII, No. 3 (1966), pp. 1–167.

[2] Johns Hopkins speech, Apr. 7, 1965.

[3] Speech before the National Security Industrial Assn., Mar. 26, 1964.

[4] Interview with Felix Greene, quoted in *The Washington Post*, Dec. 14, 1965, pp. A 1, A 16.

[5] Speech in Peking, reported in *The New York Times*, May 1, 1966, p. 4.

[6] Speech to the Central Committee of the CPSU, reported in *The Washington Post*, Sept. 30, 1965, A 16.

gressors, without for a moment intending to be—is not outrageous nonsense. It is no more false than our charge that the Communists have been aggressors. Both charges are psychologically false, since neither side has committed conscious, deliberate, Hitler-like aggression. But both charges are in a less essential sense true, since both sides, in the belief that they have been defending themselves, have engaged in certain actions which the other side, seeing them within a radically different frame of reference, could easily perceive as aggressive.

That this is true on the American side needs no demonstration. Certain actions of the Communists, notably the campaign of assassination in the villages and the sending of troops from the North to the South, have seemed to most Americans, interpreting them within an American frame of reference, to be flagrantly, self-evidently aggressive. What most Americans have almost wholly failed to realize is that we too have done things which, when perceived within the Communists' radically different frame of reference, have probably seemed to them to be just as flagrantly and self-evidently aggressive. This failure to see how our own actions are perceived by the Communists is the essence of our misperception.

Most of the rest of this article will be devoted to an exploration of the reasons for believing that the Communists do see our behavior as aggressive. The argument is two-fold. (1) There are at least eight important kernels of truth in the Communist case against us—eight types of evidence that, when strongly focused upon by a Communist mind and interpreted within a Communist frame of reference, could seem to substantiate his charge of American aggression. (2) There is ample reason to believe that the lenses through which the Communists see reality have a high enough degree of refraction to do the rest of the job. They are quite capable of focusing strongly on these kernels of truth, interpreting them solely within a Communist frame of reference, failing to realize that we see them within a quite different frame of reference, ignoring or misinterpreting all the kernels of truth on our side, and therefore coming up with a black-and-white picture in which their role is wholly defensive and ours is aggressive. The chief reason to think they are capable of this much distortion lies in the fact that most American minds—presumably less dogmatic, more evidence-oriented—have been capable of a similar degree of distortion in the opposite direction. The very fact that so many Americans have denied, misinterpreted, soft-pedaled or simply ignored these eight important kernels of truth on the Communist side is sufficient evidence that the capacity to misperceive in this way is not inherently Communist. It is human. In other situations the Communists have, on the whole, shown much more of it than we have, but in the case of Vietnam the amount of distortion that apparently exists in Communist minds, i.e., the amount of it that they would need in order to believe most of what they say, is no greater than the amount in the minds of most Americans.

What is needed, then, is a careful examination of the "eight kernels of truth." We can hardly understand either the sincerity of Communist thinking or the distortions and blind spots in our own until we focus steadily on the facts that to them seem decisively important.

THREE REASONS WHY THEY THINK SOUTH VIETNAM "BELONGS" TO THEM

The usage of the term "aggression" in the Communists' discourse suggests that in their mind, as in ours, it is applied when either or both of two conditions exist: (1) when they believe, rightly or wrongly, that country A is using force to take land that "belongs" to country B; and (2) when they believe, rightly or wrongly, that most of the people on that land want to be part of country B. The "eight kernels of truth" mentioned above include three types of evidence that, in my judgment, actually do tend to support their claim that South Vietnam "belongs" to them (reasons other than the belief that the people are on their side) and five types of evidence supporting their claim that most of the people are on their side.

Perhaps it should be repeated: this is not an argument that South Vietnam *does* "belong" to them, or that most of the people *are* on their side. It seems to me that the first of these propositions, when closely analyzed, is largely meaningless, and that the second, though very meaningful, cannot be clearly answered on an empirical basis and is probably somewhat less than half true, since most people in South Vietnam probably do not want to be ruled either by Hanoi or by Saigon. This is simply an argument that the facts are complex and ambiguous enough to disprove completely our prevailing American assumption that there has been deliberate, unequivocal Communist aggression, and to make it highly probable that the Communists *think* South Vietnam belongs to them and the people are on their side.[7]

What does "belonging" mean, psychologically? On what grounds does any group come to feel that a certain piece of land obviously "belongs" to it and not to someone else? Though at first glance the concept seems simple, on closer examination it turns out to be extraordinarily complex and elusive. Such an examination is needed, too, in view of the fact that an endless amount of bad blood and of violent conflict has been generated at the places in the world where two or more groups have had conflicting assumptions about what belongs to whom: the Thirteen Colonies, the Confederate States, Cuba, Bosnia-Herzegovina, Alsace-Lorraine, Austria, the Sudetenland, the Polish Corridor, Danzig, the Baltic states, Taiwan, Quemoy, Tibet, the Sino-Indian border, Indochina, Algeria, Kashmir, Cyprus, Israel. When the territorial self-image of one country overlaps with the territorial self-image of another, trouble seems to be almost inevitable, and such overlapping is hard to avoid because nations differ in their criteria of what constitutes ownership or "belonging." Sometimes, as in our American feeling about the Revolutionary War and the Southern feeling about the Civil War, the criterion is a belief about what most of the people in the area want. Sometimes, as in the British feeling about our Revolutionary War and the Northern feeling about the Civil War, it is a compound of habit, respect for tradition and legality, national pride, beliefs (which may be very deeply held) about what is best for all concerned, including minority groups such as the slaves in the American South or the Catholics in South Vietnam, and perhaps anxiety about what may happen elsewhere if violent attacks on the legally established order are allowed to succeed. There is always a tendency to accept whatever definition of "belonging" makes a given piece of land clearly belong to one's own nation or to an ally.

If we ask ourselves why most Americans assume that South Vietnam belongs to the Saigon Government and does not belong to the Viet Cong or to the Communist Government in the North, perhaps the best single answer would be that since 1954 we have regarded this as an established, accepted fact. Since 1954 we have had a mental image of Vietnam as having been divided, as Korea was, between a Communist North and a southern portion that was still part of the free world—perhaps precariously so, but for that reason all the more in need of being shored up and defended. Probably in the minds of most well-informed Americans there has been no belief that most of the people in South Vietnam want the kind of government they have had in Saigon. On that score there have been embarrassing doubts. But the doubts have usually been fairly well resolved in various ways, e.g., by the belief that most of the people in South Vietnam belong to a large, politically apathetic middle group that only wants peace and would gladly go along with whichever side seems likely to be the winner—from which many infer that there is no popular will which needs to be considered, and that we are therefore free to decide the matter on other grounds. Or the doubts may be resolved by the belief that in the long run a government sponsored by us would permit a genuine development of democracy and national independence, whereas no Communist government would do so; or by the belief that permitting a Communist use of force to succeed in South Vietnam would encourage the "wars of liberation" favored by Communist China and therefore endanger both peace and freedom throughout the world. But all of these points also encounter controversy, and when tired of such controversy many Americans, including Dean Rusk, fall back on the solid, simple, and (they feel) unanswerable proposition that there are Communist soldiers fighting on land that does not "belong" to them. "We will stay until they decide to let their neighbors alone." And the seeming obviousness of this "belonging," since it cannot be based on assumptions about what the people want, is probably based primarily on the fact that for at least twelve years there has been, on our maps and in our minds, a division between the Communist North and the non-Communist South. We see this as the established, accepted, natural order of things.

In doing so we ignore three facts that in Communist minds are much more important than the division of the country that occurred in 1954.

1. *The division of the country has its only legal basis in the Geneva Conference of 1954, and at that conference it was explicitly agreed that it would last only two years.* The Communist-led Viet Minh stopped fighting on the basis of what seemed to be a firm agreement that there would be an all-Vietnamese vote in 1956 (which they fully expected to win) that would unify the country, establishing both unity and full independence without further bloodshed. According to the respected French historian Philippe Devillers, "The demarcation line was to be purely provisional; the principle of Vietnamese unity was not questioned, and the idea of partition was officially rejected with indignation by both sides. When military forces were regrouped and administrative divisions laid down, national unity would be restored by free general elections."[8]

Informed Americans are now embarrassingly aware (though a great many reasonably well-informed Americans were not clearly aware of it until perhaps two or three years ago) that in 1956 Diem, apparently with American backing, refused to permit the elections that had been provided for by the Geneva Agreement. To be sure, neither he nor we had signed those agreements, and there were other persuasive reasons for not permitting the elections at that time or at any time since then. But that is not the present point at issue; the point is that, having in effect rejected the Geneva Agreement by not carrying out one of its key provisions, Diem and the United States deprived themselves of any right to invoke the Geneva Agreement as a legal or moral sanction for the division of the country. With Diem's decision not to press for a plebiscite under international supervision even in "his own" southern part of the country, he forfeited—at least in Communist eyes—not only all claim to the kind of legitimacy that genuine popular endorsement would have provided,

[7] For a more balanced picture of the evidence on both sides, see White, *op. cit.*, especially pp. 19–44, 46–50, 89–90, and 106–16.

[8] Philippe Devillers, "The Struggle for Unification of Vietnam," *China Quarterly*, No. 9 (1962), pp. 2–23.

but also all claim to invoke the Geneva Conference's endorsement of the 17th Parallel as a basis for his own rule in the South. In effect he proclaimed *de facto* control—"possession is nine-tenths of the law"—as his sole basis of legitimacy.

In the same year—and this is a fact that very few Americans know, though it is of great importance to the villagers in South Vietnam who became members of the Viet Cong—Diem abolished the fine old semi-democratic Vietnamese system of electing village councils and mayors, which had survived even during the period of French rule. Both of these actions by Diem must have seemed to the Communists to be flagrantly anti-democratic, anti-Vietnamese, and a violation of the agreement on the basis of which they had laid down their arms. It was only *after* both had occurred, in 1957, that the Viet Cong began their campaign of assassination of government-appointed officials in the villages. From their standpoint, the decisive acts of armed aggression against them occurred in 1956, and anything they have done since then has only been defensive.

2. *In the years between 1950 and 1954, when the United States was supplying money and arms on a large scale to the French, the French were fighting against a clear majority of the Vietnamese people.*

The years before 1954 represent another major blind spot in the thinking of most Americans, though they are properly ever present in the thinking of the Vietnamese Communists. For them those years were as terrible and as heroic as the years of World War II were for the Communists in the Soviet Union.

Few Americans realize that in 1945 and 1946, when the postwar world was settling down to its present division between East and West, Vietnam was not so divided. Instead, it was enjoying the first flush of what seemed to be independence from the rule of France, under Ho Chi Minh's leadership. Since he was a Communist, this meant that the boundary between the two worlds was at that time the boundary of Vietnam itself. Vietnam as a whole had in a sense "gone Communist" when it accepted Ho's leadership. It was, then, the West that stepped over the boundary and used force on the far side of it. France began then, and continued until 1954—with massive American financial help after 1950—to try to reimpose her rule. Although there was talk of a new autonomous role for the three states of Indochina within the French Union, the anti-French majority of the Vietnamese could be forgiven for regarding this war as naked aggression on the part of France, aided greatly by the United States. The term "imperialist," which sounds so strange in American ears when applied to ourselves, does not sound so strange in the ears of Vietnamese who regarded French rule as imperialist and had much reason to associate alien intruding Frenchmen with alien intruding Americans. As for the word "aggressor," it is difficult to escape the conclusion that, by any definition of the term, we were committing aggression in Vietnam from 1950 to 1954. We were financing the use of force on land that did not "belong" to us—or to the French—by any criterion that we would now accept, and we were doing it against what now clearly seems to have been a majority of the people.

On this last point we have the testimony of many people, including President Eisenhower. As he put it in a much-quoted passage, "I have never talked or corresponded with a person knowledgeable in Indochinese affairs who did not agree that had elections been held as of the time of the fighting, possibly 80 percent of the populace would have voted for the Communist Ho Chi Minh as their leader rather than Chief of State Bao Dai." [9]

[9] Dwight D. Eisenhower, *Mandate for Change* (Garden City, N.Y.: Doubleday and Co., Inc., 1963), p. 372.

Since President Eisenhower's statement has often been misinterpreted it should be noted that he did not say that Ho Chi Minh would probably have won by 80 percent in the elections that Diem refused to hold in 1956. He said "possibly;" he carefully said "had elections been held as of the time of the fighting," i.e., in 1954 or earlier, not in 1956, when Diem's prospect of victory would have been much brighter, and he specified as Ho's hypothetical opponent Bao Dai, who was generally regarded as a weak French stooge, rather than Diem, who at that time was regarded even by many of his enemies as an honest man and a staunch anti-French patriot. But on the point that is now at issue—whether the help we gave to the French was in effect a use of force against a majority of the Vietnamese people—President Eisenhower's statement would seem to be decisive.

Why did we do it? Our reasons were understandable if not valid. In 1950 the Communists had just won in China; they were starting the Korean war, and it looked as if desperate measures were necessary in order to keep all of East and Southeast Asia from succumbing to the Communist juggernaut. Perhaps President Truman was honest enough to say to himself that even aggression against the Vietnamese was justified by the magnitude of the emergency. If present-day Americans are able to be equally honest and to remember clearly the situation as it was then, it will help them to understand how present-day Vietnamese Communists could really regard us as aggressors.

3. *The Communist-led majority of the Vietnamese people had actually won their war for independence in 1954.*

Though they were supported to some extent by arms from China, the arms their enemies gained from the United States and from France were far more formidable. Consequently, one of the clearest indications that a large majority of the Vietnamese people did support Ho lies in the fact that his ragged, relatively poorly armed troops did finally win. The battle of Dienbienphu was decisive, and it was generally agreed at the time that if the Viet Minh had wanted to fight a few months more they could have had the whole country.

This is an important part of the psychological background of the Geneva Agreements, and of everything that has happened since. In this respect the situation was very different from the situation in Korea in 1945, when the boundary at the 38th Parallel was first established, or in Korea in 1953, when a military stalemate finally led to a new and roughly similar truce line. In 1953 there was a military stalemate in Korea and the Communists had no basis at all for setting their hearts on unifying the country on their terms. In Vietnam they did. The Vietnamese Communists and the many non-Communists who fought with them had every reason to feel that the prize for which they had struggled and sacrificed through nine heartbreaking years of war was finally theirs: a unified, independent country. Then, by what must have seemed to them a form of chicanery, with the face of America appearing where the face of France had been, and with both Diem and John Foster Dulles blandly claiming that they were not bound by the decisions made at Geneva, a full half of the prize they felt they had fairly won was snatched from them.

Apart from any question of what the people want, then, the Vietnamese Communists have three additional reasons for feeling that South Vietnam "belongs" to them and not to the government established and maintained by us in Saigon: the artificial division of the country at the 17th Parallel was legally and morally invalid after 1956; their war for independence was supported by a large majority of the people; they won that war.

FIVE REASONS WHY THEY THINK THE PEOPLE OF SOUTH VIETNAM ARE ON THEIR SIDE

Since Communists have repeatedly said that any people has a right to fight a "war of liberation" against colonial overlords, no matter how much the rule of the overlords may be sanctioned by tradition and legality, it is clear that their decisive criterion of "aggression" (if they are consistent with their official statements) must be whether "the people" oppose it or not. The following five types of evidence, of which they are probably much more aware than the average American, are therefore relevant to the question of their sincerity on this point.

1. *There are many reasons to think that Vietnamese nationalism is now mobilized, and has been mobilized for some twenty years, much more in favor of Ho Chi Minh than in favor of the French-backed or American-backed government in Saigon.*

In Vietnam, perhaps more than in any other developing country, the Communists have apparently succeeded in fusing Communism with nationalism, and especially with the cause of national unity. The long and finally victorious struggle against the French was conducted primarily under Communist leadership by peasants who regarded their leaders more as patriots than as Communists.[10] President Eisenhower's statement, quoted above, is very relevant here.[11]

It should be noted too that the more and more conspicuous role of America on the Saigon Government side since 1960 has been such as to mobilize the xenophobic nationalism of the Vietnamese in a new way. Since 1960 American aid to Saigon has become far greater and more obvious, while Chinese aid to the Communists has been on a much smaller scale. There are many big-nosed white faces now on the Government side of the war, while those on the Viet Cong side are authentically Vietnamese, even though now a considerable and very potent fraction of them have come down from the North. The Viet Cong guerrillas have been helped by their own countrymen, while the Government has incurred what is probably a much greater stigma by accepting massive help from white foreigners who cannot even speak Vietnamese.

2. *The peasants want land, and many of them have had land taken away from them by the Government.*

Although there is a village-centered peasant nationalism, it may well be that another motive—hunger—is even more basic in the typical peasant's make-up. He wants to safeguard the bowl of rice that represents his next meal and the rice field that represents next years' meals for himself, his wife, and his children. From the standpoint of many peasants in the southern part of South Vietnam, especially the Mekong Delta, their rice and their rice fields have been under attack not only by the crop-destroying chemicals that have been dropped (in some areas) by Government planes, but also by the absentee landlords who have in many instances demanded between thirty and fifty percent of the crop. This fact of absentee landlordism in the South is little known in the United States. It has been estimated that in South Vietnam proper (Cochin China, roughly the southern one-third of the country) only two per cent of the people owned forty-five per cent of the land before 1945.[12] Land reform

[10] Bernard Fall, *The Two Vietnams* (New York: Frederick A. Praeger, 1964), pp. 104–29; Ellen Hammer, *The Struggle for Indo-China* (Stanford: Stanford University Press, 1964): Jean Lacouture, *Vietnam Between Two Truces* (New York: Random House, 1966), pp. 5 and 32.

[11] On the importance and nature of Vietnamese nationalism, see George A. Carver, Jr., "The Real Revolution in South Viet Nam," *Foreign Affairs*, Vol. XLIII, No. 3 (1965) especially pp. 399 and 403.

[12] Fall, *op. cit.*, pp. 308–11.

since then has not greatly changed the situation. Some has occurred under Diem and his successors, but it was preceded by a drastic reclaiming of land that the Viet Minh, when it was in control of large areas in South Vietnam had given to the peasants outright. Land reform by the present government has been a pale imitation of land reform under the Communist-led Viet Minh.

3. *Probably much more physical suffering has been imposed on the peasants by the Government and its American allies than by the Viet Cong.*

On this point Americans have had misperceptions of two quite different kinds. On the one hand there is the misperception of those Americans who, shocked by occasional television pictures of weeping mothers, roughly handled prisoners, and deliberately burned villages, have failed to realize that the atrocities of the Viet Cong, less accessible to Western photographers and less vividly depicted, are just as real. Public disembowelment of "enemies of the people" and of their wives and children is only one of the revolting procedures employed by them, and it has seldom found its way to our American newspaper pages or television screens. On the other hand, there is the misperception of those Americans who, focusing primarily on the widely discussed Viet Cong assassinations of teachers, health workers, and Government-appointed village officials, have often remained ignorant of the highly probable fact that, because of the nature of guerrilla and counter-guerrilla war, the sheer volume of suffering inflicted by the Government has been considerably greater than that inflicted by the Viet Cong.

There are two reasons for this. The more familiar one is that the present process of using American firepower and mobility to break the back of the Viet Cong has meant—despite genuine efforts to minimize it—a large amount of killing, maiming, and sometimes napalming of villagers who, whether "innocent" from our point of view or not, certainly regard themselves as innocent.[13] In a culture that values family loyalty as much as the Vienamese culture does, this deeply affects not only those who have suffered from it themselves but also those who have seen a parent or other relative suffer or die.

The less familiar reason for it is that, in the conduct of counter-guerrilla operations, it is urgently necessary to obtain intelligence about the identity of the guerrilla fighters and where they are hiding. South Vietnamese soldiers have interpreted this as justifying a large-scale use of torture to obtain information not only from captured Viet Cong prisoners themselves but also from wives and relatives of men suspected of being in the Viet Cong. There is the water torture, the electric-current torture, the wire-cage torture—all widely used—and there are other kinds even less well-known in the United States (perhaps chiefly because of unofficial self-censorship by most of our information gatherers in Saigon) but well documented by observers such as Bernard Fall, Malcolm Browne, and Robin Moore.[14]

The ignorance and apathy of the great majority of the American public with regard to this ugliest aspect of the war represent in themselves a puzzling and very disturbing psychological phenomenon. Bernard Fall in 1965 spoke about "the universally callous attitude taken by almost everybody toward the crass and constant violations of the rules of war that have been taken place. . . . To me the moral problem which arises in Vietnam is that of torture and needless brutality to combatants and civilians alike."[15] But the fact of widely used torture has not been cited here as an accusation against the United States. As we have seen, some of the Viet Cong atrocities have been at least as bad. The direct participants in the torture have as a rule been South Vietnamese, not Americans, and during the past year (partly as a result of the article by Bernard Fall quoted above) the American military authorities have provided American troops with clear instructions not only as to the applicability of the 1949 Convention on the humane treatment of prisoners but also as to the long-run counterproductive character of the torturing of prisoners and their relatives. The fact is cited here because it provides such an emotionally compelling kernel of truth in the Communist case against the Saigon Government, as well as for the Communist thesis that the common people *must* hate that government. Simply by focusing on this and ignoring similar atrocities on the Communist side a Communist could arrive at that conclusion.

4. *There has been a great deal of inefficiency and corruption on the part of the local officials appointed by the Saigon Government.*

The tradition of exploitation and cheating of the peasants by Government-appointed officials is perhaps no worse than in a number of other Asian countries, including pre-Communist China; but it is very bad,[16] and it does contrast with the Viet Cong's tradition of comparative honesty and concern with the welfare of the rank-and-file peasants.[17] Inefficiency is also clearly very common, in contrast with the quite extraordinary efficiency (in some ways) of the Viet Cong; and in many relatively inaccessible villages the choice is not between the Viet Cong type of village government and that of the Saigon officials, but between Viet Cong government and virtually no government at all. In these villages the Viet Cong cadres fill a political vacuum and provide an alternative to anarchy. To be sure, they themselves have helped to produce the anarchy by assassinating Government-appointed village leaders. But their tactics have not been the only cause of anarchy, and they themselves are probably more aware, indeed inordinately aware, of their own comparative honesty and efficiency, which "must" bring the peasants over to their side.

None of this, it may be noted, is incompatible with the fact, now well documented, that in the years since 1963 the Viet Cong's high-handed methods of taxation and recruitment among the peasants have become more and more burdensome. The comparative honesty and efficiency of Viet Cong functionaries are linked with an essentially authoritarian attitude and a willingness to subordinate peasant welfare to the progress of the war. But *in their minds* the peasant's resentment of such tactics is probably underestimated, while his appreciation of their more positive contributions is probably overestimated.

5. *The Viet Cong has a record of remarkable military success against enormous obstacles, and it seems unlikely that such success could have been achieved without widespread popular support.*

Americans sometimes forget or underestimate the great advantage that the anti-Communist forces have enjoyed from the standpoint of weapons, especially since America began in 1950 to give large-scale material help to the French. The total amount of such help has clearly been much greater than the material help the Viet Cong has received from the North. Moreover, few Americans realize that the rebellion did not begin in the part of South Vietnam near Laos and the Ho Chi Minh Trail, where an appreciable amount of help from the North might have been possible. It began primarily in the far South, in the Mekong Delta, where it was necessary to use mainly homemade or captured weapons. The rebels therefore had to make up organizations, dedication, and extent of popular support for the Government's great advantage in material equipment.[18] Still another fact frequently forgotten in America (or never learned) is that the rebellion began to a significantly extent in 1957,[19] at least three years before its surprising success—with little outside help—led the Communist authorities in the North to give it a significant amount of material help.

It is true that one major compensating advantage possessed by the Viet Cong has been the tactical advantage of concealment and surprise that has led to the conventional estimate that counter-guerrilla forces must have a ten-to-one numerical superiority over guerrilla forces in order to defeat them. But what is sometimes forgotten is that the guerrillas' tactical advantage exists to this high degree only when they have the active support of most of the people (which they could hardly get by intimidation alone) in helping them to conceal themselves, in helping to supply them with the intelligence they need in order to have the full advantage of surprise, and in denying to the counter-guerrilla forces the same kind of intelligence.

Here too there are important counterarguments on the anti-Communist side. In particular the use of intimidation by the Viet Cong to clinch their hold on the peasants must account for much of the peasant cooperation that has occurred. But here again it is important to note that the Communists themselves are probably overinclined to discount or ignore those counterarguments. The military successes of the Viet Cong against far better armed opponents have been remarkable enough to enable Communists to say to themselves: "The people *must* be on our side."

There are at least five reasons, then, to think that the Communists believe most of the people are on their side: nationalistic resentment of intrusion by white Americans, land hunger, resentment of torture and other physicial suffering caused by the Government, the corruption of officials, and the military success of the Viet Cong against great material odds.

Together with the three additional reasons reviewed earlier for thinking they feel that South Vietnam is part of "their" country, these five seem quite adequate to make it probable that doctrinaire Communists, already predisposed against the United States, do believe it when they call us "aggressors." However mistaken this proposition may be (and I happen to think it is largely mistaken, on the basis of evidence that has hardly been touched upon here), the Communists probably *believe* it is true.[20]

A SENSIBLE AND HONORABLE COMPROMISE

The preceding discussion is a diagnosis of the problem, not a prescription for its solution. In the light of this diagnosis, though, my own feeling is that the most sensible and honorable policy for the United States is to

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[13] Major-General Edward G. Lansdale, "Viet Nam: Do We Understand Revolution?" *Foreign Affairs*, Vol. XLIII, No. 1 (1964), p. 81.

[14] Bernard Fall, "Vietnam Blitz: A Report on the Impersonal War," *The New Republic*, Oct. 9, 1965, pp. 18–21; Malcolm W. Browne, *The New Face of War* (New York: Bobbs-Merrill, 1965), pp. 114–18; Robin Moore, *The Green Berets* (New York: Avon Books, 1965), pp. 46–50.

[15] Fall, *ibid.*, pp. 19–20.

[16] M. Mok, "In They Go—To the Reality of This War," *Life*, Nov. 26, 1965, p. 71.

[17] Malcolm Browne, *op. cit.*, pp. 121–28; Viet Cong Soldiers' Diaries, quoted in *The Vietnam Reader*, ed. by M. G. Raskin and Bernard Fall (New York: Random House, 1965), p. 227.

[18] Fall, *The Two Vietnams*, p. 317; Lacouture, *op. cit.*, pp. 21–23.

[19] Carver, *op. cit.*, p. 406.

[20] Douglas Pike, *Viet Cong* (Cambridge, Mass.: M.I.T. Press, 1966), p. 378. Although Pike is very skeptical of the proposition that most of the people support the Viet Cong, he speaks of the party's "mystic belief in the power *and loyalty* of the people." Italics added.

seek a compromise peace. It is the only kind of peace that would allow *both* sides to feel that they had preserved from the aggressor's grasp the bare essentials of what they were fighting to defend.

It could take various forms. One is a coalition government, with efforts by other countries to keep the coalition from being dominated by the organized, dedicated Communist minority within it. Such a coalition could be the outcome of negotiations, if genuine negotiations become possible, or it might conceivably be set up by our side unilaterally, with a real effort to give the Viet Cong and all other elements of the population power commensurate with their actual strength. Or it could take the form of a partition of the South along lines reflecting the balance of military power at the time the partition occurs. This too could be done with negotiations if possible but without negotiations if necessary—unilaterally, by a decision to concentrate our military strength on consolidating non-Communist control of large contiguous areas (not small "enclaves") while withdrawing from overexposed, hard-to-hold areas elsewhere. Free migration into and out of each area might follow, as it did in the partition that followed the 1954 agreement.

As to the relative merits of different types of compromise peace there are complex pro's and con's, and this is not the place to discuss them. What is argued here is that a search for *some* feasible form of compromise peace is the only sensible and honorable policy for the United States.

When each side believes the other to be the aggressor, both are sure to regard any compromise as unsatisfactory, since each will see a compromise as granting to the aggressor some part of his ill-gotten gains. Each wants to ensure that the aggressor is not rewarded by any expansion whatsoever. In this case, for instance, we Americans and our Vietnamese allies would hate to accept a compromise that we defined as granting to the Communists any expansion of power, either by gaining some land south of the 17th Parallel or by gaining some power in a coalition government. The Communists would similarly regard with dismay a compromise peace that left the American "aggressors" still firmly ensconced on Vietnamese soil and still (as they would see it) ruling a large part of the country through their lackeys in Saigon. To them it would seem like a bitter and futile end to their twenty years of struggle to drive the alien white intruders into the sea.

As long as both sides rigidly adhere to this principle, a compromise is clearly impossible. However, *if* there is no clear break in the present military stalemate and the bloody, inhuman war continues with no end in sight, each side may lower its sights and begin to consider seriously whether some form of compromise would necessarily be cowardly and dishonorable. Probably both sides would even then be grimly determined never to surrender. "Surrender is unthinkable." But each side might become aware that it had a hierarchy of preferences. Three choices might emerge instead of only two: surrender (unthinkable), a compromise peace, and unending war, instead of surrender (unthinkable) and victory. Among these three choices a compromise peace might then seem the least intolerable.

What are the bare essentials of what each side is fighting to defend? Are they incompatible? Or would it be possible for both sides simultaneously to preserve what they care about most?

On our side, it seems to me, there are two things that a large majority of the American people regard as essential: to avoid a significant "domino" process in other parts of the world, and to preserve a tolerable life for our anti-Communist friends in Vietnam. The first of these is believed to be a matter of defending both freedom and peace: the freedom of other countries that are vulnerable to the Chinese strategy of takeover by "wars of liberation," and the peace that would be endangered elsewhere if a Communist victory in Vietnam led Communists everywhere to be more aggressive. The second is more a matter of honor and commitment. We feel that our words and actions have established a commitment to our anti-Communist allies, and that if we abandoned them to the untender mercies of the Viet Cong we would be doing a shameful thing. The validity of these two points will not be debated here; it is necessary only to recognize that most of the Americans who would be involved in the decision do care about both of them, and care deeply.

On the Communist side there are as yet no verbal indications of a hierarchy of preferences. On the surface there is only a fervent, monolithic insistence that the American aggressors must be wholly eliminated from the scene; and since we feel that any complete withdrawal by us would both accentuate the domino process and leave our anti-Communist friends helpless in the face of the organized, dedicated, vengeful Viet Cong, there is little chance of a compromise on this basis. It seems likely, though, that beneath the surface they do have a hierarchy of preferences. Perhaps, if convinced that the alternative is not victory but unending war, they would prefer peace with undisturbed control of some large fraction (say a half) of the population of South Vietnam. This would mean that they could stay alive, go back to the increasingly urgent business of cultivating their rice paddies, and preserve the way of life in which they have invested so much effort and sacrifice. The Communists in the North would be spared further bombing and the danger of a wider war, and although they would have failed in their great objective of unifying the country under their own control, they could salvage some pride in the thought that they had held their own against a much more powerful aggressor.

On each side, then, a compromise peace might be interpreted as salvaging the bare essentials of what that side was fighting to defend. It therefore seems psychologically feasible if we pursue it intelligently and persistently.

It also seems more honorable than any other alternative. By keeping the American flag flying in South Vietnam and stubbornly refusing to retreat from our present power position we would be balancing the power of Communist China on its periphery and fulfilling our obligation to the small non-Communist countries that are threatened by Communist takeover. We would also be fulfilling our obligation to preserve the life and livelihood of our non-Communist friends in Vietnam itself. But if we attempted by force of arms to conquer the parts of South Vietnam in which most of the people regard us as alien aggressors—and the evidence suggests that a very large proportion of the people in certain areas see us in that light—we would be in conflict with the principle of self-determination. It is not in the American tradition to impose abject surrender on brave men who believe, rightly or wrongly, that they are defending their homeland against aggression by us.

RALPH NADER WARNS OF RADIATION AND OTHER MANMADE ENVIRONMENTAL HAZARDS

Mr. BARTLETT. Mr. President, Ralph Nader today addressed the House and Senate interns on a problem of great and growing urgency: the threat to man and his progeny posed by manmade environmental hazards. It is a speech which deserves wide circulation and demands close and thoughtful attention. I ask unanimous consent that it be printed in the RECORD.

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

MANMADE ENVIRONMENTAL HAZARDS: STYLES OF VIOLENCE AND MODES OF DOUBT

(Remarks by Ralph Nader before the House and Senate interns, U.S. Congress, July 12, 1967, under the auspices of the Capitol Hill Young Democratic Club)

Over a hundred years ago, Walt Whitman wrote that "if anything is sacred, the human body is sacred". What Whitman meant was that man has certain bodily rights, a level of physiological integrity, which a civilized society should strive to maintain inviolate. One of the characteristics which any society must have in order to bring reality closer to this credo is the ability to maintain an up to date perception of violence. Primitive forms of domestic violence—often labeled as street crime—have been perceived as phenomenon to be brought within the constraints and sanctions of law. People properly get upset about this kind of violence. The perpetrators and the victims are visible, the primary motivation is the use of force, its exercise and its impact are close in time and space.

Looked at quantitatively, the threat to our physical security represented by street crime is insignificant as compared with environmental hazards brought about by indiscriminate design and use of products and processes. Five times more Americans are killed on the highways than are murdered every year. Over four million people are injured annually, 150,000 of them totally and permanently crippled. At least, these casualties can be counted. But the more insidious assaults on the human biosphere, stemming from environmental contamination, are not yet quantifiable but nonetheless very real. Cancer and respiratory diseases are common "causes of death," but they should be viewed only as terminal designations. The evidence is mounting relentlessly that what are known, in the mechanical language of technicians, as the "second order effects" of technology are contributing to such mortality and morbidity. This caveat, from a recent HEW report, is concisely expressive of the situation:

"We know something of air pollution, but we know little about the hazard potential of 500,000 to 600,000 synthetic chemicals and other compounds on the market today. We know something of water quality, but little of the effects of trace metals. Can we cope with solid waste? What is the future problem of nuclear waste? Danger to environmental quality affects all Americans where they live, work, and play. It can materially damage thier children and generations yet unborn.

"(Man) cannot keep adding more wastes in the air. He cannot turn more rivers and streams into open sewers, and lakes into cesspools. He cannot befoul the land with the discards of abundance. In short he cannot engage in biological and chemical warfare against himself and his environment. Health and well-being—and those of future generations—are at stake.

"Health experts have repeatedly pointed out that grave, delayed physical manifestations can result from repeated exposure to concentrations of environmental pollutants so small that they do not make one ill enough to send him to the doctor. Environmental pollutants can have cumulative effects, especially because they accumulate in certain tissues and organs. These effects can take delayed forms such as cancers, emphysema, and reduced life span, and they can even extend to following generations."

The problem of graphically perceiving these kinds of violence is importantly one

of dealing with a mass phenomenon: that is, our ability to adjust psychologically to a deteriorating environment while physiologically we cannot. For example, our cities are smothered with polluted air and we adjust but our lungs do not. The forces that stand in the way of restoring the quality of our environment have led us to trade at best an immediate benefit for a deferred tort. If for no other reason than an aesthetic one, we should have rejected this ugliness around us. When a people can be deprived of such fundamental aesthetic gratifications, they have been deprived of a most basic sensitivity with which they are endowed.

How can sensitivity be recovered, endowed with normative strength and knowledgeable content? Answering this question is obviously a large order, but I should like to make a few suggestions and then follow with some specifics.

First, it is important to realize that the exponential growth of technology in the postwar period has contributed something qualitatively new. There has emerged a growing capability to program technological innovation given an adequate provision of men, resources, and organization. Technical solutions can be developed as a fairly predictable result of conscious policymaking. "Inventing the technological future" is no longer a utopian or fictional phrase.

Second, by far the most unyielding obstacles to a safer environment are the old greeds and frailties in modern garb. The struggle to defend, maintain and amplify economic power and bureaucratic position goes on, as it has throughout history, and nourishes the truncated vision and institutional stasis that are our collective bane. Sometimes, as in the case of the safety of cars, drugs, meat, the role of particular corporations looms largest. Othertimes, there is a convergence of callousness, as in the tragic case of mining companies, Government agencies and industry-indentured unions who permitted unknowing miners to be exposed to deadly radon gas and the fate of premature death by cancer.

Third, a key procedural improvement would be a shift in the burden of proof of safety levels from the users and consumers of a product and process to the manufacturers and distributors of them. The outcry of industry and Hill and Knowlton to the contrary, this country is in its infancy as far as rigorous pre-marketing safety testing of products and processes and full disclosure of relevant information are concerned. The corporate system of pratial and partisan control of information crucial to evaluation of products and risk identification cannot be reconciled with democratic control of matters that touch us all.

The recent General Electric color television case is illustrative of the deficiencies in business and government that prevent prompt foreseeing and forestalling of hazards. On May 18, 1967, General Electric released an ambiguous and misleading statement that some 90,000 color TV sets produced between June 1966 and February 1967 "may emit soft X-radiation in excess of desirable levels". The company announced a program to modify these sets which were already in their purchasers' homes. On the same day, the national center for radiological health of the Department of Health, Education and Welfare, issued a statement which could be dubbed as an adjunct P.R. assurance for G.E. The "no need to worry" tone of the G.E. statement was recounted along with the declaration that studies made by the NCRH of several television sets (but not, as it turned out, G.E.'s offending ones) during the past six months did not give rise to concern. NCRH's director, James G. Terrill, Jr., concluded the statement by saying that he had no evidence to suggest that any television sets have "excessively exposed viewers of television sets".

Such a whitewash did not satisfy Representatives John Moss and Paul Rogers. Under their prodding a different story began to emerge. Mr. Terrill began to show concern. By June 7, out came the admission that the X-ray leakage beam gave off levels ranging up to 8,000 MR/hour at a distance of 7 inches from the defective tube, compared with the limits of .5 MR/hour recommended by the national council for radiation protection and measurement. That same day, Mr. Terrill sent a private memorandum to the center's regional representatives to advise any worried inquirers to turn off their set and not use it until it is checked and modified. This advise was not contained in the press release to the public on May 18, or in any other subsequent statement by the center.

NCRH's first specific knowledge of the G.E. problem was said to be on April 10, indicating that the center was in no rush to protect the exposed people. In fact, it did not even inform the upper echelons of its own department. General Electric, on the other hand, discovered the excessive radiation leakage last fall. (Sources in the television components industry were aghast that such a defect could pass quality control from the outset.) The company did not want to make public its tragic failing until its hand was forced months later by the reluctant center, under decisive prodding by several New York State agencies and finally the New York Times. It turned out that 154,208 sets were produced with this excess X-radiation leakage. While G.E. was pondering its corporate image month after month, adults, children and infants (whose parents often put them near the TV set so they can watch both) were absorbing these deadly emissions and many of them still are until a G.E. repairman comes to fix them. The defective television sets, incidentally, had received the stamp of approval from the underwriters laboratory. And the electronic industries association had up to May continually ridiculed any suggestion that television sets may have an excessive radiation problem. The entire episode, and its continuing existence, does little to inspire confidence in one of the largest corporations in the world or in a government organization called the national center for radiological health.

A far more widespread radiation hazard from diagnostic and therapeutic radiation is most persuasive to the point that the absence of public safeguards in the midst of alarming knowledge is endemic and not episodic.

The following facts are drawn from studies by Dr. Karl Morgan, Director of Health Physics at the Oak Ridge National Laboratory:

Medical exposure accounts for about 90% of all exposure of the U.S. population from manmade sources of ionizing radiation.

The average dose to the gonads in the U.S. today from medical radiation is as much as 100 times the average dose from radioactive fallout.

Diagnostic radiation (medical and dental X-rays) doses in the U.S. are much higher than those obtaining in other modern, industrialized societies. The average dose in the U.S. is 10 times higher than that of the United Kingdom, 4 times than that of Japan, and 15 times higher than that of Norway.

There were about 140 million diagnostic X-rays performed in 1964. Dr. Morgan comments that "no matter how great the medical benefits derived from X rays, this is no justification of the fact that because of the use of poor techniques with obsolete and improperly operated equipment, many X ray exposures are ten or more times that needed for the best diagnostic results." He adds that not only could there be better X ray information with one tenth the dosage, but also such improvement could "prevent hundreds and perhaps thousands of children being born each year with mental and physical handicaps of varying degrees, the vast majority of which go undetected."

Deficient X-ray machines and poorly trained operators are so prevalent throughout the states that a serious federal appraisal of the adequacy of state regulation is in order.

New York City probably has the most active inspection program in the country. In 1961, over 3,600 X ray units in New York City were inspected and 92% were found defective. Many states either have no inspection or inspect machines infrequently. In 1965, the states reported that of a total number of 113,806 medical X ray units in use, only 25,174 were inspected. Nearly half of these were found defective and corrections were reported in only 7,713. California has not even finished its first round of inspections yet. Connecticut has only two inspectors for the entire state, one more than Indiana has for its people. The value of this inspection is lessened by the low standards of machine performance established and the obsolescence of machines. Shortages of competent personnel can be gauged by the fact that in 1965 there were only 143 full time men working in X ray survey and control programs in the entire nation.

Situations are reported which sound bizarre but are actually not that uncommon. Professor Hanson Blatz, director of the New York City Office of Radiation Control cites X ray machines with inadequate lead shielding spraying daily doses on unknowing workers in other rooms of the building. Patients sitting in dental chairs are known to be exposed to radiation from eyeball to abdomen.

Operators of X ray machines are poorly trained in the majority of cases. Unfortunately, this lack of training includes members of the dental and medical professions. Most physicians receive very little training in radiology in medical school. At Yale Medical School, an institution with above average standards, students take one short course in radiology which deals solely with the reading of X rays. The students themselves admit that they feel inadequately prepared to deal with problems of radiation safety. With the recent exceptions of New York and Puerto Rico, *no* State requires the licensing of X ray machine operators pursuant to a proficiency examination.

Dr. Granville Larimore of the New York State Department of Health described the situation in his State: "We knew that a large number of these other people taking X rays were not really X ray technicians. They were nurses, secretaries, receptionists, medical assistants, and others working in the offices of private physicians. . . . For the most part their 'training' was limited to a few hours of instruction by a representative of the equipment manufacturers." "Unskilled operators", says Larimore, "often can expose the gonads of patients to as much as 100 to 200 times the amount of radiation necessary from a purely medical point of view."

Numerous authorities in radiation control agree that current levels of diagnostic and therapeutic radiation could be drastically reduced by newer equipment, simple retrofitting of older equipment, and competent operators, without impairing the medical and dental professions' exercise of judgment. More readable X rays could be obtained with far lower radiation doses. Against the background of radiation studies, efforts to reduce doses are urgent, the more that is known about radiation impact on humans, the greater is the intolerance of any acceptable level of exposure. Any radiation exposure may cause some damage to the human body, either somatic or genetic. Exposure must be kept as low as possible.

What is being done about this situation at the Federal level? Why has the Federal Radiation Council remained aloof from the greatest emitting source of man made radiation in this country? What is the U.S. Public Health Service doing? What is the function of the quasi-official National Council on Radiation Protection and Measurement? Why have the American Medical Association, the

American Dental Association, the American Hospital Association, and the professional radiological organizations displayed so little concern with this problem? Why have the manufacturers of X ray equipment not been more aggressive advocates for selling safety? Just what are the inhibitions afflicting all these groups?

The most effective way to publicly air these questions and inform the public about the hazards in a sober manner is the congressional hearing. Fortunately, the years of waiting are at an end. There is a strong likelihood that both the House and Senate will open hearings on the subject shortly. Senator E. L. Bartlett (D. Alaska) has just called for hearings on a radiation safety bill which he and several other Senators have introduced. There will the usual confrontation between the establishment and its challengers, the usual agony in getting information the public has a right to have, and the struggle of professions and groups to save face, and to remain free of any public restraints. The economic pressures and the State vs. Federal tensions will surface. Out of it all, hopefully, will come a resolution of conflicts and a strong Federal radiation safety policy. But the law, once passed, tends toward atrophy or contamination in its administration and enforcement under the constant hammering of special interests and their Washington law firms. So initial efforts must have follow-through, and for that to prevail, some portion of the citizenry must find continuing commitment.

ATTACK ON FARM BUREAU REGRETTABLE

Mr. HANSEN. Mr. President, in view of recent statements made during hearings by the House Subcommittee on Rural Development, on the floor of the House of Representatives and in subsequent news stories, I wish to speak in defense of the goals and activities of the Farm Bureau.

Having operated a cattle ranch in Wyoming most of my life, I am reasonably familiar with some of the problems and needs of agricultural people and the role the Farm Bureau has played in working to solve these problems and fulfill these needs.

As a Farm Bureau member, I have had occasion to observe at first hand the unique policymaking process through which the organization's members define their problems and collectively outline courses of action to solve them.

Certainly no one but the farmer or rancher himself is more acutely aware of the need for a better standard of rural living. It was a desire to improve their economic status which prompted Farm Bureau members across the Nation to promote the establishment of their own insurance companies—companies which they would own and control, and which would fill an obvious need for adequate insurance coverage for the least cost. I see nothing wrong with this. The companies were founded and have operated openly and lawfully, and they contribute millions of dollars annually to the tax structures of various counties, States, and the Nation.

As a rancher in Wyoming, later as Governor of that State, and now as a Senator, I have worked with many Farm Bureau members to help improve the general condition of the agricultural industry so that it might best contribute its rightful share to the overall welfare of the Nation.

I have not agreed with every position taken by Farm Bureau members, just as I do not always agree with decisions made by the majority of the Members of this body; but on the whole, I have found the policies and activities of Farm Bureau to reflect reason, honesty, and integrity.

Certainly the very fact that Farm Bureau membership increases each year is a means by which to gage whether or not the activities of the leadership represent the thinking of the majority of members—for membership is entirely a voluntary matter, and those disagreeing with the actions or philosophy of the organization are absolutely free not to join, or to withdraw their support.

In short, Mr. President, I feel that anyone who is familiar with the many activities and fine accomplishments of this group could not help but admire the manner in which it works to better the lot of the farmer and rancher and society as a whole.

Farm Bureau policy is built from the ground up. It does not filter from the top down. It begins at the local community level and is developed by examination, discussion, and debate at the district, State, and eventually the National level.

Farm Bureau has nothing to fear from any investigation that is concerned with facts and truth.

THE PALESTINIAN REFUGEE PROBLEM

Mr. GORE. Mr. President, whoever tries to understand the Palestinian refugee problem reaches for the true nature of tragedy. For 20 years a just resolution of this problem has defied the best efforts of the United Nations as well as the individual efforts of many nations, including the United States.

Indeed, we have only to consider what has been the result of these 20 years of concern: during the Arab-Israel conflict which followed the partition of the Palestine Mandate in 1948, an estimated 750,000 Arabs fled from their homes in Palestine and took refuge in Jordan, Syria, Lebanon, and a small enclave of 140 square miles of barrenness known as the Gaza strip.

Today, after 20 years of dedicated effort by the United Nations Relief and Works Agency—UNRWA—and the investment of over $400 million by the United States alone, the central facts are these: the original 750,000 Arab refugees now number 1.3 million, with over 720,000 in Jordan and almost 400,000 in Gaza; in addition, 40,000 new refugee children are born each year; over one-half the total number of refugees are under the age of 20; the refugee birth rate is one of the highest, if not the very highest, in the world today; one quarter of a million Arab children are now awaiting a place on the relief rolls.

These statistics are sobering and shocking, but the condition of these people is even more disturbing. The refugees themselves remain barely preserved from starvation by the United Nations. UNRWA, the United Nations relief organization, is only able to provide each refugee with $14 worth of food per year, approximately 4 cents a day. From my own observation—both in 1959 and now again from a visit from which I returned yesterday—these tragic people are hungry, miserable, embittered and impoverished, burdened with unwanted and uncared for children, numb and generally impassive, yet vulnerable to fanatical hate stimulated by those who hope for a triumphal return to a Palestine cleansed of Jews. Desperation has bred disillusion; misery has spawned hatred; and years of idleness and want have withered pride in labor. These are the ingredients of a vast human tragedy which, if understood, would shock the conscience of mankind. This, Mr. President, is a veritable seedbed for political violence, hate, and another war.

The refugee problem does not lie simply in the field of economics, even though the hard core of refugees is composed of unskilled farmers and laborers—indigestible commodities to countries such as Jordan, Egypt, and Syria, already saturated with unskilled and unlearned peasants. The problem is much deeper and in many respects has symbolized the basic Arab-Israel dispute.

Until the events of the past few weeks, the Israeli position on the repatriation of the refugees was readily definable. Israel's answer was the insistence that the refugee problem could only be dealt with as part of a peace treaty between the Arabs and Israel. This is now, in my view, neither appropriate nor enough.

As we are all aware, for the Arabs to subscribe publicly to a formal agreement with Israel has been impossible.

I am convinced by my experience and talks on this trip that the Arabs are as of now emotionally and politically incapable of a formalized peace agreement with Israel. Moreover, Israel has been reluctant to alter the demographic pattern of the country or to introduce a potential security threat by absorbing even a modest number of the refugees. For instance, in 1949 Israel first offered and then withdrew an offer to repatriate 100,000 refugees because it came to be regarded as a threat to permanence of the Jewish homeland, so long sought by a suffering and persecuted people.

To many Arab political leaders, the perpetuation of the misery of the refugees was a powerful propaganda pawn in a game directed at the extermination of Israel. To the more moderate leaders, the option of repatriation and return or compensation for property was an important article of faith. Perhaps more important, the rights and the plight of the refugees symbolized a surging quest throughout the Arab world for not only justice for the refugees but for dignity and respect for the Arab.

Both positions were appealing—strong moral arguments were mustered for both. But whatever chance existed for sensible discussion and possible resolution of the refugee problem was destroyed by strident voices of hate and fear. Given this impasse, it is no wonder that peace in the Middle East has been shattered every 10 years by brutal and senseless wars.

And now there is a new and still larger refugee problem. As a result of Israel's stunning military victories, the nature of the Palestine refugee problem has been profoundly altered. In the aftermath of this war, Israel has suddenly found itself, virtually overnight, in the position of having "repatriated," so to speak,

more than a half a million refugees. For a country that once withdrew an offer to repatriate 100,000 refugees the sudden responsibility of acquiring five times that many must come as a shock. Its effect, however handled, will be profound. Many may consider the presence of over a half million refugees within the area occupied by Israel as a danger to Israel. In one sense, this is probably true. But in my view, these unfortunate victims of conflict are both a responsibility and an opportunity for Israel. If Israel meets this challenge in a magnanimous way, as I believe she can, then gates to the Middle East, previously closed to her, may become open. And Israel's future is in the Middle East, with which she is now face to face as never before.

Mr. President, because the recent war has created such an entirely new situation for the Arab refugees and because it appears such a key to possible equations of peaceful coexistence in this troubled part of the world, I revisited the Middle East to see and learn and report. Once before, in 1959, I inquired into the administration of the refugee problem. After a careful look at the UNRWA problem, I then reported to the Senate that there were serious problems in the UNRWA program in Jordan because of the fraudulent and corrupt use of ration cards. This situation was particularly appalling because many refugees, primarily children who needed and deserved assistance, were denied help because of flagrant profiteering on the part of puny relief racketeering. Despite assurances from both Jordanian and American officials that an effective reform would take place, little rectification of the relief rolls has been accomplished.

I mention this problem of rectification of the refugee relief rolls because the same problem is still before us, and now that there are so many new or displaced refugees it is imperative that the available supplies be given only to those whose needs and eligibility have been properly certified.

I visited Beirut, Lebanon, where I spoke at length with Lawrence Michelmore, the Commissioner-General of the United Nations Relief and Works Agency, and with prominent and official Lebanese. After leaving Beirut, I was fortunate enough to be the first Member of Congress to enter Jordan after the war. While in Jordan, I spoke with the Prime Minister and other high officials and visited several of the temporary camps where an estimated 180,000 to 200,000 new refugees are kept in camps that defy description in misery and human degradation. Men, women and children are huddled on the hot and burning sand with but few meager possessions or clothing, many being without even a small tent or cooking utensils. There are no sanitation facilities and little water.

In Israel, I spoke with Israel leaders such as Abba Eban, the Foreign Minister, and Ted Kollek, the mayor of Jerusalem, and others. I also visited the now virtually empty Jericho refugee camp on the west bank of the Jordan and later inspected the vast refugee area in Gaza, a vast concentration camp on the sand, if you will.

I returned from my conversations with Arab and Israeli leaders and from my visits to refugee camps with one dominant impression, it was that a willingness on the part of Israel to deal with the refugee problem in a magnanimous and humane way could be a small—but enormously critical—step toward peace in the Middle East. I believe that this is true regardless of the political future of the newly occupied areas. Indeed, I am convinced that the refugee problem and a political settlement in the Middle East are so tightly entwined that a political settlement is impossible without progress on the refugee problem.

I think this connection between the refugee problem and a political settlement is realized in Tel Aviv, however dimly at this moment, and perhaps also in the Arab countries. Let there be no mistake, Israel has taken on an enormous responsibilty in assuming over 500,000 refugees—that is a number which represents roughly 20 percent of Israel's entire population. In the United States, a comparable action would be for the U.S. Government to suddenly acquire 40,000,000 basically untrained, unlettered, and fearful new citizens. Thus, for better or worse, Israel will never quite be the same if it assumes responsibility for these refugees.

Over the next few months, Israel faces a number of important decisions that could affect the whole future of the Middle East. I refer to the immediate problem of handling the some 180,000 refugees from the west bank of Jordan who fled into east Jordan during fighting, and to the other thousands in the valley and in Gaza who did not flee. The whole world is now watching how Israel will handle this first test of its declared policy to approach the refugee problem in a humane and magnanimous fashion. Thus far, despite Israel's assurances that it would allow refugees to return to their homes over the Jordan River between July 10 and August 10, both the planning and execution of this commitment have been unfortunately inadequate. After talking to Arab and Israel officials last week, I came to the conclusion that planning was insufficient and that something needed to be done if the refugees were to return in an expeditious fashion. On the basis of my own observations, I therefore urged Jordanian and Israel officials to facilitate the return of these refugees to their former camps on the west bank. UNRWA officials have also urged such a return. Also, on July 8, I sent a cable to President Johnson and to the Secretary of State Dean Rusk, which I will read to the Senate at this time:

Mr. President, have made inquiry into new refugee problem cause by Mid-East War. Visited Beirut to confer with Commissioner-General of UNRWA, Jordan and Israel. In Jordan I spoke with Prime Minister and visited temporary camps where some estimated 180,000 new or displaced refugees from Jordan West Bank are in condition of human suffering that defies description.

Upon my own I have urged Jordanian officials to insist that these refugees return to their former camps on the West Bank. Jordanian officials agree. UNRWA officials have urged such return. Israel has announced permission for their return beginning July 10. Unfortunately conditions for return not yet adequately clarified. Israel high officials inform that conditions have been detailed to Red Cross but just two days before stated time Jordanian Government has, to my knowledge, not been informed through any authorized channel of the conditions of such transfer.

Today I have visited the Jericho refugee complex in the West Jordan area. Camps are virtually empty, with only 3,000 to 4,000 of original 75,000 refugees remaining. Camps are in condition, far far superior to present plight. Sanitation facilities intact. Humane considerations require return to these and other camps.

In my unofficial talks with Israeli officials I have stressed and will continue to stress:

(1) Whole world will be watching anxiously for good faith performance pledge to allow innocent refugees to return in an orderly, humane manner.

(2) Assurances appear necessary that refugees will be permitted to receive remittances or other funds sent by relatives working in other Arab countries and that said relatives, with proper identification and control, will be able to visit families.

I have communicated these personal convictions to both Israeli and Jordanian officials.

Please be assured I have emphasized I speak only as an individual Senator with a deep interest in this human problem. Ambassador Barbour has also emphasized the importance of the foregoing points in numerous conversations and has extended to me the most hospitable cooperation.

Perhaps compassionate treatment of these victims of conflict could smooth the path to conditions of peaceful co-existence in this distraught area.

Reports since then have unfortunately indicated that my misgivings about the state of planning for the return of the refugees were justified. On Monday, July 10, the first day of the return period, the Associated Press reported that hundreds of refugees came to the Allenby Bridge in hopes of returning to the west bank of the Jordan. According to this report, they were turned away. They were turned away, as I understand it, not because of Israel's intention to keep them out, but because arrangements through the International Red Cross and by the two countries concerned had not been completed. I regret this delay and the very obvious human suffering it has caused. At the same time, I have every confidence, on the basis of my discussions with Israel leaders, that the situation will be remedied and that most of the refugees who wish to return will be permitted so to do.

Mr. President, I cannot over emphasize the importance of what happens over the next few weeks and months in Israel's dealings with the Arab refugees. If Israel should live up to its promise to repatriate the Arab refugees by investing in the economics, in the agriculture and the industry of the refugee areas, and in the rehabilitation of the people into productive enterprise, the cause of peace in the Middle East will be greatly advanced, or so it seems to me. I believe the world is of one mind with regard to humane treatment of the refugees. This consensus for compassion just might be the easiest, if not the only path, to de facto, though undeclared, formulas for peaceful relations in the Middle East. If Israel should be able, not only to care for these innocent victims of the conflict in the Middle East, but actually to improve their lot, then I think that there is real hope of a gradual development of working agreements between some of the Arab states and Israel. Perhaps a permanent

structure for peace in the Middle East will not come until there has been a series of de facto working agreements between Arab and Jew. In any event, I think an overall political settlement is impossible until these smaller steps have been taken.

I urge that all parties concerned look at the refugee problem in these terms. For my own part, I will support an increase in the U.S. contribution to UNRWA relief activities if Israel and the Arab countries show good will in the treatment of the refugees.

As I said, the next few months will be critical to the future of the Middle East.

FOOD FROM THE SEA—PART II

Mr. BARTLETT. Mr. President, the mineral and biological resources of the sea are exceedingly great and the use made of them by the nations of the world, while important, does not approach full use. Use of the full potential of the sea for the benefit of mankind is a goal which will be attained, if at all, many years in the future. Before that happy day arrives, there are many questions that must be answered. Some are biological, some are explorator in the sense that inventories must be made as an essential first step, and some are legal.

The harvest of oceanic resources within the territorial limits of any country that borders the sea will be controlled by that country. I think it is safe to assume that the long-term welfare of such a country will assure proper management of its coastal resources. Proper management of the resources of the high seas, however, is something else. It has been truly said that everybody's responsibility is nobody's responsibility. Nowhere is this more obvious—and more pregnant with danger for the resources—than in the area of management of the resources of the high seas.

At a meeting of the FAO Committee on Fisheries held early this year in Rome, Italy, Dr. Wilbert M. Chapman presented a paper entitled "The State of Ocean Use Management." In it he discussed at some length some of the problems of management of the high seas resources. Dr. Chapman's paper was interesting to me, and it was most illuminating in that it brought into focus some of the problems we will face in the future.

I believe that this paper should be read by everyone who shares my concern for our country's future use of the ocean's resources. Therefore, I ask unanimous consent that it be printed in the RECORD.

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

THE STATE OF OCEAN USE MANAGEMENT

(By Dr. Wilbert McLeod Chapman, for presentation to the second session of the FAO Committee on Fisheries, Rome, April 24, 1967)

INTRODUCTION

Mr. Chairman, Distinguished Delegates, Ladies and Gentlemen, it is a great honor to be asked to address this assembly. From what I say later on you will see the importance which I attach to the deliberations of the Committee on Fisheries.

I have had the pleasure of meeting on international fishery affairs with nearly all of you on other occasions over the past thirty-odd years either in these halls, or at other meetings elsewhere in the world. Often this has been as a member of a delegation of the United States, and sometimes as an individual acting in the role of an independent expert. It is necessary to state quite flatly at the beginning of this address that I am here today as a very independent expert. I have no idea that what I have to say will be in agreement with policies of the United States Government or that of any other entity with which I am associated professionally.

Mr. Jackson has asked me to speak today on the state of ocean use management in the world, the possible impact on this of the several forces clustering around the United Nations resolution of 8 December, 1966, on "Resources of the Sea," the moving events and the forces at work on these matters internally in the United States, and elsewhere in the world, and related matters.

This is, to coin a phrase, a wriggling mass of very lively worms, and upon closer inspection each worm is found to have a head on both ends full of sharp teeth ready to snap off prodding fingers. It is therefore with some trepidation that I began my prodding, and take care to absolve the United States Government or anyone else, from blame for what I will say. After careful examination and long study I do not know what United States policy, if any, is on very many of these things anyway.

SOME OCEAN USE INTERESTS IN THE UNITED STATES

It is useful at first to enumerate some of the several forces at work in this field of international relations, particularly in the United States, so far as they can be separated from each other and dealt with independently. Among these are:

1. The nuclear powered submarine

The chief thing about the nuclear powered submarine is that once it goes below the surface of the ocean and is lost track of there is no existing technology by which it can be found again until it wants to be found. Loaded with its armament of nuclear tipped Intercontinental Ballistic Missiles it is capable of doing great damage even to the innermost reaches of the largest land masses.

I will say no more on this sensitive subject save to say that the problem navies have in detecting and catching submarines is not conceptually dissimilar from that which fishermen have in detecting and catching fish. Both wish to lower their cost per ton of catching, and both require about the same sort of information and understanding of the ocean environment with which to do so. The navies have greater funds and research capabilities at their service than do the fishery people, or anyone else dealing with the ocean, and a major factor in the present stir over the use of the ocean derives from spin-offs of new knowledge of the ocean derived from this source of research support which are now reaching the civilian economy.

2. The weather

A wag said a generation or two ago, that everybody talks about the weather, but nobody does anything about it. This is no longer the case. The state of the weather has become so important in the total operation of our present complex societies that it requires to be capable of prediction beyond the current theoretical limits, and modified beneficially when and where possible. It is now apparent that the atmosphere in which the weather occurs forms with the ocean one integrated heat engine in which most of the energy although ultimately deriving from the sun, comes into the atmosphere as effective force indirectly from the ocean.

Having understood this fact it then becomes necessary to learn how the ocean reservoired energy enters the atmosphere and affects its movements before the weather can be predicted with much better precision, or anything much can be done about it. But it is just exactly that 71% of the earth's surface covered by salt water where there are the least weather stations and observation points. The enormous expanses of the South Pacific are the largest reservoir of solar energy on this planet. The effects of its energy fluxes on planetary weather are bound to be considerable, but we know the least about this piece of water that we do of any ocean, and very little, indeed, about the energy fluxes within its complex structure, or between it and the atmosphere. Nor do we have observation stations in it yet to find out.

The same is largely true of the South Atlantic, the southern Indian Ocean, and the boundaryless seas of Antarctica. The southern hemisphere is the water hemisphere where the most of the energy to drive the atmosphere is received and reservoired, but the observation points to keep track of the energy fluxes that drive the air and make the weather are mostly on land in the land hemisphere of the North. So are the meteorologists.

It is obvious that the meteorologists must get to sea, they must go south, and they must establish observation points in the ocean. This is a matter of such moment that our government has been restructured, by a combination of sea and air activities within the Department of Commerce into the Environmental Science Services Administration, in order to deal with this problem more effectively. This is not the end yet of restructuring the United States Government to achieve this objective, and similar activities are being undertaken in other governments. This is having an impact on the World Meteorological Organization, and through this on the problems with which we are dealing today.

In essence it is no longer possible for oceanographers and meteorologists to keep, or be kept, separately in their respective ivory towers. It turns out that they are studying different aspects of the same thing, the ocean-atmosphere heat engine, and neither can understand its part until they work together. It also turns out that their customers who pay the bills want them both to come down out of their ivory towers and begin producing useful results.

As an underlining of the last comment, the United States Navy has felt that its need for advanced atmospheric and oceanic weather predictive capabilities was so urgent that it could not await these adjustments in the civilian sector. Accordingly, it has established its own analytical and predictive service respecting ocean air and weather on a world wide basis. From this the fisheries are beginning to obtain assistance of substantial economic importance not only in the United States, but elsewhere as well.

3. The exploration of space

The amount of money devoted to the exploration of space by the United States is so vast that the bookkeeping system devised to manage it, as carefully as that is structured, does not have a screen fine enough to detect the tiny amount of money spent on ocean fishery research by the United States Government.

This enormous scientific and technological effort is beginning to have spin-offs that are in the process of changing the whole attitude in the United States toward the ocean and its use. The whirling satellites, and the computer systems that track, support and instruct them, have turned back upon the earth with their sensory apparati and are in the process of illustrating that this is the cheapest way to find out what is going on in the ocean, the atmosphere, and on land, if not the only effective way. As Wernher von Braun has pointed out, the fuel cost of launching a satellite is pretty expensive, but by the time it is in orbit a year the mileage it gets per gallon would put a Volkswagen to shame.

The TIROS satellites pour in weather information from the whole atmosphere more

rapidly than it yet can be assimilated and used. The Advanced Technology Satellite I is poised motionless above the Pacific sending back most instructive pictures, as one of its several missions, covering half the earth at whatever time interval is wanted and it is only the first of a family of similar work horse satellites. The navigational satellites permit precision of positioning at sea that is breath taking, and approximately instantaneously. The Comsat satellites will permit the projection of charts or information in any form from any place on earth to any other place (for instance at sea) instantaneously. Satellites to interrogate automatically unmanned observational buoys moored or drifting in the sea will be aloft before the buoy systems are at sea, and the latter are in the process of going to sea. Satellite cameras with special film and multispectral capabilities are in development or in use that can penetrate the cloud cover, detect individual whales, or patches of plankton, or schools of fish, or changes in the surface temperature of the ocean, or "fronts" in the ocean, or many other useful things beyond mention. Computer systems to assimilate, store, manipulate and put into useful form these enormous masses of data in real time are under development which will have 500–700 times the speed of existing computer systems.

The collaboration between space scientists, navy scientists, weather scientists, fishery scientists, and oceanographers which will be required to make efficient use of these magnificent new capabilities is struggling along in its initial stages, but it has begun. In my view this development from space exploration looking backward at this planet will revolutionize our concepts of the use of the sea within ten years, and probably before then. I do not know what the new concepts will be or what form of management will be required to use this new knowledge and understanding most effectively.

4. Petroleum

While oil was recovered from offshore pools as early as 1894 in California this was from slant drilling rigs ashore or on wooden wharves, and the first practical extraction from platforms over the water was in Venezuela in the 1930's. This practice spread to the Gulf of Mexico off Texas and Louisiana in that decade and during the 1940's. The first seismic exploration out of sight of land took place in 1944, and the first well was drilled out of sight of land in 1946. To date the oil industry has invested about $10 billion in offshore activity throughout the world and about 11% of all the oil and 6% of all the natural gas produced in the world at present comes from offshore deposits. It is estimated that within 20 years as much as a quarter of the oil and gas used will come from these sources, and perhaps as much as 40%. Estimates have been made that the offshore American deposits alone amount to 2,000 billion barrels. In these deposits is the energy to change the world politically, socially, economically and diplomatically. It inevitably will.

It is characteristic of large oil company psychology and business practices that they need the ownership or exclusive usage rights of deposits before they will make the very large capital investments that they must to bring the resources to use. They do not really care what governmental entity owns or has sovereignty over the deposits so long as they can obtain a piece of paper that they can show to their bankers indicating that they have exclusive usage rights to specific deposits for a specified length of time.

When the oil rigs began moving out to sea in the 1930's it was not clear that any government had exclusive jurisdiction over any oil deposit more than 3 miles from dry land, and within that limit in the United States it was not clear whether the Federal or State Governments had title. This was one of the two originating forces of the two Truman Proclamations of September, 1945, which so agitated the Law of the Sea, and international activities related thereto, from that date through the second conference on the Law of the Sea in 1960, (and still is doing so).

The 1958 Convention on the Continental Shelf settled the exclusive jurisdiction of the coastal nation over the resources of the continental shelf out to a water depth of 200 meters with pretty fair clarity and this (with legislation in appropriate municipal law fields) settled the petroleum jurisdiction problem for the stage of then existing technology.

But the Convention further gave to the coastal nation exclusive jurisdiction to the resources of the seabed adjacent thereto to a distance where the depth of the superjacent water admitted of the use of the resource. Technology has moved on. Drilling can now be done in any depth of water if one wished to spend the necessary money. One oil company has experimentally drilled in 1,000 feet of water off the California coast and has applied for a lease to work deposits lying at greater depth than 200 meters. The petroleum people are again getting nervous as to what government has jurisdiction over the oil deposits out where their advancing technology is leading them. It is no longer certain that there is not a great deal of oil under quite deep water. If there is, technology can get it out as soon as the price is right. The technology must have a piece of paper showing exclusive usage rights or the bankers will not provide the capital to make it work. Thus this enormous force is again at work on international law.

5. Manganese nodules, etc.

Ocean exploration of the past ten years has turned up all sorts of mineral deposits lying on the sea bed. Since the coming into force of the Convention on the Continental Shelf these resources of the continental shelf are no trouble from a juridicial standpoint, other than the loose juridicial outer boundary of the continental shelf noted above. Fortunately the continental slope does not seem to be crowded with surface mineral deposits as it may be with petroleum.

But the deep sea bed has many things upon it, including deposits of what are called managenese nodules, in such vast quantities as to be beyond my comprehension. These manganese nodules are actually ores which also contain iron, nickle, cobalt, vanadium and other things. Not only are these deposits so vast as to be beyond the needs of present total world industry, but there is the suspicion among scientists that they may be growing more rapidly than world industry is using some of the more valuable components.

These vast ore deposits are only barely beyond present economic reach. There seems to be fair agreement that existing technology could get them out if the price were right, that the price is likely to be right within 20 years, possibly within ten, and even might be within five. Very large mining concerns are seriously inquiring into the subject.

Who has jurisdiction over the resources? The mining companies have somewhat the same psychology of only working owned resources that the oil companies have. Their interest is sharpened by the fact that the first development step any of them takes to practically harvest these nodules will require the employment of between $50 million and $100 million.

The new knowledge about these deep-sea deposits had a major input to the passage of the U.N. Resolution on the Resources of the Sea.

6. The welfare of the United Nations

While the whole United Nations structure is a source of controversy in the United States electorate, as it is in that of some other countries, there is a large, vocal, and politically adept segment which, for a variety of reasons, wants the whole United Nations structure not only strengthened by more funds, but by having independent sources of financing. One way that this could be done would be to turn over exclusive jurisdiction to the United Nations of the mineral resources under the high seas, which would at least include the nodules on the deep-sea floor. It could then license their extraction and derive revenue from so doing. This would not yield much revenue now, but in twenty years time it might well pay the full costs of the United Nations at a higher level of activity than now obtains, and in fifty years the revenues might be handsome indeed.

If one is to credit the speech of Senator Frank Church, who was a member of the United States delegation to the last General Assembly of the United Nations, made before the United States Senate after the deed, a principle impellant for the resolution on the "Resources of the Sea" was to begin the action which would result in the United Nations becoming adequately and independently financed by giving it exclusive jurisdiction over the mineral resources under the high seas.

7. Net economic yield, or rent, from the harvest of the living resources of the sea

About fifteen years ago academic economists discovered that fisheries lying in the high seas were common property resources, that they were open to all comers on an equal footing, and that fishermen tended to enter any fishery until the total value of the harvest was equal to the cost of taking it, and the average return was equal to the average cost. Thus there was no net economic yield (rent, or excess value of harvest over the cost of catching it) from a fishery naturally stabilized in this fashion. It was also demonstrated that the point of net economic yield is always at a lower level of effort and catch than that corresponding to the maximum sustainable physical yield from the fishery. The fishery scientists had discovered this twenty years previously and also found that they could do nothing about it because of the general pig-headedness of man organized into societies.

The concept of maximum net economic yield, and of maximum sustainable physical yield from common property fishery resources are mutually exclusive and thus cannot both be accomplished. The economists believe that the net economic yield should be maximized; the nations so far are only able to agree that the physical yield should be maximized.

The economist's advocacy has been generalized to the following logic:

(a) entry into any fishery should be limited when this is required to maximize the net economic yield from it.

(b) since limitation of entry cannot be arranged unless the resource (or access to it) is owned by some entity (or under its exclusive jurisdiction), the living resources of the high seas should be put under the exclusive jurisdiction of a single managing agency as such treatment is desired.

(c) because of the excessive mobility of many such resources, and other practical problems, the single managing agency should be the United Nations, and to it should be given exclusive jurisdiction over each such resource to be managed in this manner. And,

(d) the revenue received by the United Nations from the operation of the world fisheries in this manner would be divided out or used in some manner agreed upon in the United Nations.

This argument had considerable impact on the action leading up to the passage by the General Assembly of the resolution on the "Resources of the Sea".

8. Division of the common wealth of the sea

If there were no minerals under the sea, and if there were no economists in any society, there would still be an argument about

the division of the wealth of the sea upon which the nations have never agreed, and that is the jurisdiction over fisheries lying in the high seas.

There are two main reasons for wanting jurisdiction over fisheries in the high seas, or anywhere else. The first is to prevent them from being overfished, and the second is to gain special economic or social benefit from acquiring preferential access to the resource.

The nations reached agreement in the 1958 "Convention on Fishing and the Conservation of the Living Resources of the Sea" that they all had a duty to conserve the sea fisheries and they agreed to a definition of what conservation was.

They also agreed on a quite good mechanism for solving disputes arising from conservation practices or the need therefore, and the details which they had agreed to respecting this. One important group of voting nations did not agree to the compulsory nature of the arbitral procedure that the others agreed to but agreed with the other principles involved in the Convention. Thus an agreed mechanism is available among the nations for attending to disputes arising out of the need to conserve high seas fisheries resources and everybody is in accord that they will so conserve. That Convention does not touch upon the subject of dividing up the benefits of the conservation—the fish among the nations. In matter of fact the 1958 Conference on the Law of the Sea was unable to agree on any formula covering jurisdiction by the coastal nation over fisheries lying in the adjacent high seas, and the 1960 Conference, called to deal only with that problem and the related problem of the breadth of the territorial sea, also ended in no agreement.

Three main ways have been suggested to deal with this problem:

1. Divide up the ocean for purposes of fishery jurisdiction into national sectors. This is generally referred to as the 200 mile system, or the epicontinental sea system, or the continental shelf system, but its principles would never be satisfied without giving exclusive jurisdiction to the coastal state to fisheries lying off its coast up to the boundary of the opposite nation's zone of exclusive jurisdiction.

2. Give exclusive jurisdiction over the high seas fisheries to the United Nations as the proper representative of the community of nations now having ownership of the resources, in accordance with existing international law. Or,

3. Settle disputes arising from this question by agreement among the affected nations in accordance with any of the normal methods for the peaceful settlement of disputes among nations provided in the Charter of the United Nations or by normal diplomatic procedures, and under the agreed injunction contained in article 2 of the "Convention on the High Seas" which reads: "These freedoms, and others which are recognized by the general principles of international law, shall be exercised by all States with reasonable regard to the interests of other States in their exercise of the freedom of the high seas".

Weak fishing nations generally tend to favor the first alternative listed above in order to protect their fishing industry from competition on the high seas from the fishermen of stronger fishing nations. The United States is a weak fishing nation. The fishermen of many nations are fishing increasingly off its coasts on the same grounds with its fishermen. The United States does not choose to take the steps other nations take to strengthen their fisheries. Accordingly the internal political thrust to declare broad zones of exclusive fishery jurisdiction off the coast of the United States grows steadily stronger. The effect was noted by the last Congress adopting a 12 mile fisheries zone for the United States. The same sort of forces are at work in many member countries. This was a major force in the adoption of the Resolution on the "Resources of the Sea".

Strong fishing countries, and long-range fishermen, generally oppose this first alternative. While no nation yet officially espouses the second alternative, so far as I know, there is a growing conviction among the long range fishermen that the second alternative is better for them than the first, if it comes to a show down, and they might be better off in the long run to join in with the oil people, the mineral people, the people who want a strong independent United Nations, and the economists who want to maximize the net economic yield from the world fisheries and turn the total job of management and jurisdiction over the high seas fisheries to the United Nations.

The third alternative is simply not working very well. Nations do not wish to take cases to the International Court of Justice, or to arbitration, unless they have a better chance to win there than by what they are doing. It takes two sides in agreement to do either. Nations do not like to put their fishermen under international regulation unless all fishermen in the fishery are to be treated equally by the regulation. Nations do not like to put their fishermen under regulation even to provide the conservation they have agreed to provide unless the scientific needs for the regulations are established, and they do not like to put up the money required to do the research needed to either determine the need for regulation or the form it should take.

The means for governance and rational management of the world fisheries are simply not growing as rapidly as the problems arising from increasing total fishing effort are accumulating, and this was a major force behind the passage of the resolution on "Resources of the Sea".

9. Protein malnutrition

Two thirds of the people of the world live in nations where protein malnutrition is endemic. This is generally recognized as the major public health problem in the world, and as lying at the root of slowness in social and economic development in a good many parts of the world.

Ocean research, over the past ten years in particular, has demonstrated the existence of very large under utilized resources in the sea off many of the countries whose people suffer from protein malnutrition. These nations want that fish for their people. Ocean research has also demonstrated that the ocean is naturally producing more animal protein per year than several times the present world population could consume, and that the protein malnutrition problem arises from socio-economic, and not supply, problems.

This was a very strong force involved in the adoption of the resolution on the "Resources of the Sea". A little research will reveal that the whole group of resource survey resolutions adopted by the General Assembly, of which this is one, stems from work by the ECOSOC sponsored Advisory Committee on the Application of Science and Technology to Development, which arose from the United Nations Conference on the Application of Science and Technology to Development, which very nearly did not get adjourned because of the demands by the developing nations for a more equitable division of world resources between the halves and the have-nots.

10. Protection of foreign exchange balances

While the peoples of the developing nations *need* more animal protein the peoples of the industrialized nations *want* more, and they have the disposable income with which to pay for it. Without exception, as the level of economy in a nation has gone up the demand for animal protein has also, and this is reflected in greater demand for fish either as fish meal with which to increase live stock production or as direct human food. This, again, has led to many nations strongly supporting their long range fishing fleets either through subsidies or otherwise. This trend is, if anything, increasing. The nations who subsidize their fleets do so to protect their foreign exchange balances either by producing fish within their own currency regime or by creating exportable commodities that will earn foreign exchange.

This is a very powerful force in all of these matters dealing with the use of the sea. In the United States it has also been powerful but in a reverse way from in most countries. The use of fish in the United States has also inclined steadily upward but there has been no effective subsidy of the fisheries and little protection in the United States market against imports. The result has been steadily increased imports which now exceed domestic production. The connected result is weak domestic fisheries which lead to pressure for protection against foreign fishermen and extension of fishery jurisdiction to the adjacent high seas.

A curious factor is that the United States Government, which worries out loud a great deal about its negative foreign exchange balance, has never considered this seriously against the cost of its fish imports. Last year its foreign exchange deficit was about $1.4 billion and its fish bill was about $600 million.

11. The exuberance of man

Make no mistake about it Americans, as well as some others, are determined to learn how to live, play, and work on the bottom of the sea. The scientific part of this problem is already solved down to depths as great as the depths over the continental shelf, or a little greater, and even the main technological problems are pretty well in hand. Costeau's experiments go on and so do those of the United States Navy in their Sea Labs. Great Resources are now being devoted to the latter.

This is initiated in the United States because of naval problems, such as submarine rescue work and recovering things from the bottom, etc., but the drive is much greater than this. The beneficial spinoffs of such work to the civilian economy in oil drilling, mining, and a variety of such things is so imminent and great that this work would likely go forward now without very strong Navy support. Perhaps, however, the greatest force in this push is just the curiosity, exuberance and drive of man to conquer another environment and prove to himself he can live there. The other adventures of this sort on this planet are pretty well used up.

Another aspect of this same thing is the growing number of submersibles with increasing depth range. Most of these are being built by, and are owned by, private companies, although most still have some sort of public support. The families of submersibles built, being built, and planned, contain examples that will work at all depths of the ocean.

The technology of building submersibles is growing so rapidly in the United States that there is good reason to expect submersibles, capable of going rather deep, to be within the price range of private persons for recreation or business in the reasonably near future. Recreation in and on the sea in the United States is growing so rapidly that others from outside can hardly realize the thrust of it on ocean affairs. Boating and fishing of all sorts increase steadily, and scuba diving is practiced by literally thousands. Diving saucers, and do it yourself submersibles, seem next on the list. It is still hard for me to imagine man living under the sea by choice for extended periods of time, but I no longer disbelieve it will come about.

This general exuberance about the sea among the general populace is one of the very strongest factors driving the United

States toward the more effective use of the ocean.

12. The Organization of International Ocean Science Affairs

It is not breaking a confidence to say that the American ocean research community is, and has been, dissatisfied with the organization of international ocean science affairs. The experience gained during the International Geophysical Year convinced its leaders of the necessity for better means of collaborations with their colleagues in other countries, not least with their Russian colleagues.

In 1957 this group of leaders were organized into the Committee on Oceanography of the U.S. National Academy of Sciences (NASCO) and part of them became members of the Scientific Committee on Ocean Research (SCOR) of the International Council of Scientific Unions (ICSU). The first report of NASCO in 1959 was received with great acclaim in the United States Congress and elsewhere and many of its recommendations came to fruition rather rapidly. There was a tremendous surge forward in ocean research support on the federal level. One measure of this is money. In Fiscal Year 1958 the Federal Budget for oceanography was $21 million and in Fiscal Year 1967 it was $221 million, an increase by a factor of ten in 9 years. The budget request for the same sort of work in Fiscal Year 1968 is $277.5 million. But in the meantime other things have been added and the budget request for the whole Federal marine science program for Fiscal Year 1968 is $462.3 million.

One 1959 NASCO recommendation that failed was the request to establish a World Oceanographic Organization within the United Nations family to house the international aspects of ocean science affairs. The Department of State refused at the time to adopt this as a part of United States policy and the oceanographers were told to find a place for their worthy objective, international oceanography, in an existing specialized agency. The Fisheries Division of FAO was weak in environmental science and they were fearful of being dominated there by Departments or Ministries of Agriculture. The World Meteorological Organization was dominated then by governmental weather bureaus, meteorologists had not become so imbued yet with ocean enthusiasm, and the oceanographers were afraid of being dominated by weather bureau types. They ended up in a semi-autonomous Intergovernmental Oceanographic Commission in UNESCO.

This has not worked to their full satisfaction. UNESCO they found to be pretty well run as to policy by Ministries of Education; IOC did not grow as actively as desired. WMO became increasingly involved with the ocean, especially with the large new program involving "World Weather Watch". FAO reorganized its fishery work, elevated it to Departmental status, funded it better, formed first the Advisory Committee on Marine Resources Research and then the Committee on Fisheries, and generally became more effective in the ocean resource field. The Special Fund of the United Nations came into being and increasingly began funding a great deal of ocean resources research. All of these programs went to FAO and not UNESCO because the member nations were interested in fish production and not very much in science. Even the training program in UNESCO–IOC became rather heavily slanted to the fishery side because that was what the member countries in the developing world wanted.

IOC and Department of Oceanography in UNESCO worked very hard and very well. It simply did not grow as rapidly as did the international aspects of ocean research and use. The funding for ocean research in the United States increased by a factor of ten and increased rather sharply in several other countries as well. The very nature of ocean science activities changed during a period of five years from a status well described by the term oceanography to a status better described by the term Marine Science Affairs, which included ocean engineering, ocean technology, and the conglomeration of fishery, mining, petroleum, weather, space, recreation, and other applications spoken of above. In essence the thrust was to much greater scientific effort in, under and over the ocean accompanied by an even greater effort to apply the advances made in knowledge and understanding to the more effective use of the sea.

The full upshot of all this can be expressed better in NASCO's own words from its recent comprehensive report of last month:

"Oceanography 1966—Achievements and Opportunities", NAS/NRC, Publication 1492, 1967, pp. 183.

"Some major problems in the international organization of marine science, however, are still unsolved. Several intergovernmental organizations are concerned with various aspects of oceanography that are within and outside of the United Nations system. Coordination among these organizations remains largely unsuccessful. Since each organization communicates with a different national body, collaboration among academic scientists, fishery investigators, and other government scientists is difficult to arrange.

"Although the major marine programs within the United Nations are in UNESCO and FAO, in neither organization is oceanography an important part of the over-all effort and their governing bodies and top management have little interest in the marine field.

"Several other international agencies are involved with various aspects of oceanography. For example, ocean research related to weather and climate is of interest to the World Meteorological Organization, activities related to pollution by radio active materials are the responsibility of the International Atomic Energy Agency, pollution by some industrial wastes and problems related to marine transportation are under the purview of the Intergovernmental Maritime Consultative Organization, and the support of preinvestment marine resources survey and research is a function of the Special Fund of the United Nations.

"There is no adequate means for liaison among these numerous international entities. The nearest approximation is provided by a subcommittee on oceanography of the Advisory Committee on Coordination of the United Nations Economic and Social Council.

"Fisheries organizations

"In addition to the specialized international agencies there are more than a dozen intergovernmental fisheries organizations. Varying in function, organization and status, such organizations have been set up from time to time when two or more nations had a marine problem for whose solution no other suitable international or intergovernmental body existed—etc., etc."

The upshot of all of this was NASCO's Recommendation (p. 16):

"A world oceanographic organization should be established within the United Nations to provide a single home for the various marine scientific and technological activities now lodged in several branches of the United Nations and its specialized agencies".

THE EFFECTS

In the above words I have set out what appears to me to be the twelve most important factors influencing actions and policies within the United States respecting the present state of ocean use management. I have not attempted to give pro- and con-arguments for the views expressed. All of them had an input into the actions that led to the United States delegation sponsoring the resolution on the "Resources of the Sea." Each of them is quite strong. What relative weight any one, or several, had on that action I do not know.

There is one other general factor at large in the United States that may have been more important than any or all of these in that action, and was certainly very important in an indirect manner. That is simply the new awareness of the ocean and its possible uses among the general public of the United States, and a vast, rather inchoate, enthusiasm for it.

Every large industrial corporation in the United States with any pride, or get-up-and-go at all, has got an Ocean Division, Department or Committee. Small companies by the dozens are specializing in ocean activities and doing well. In my home town of San Diego, California, not the largest in the world, there are 64 business firms engaged in ocean business aside from the Scripps Institution of Oceanography and the Institute of Marine Resources of the University of California, two large laboratories of the U.S. Bureau of Commercial Fisheries, the headquarters of the Inter-American Tropical Tuna Commission, and what all else I do not know, all enthusiastically being pushed by an energetic ocean Committee of the local Chamber of Commerce.

In the State of California Government there is a Governor's Advisory Commission on Ocean Resources and there are similar bodies active in Hawaii, Washington, Florida, Maryland, and Massachusetts that I know of (and probably more).

On the national level the Congress last year adopted the Sea Grant College Bill, and a bill establishing the National Council on Marine Resources and Engineering Development and a Presidential Commission on the same. At the same time a Panel on Oceanography of the President's Science Advisory Committee published a major planning study entitled: "Effective Use of the Sea," under the White House seal.

The National Council on Marine Resources and Engineering, vigorously chaired by the Vice President of the United States and participated in actively as members by the Secretary of State, the Secretary of the Navy, the Secretary of the Interior, the Secretary of Commerce, the Secretary of Health, Education, and Welfare, the Chairman of the Atomic Energy Commission, and the Director of the National Science Foundation, have met frequently, pushed their work seriously, and the President has just sent his first report on Marine Resources and Engineering Development to the Congress (Marine Science Affairs—A Year of Transition, the White House, 157 pp.), thus making the third major ocean science activity and planning report issued in less than a year in the United States. The National Council was instrumental in the United States supporting the U.N. resolution on the "Resources of the Sea."

Quite aside from these business activities, and activities on the local, state and national governmental levels, three large and active national professional and trade associations have been formed—The Marine Technological Society, The National Oceanographic Association and the American Society for Oceanography. There are at least two new Law of the Sea Institutes. There is seldom a week goes by without a learned symposium or professional meeting of some sort some place in the country on some aspect of ocean activities. Cities and Chambers of Commerce around the rim of the country are vieing for new ocean business and the title of "Capital of Oceanography," and it is a comotose university that does not have one extension series of lectures on the ocean, at least, during the year.

THE U.N. RESOLUTION ON THE RESOURCES OF THE SEA

As an individual, although I am active in several of the dozen fields touched upon above, I think it was a serious error to have

passed a resolution such as that of the U.N. on the Resources of the Sea at this time. I think it would have been wiser to have deferred five years, or perhaps ten, the active debates on the management of ocean affairs that will now arise among the nations. I have several reasons for this, mostly associated with the fishery field in which I am best acquainted. Among these are:

1. EAO Fisheries Department

The Department of Fisheries marks a major reorganization and strengthening of international fisheries affairs in FAO. The Director General and the Council of FAO have acted in good faith, and with energy and despatch, in carrying out this reorganization and strengthening.

The new Department is less than two years old. I doubt very much if such a sharp organizational change can be evaluated in any field in much less than five years at a minimum. I do not know how a person could recommend very prudently how these new changes should be changed again until some further experience is had with the ones we have.

2. The special fund

There has been a vast expansion in Predevelopment Fishery surveys in the developing world sponsored by the Special Fund of the United Nations, and executed by FAO. The rapid surge in this work on a world-wide basis has not only severely taxed FAO but also the whole world pool of trained persons capable of carrying out these tasks. Such a rapid expansion of affairs cannot be handled with ease by any form of organization. To accommodate it with any degree of success at all has put severe strains on the headquarters staff and regular program of work at FAO Department of Fisheries. It is the headquarters staff and regular program of work which form the core of FAO capabilities in this field, and when they are overtaxed the field programs cannot prosper. Only time can provide the adjustments between headquarters and field programs that will permit the latter to be carried out with maximum effectiveness.

3. The expanding world fisheries

The ocean fisheries have expanded with frightening rapidity in the past twenty years. They are still expanding and will continue to do so as the demand for animal protein continues to grow. This has created all manners of dislocations and strains in the world. The leading fish producing nation of the world was not even considered to be a substantial fishing nation twenty years ago. The nation which is expanding its long-range fisheries in the high seas most vigorously and effectively on a world-wide basis was not a very effective long-range fishery twenty years ago, and is not a member of FAO today. Several of the smaller developing countries are expanding their sea fisheries rapidly in the absence of adequate research, management and other elements of governmental and business infrastructure required to make that growth stable and secure. The political interactions among nations arising from these rapid sea fishery expansions are delicate, numerous and often intractable.

I, for one, do not know any simple solution to these problems and would much prefer more time for them to mature and sort themselves out in order to see whether solutions to them can be found in an atmosphere of calm deliberation that will not create larger problems than they sought to relieve.

4. Population dynamics research

Ocean fishing power on a world-wide basis is growing at a much more rapid rate than the means of measuring its effect on the fish stocks it is being applied against. Dr. Lucas laid out plainly in his address to COFI last year the research steps that need to be taken before conservation problems can be detected, understood, and measures devised to prevent overfishing. Quite large fisheries have developed in the past few years where the most elementary research of this sort has scarcely begun. This whole field of marine science is being swamped by the developing fishing power. The nations devote their ocean research funds to the development of fisheries but they are laggardly in providing research funds for the detailed biological and dynamics research which alone can give guidance in the solution of the problems which expanding fishing effort create.

The nations must learn that overfishing can happen rapidly and can be economically disastrous to their developing fisheries. This takes time. When that lesson is learned then the scientists need to be trained, diverted and funded to do the required research. This takes a great deal more time.

5. The Committee on Fisheries

At the close of the last decade it was quite apparent to the professionals in the fishery field around the world that the international problems which were going to arise in this decade from the rapid expansion of the sea fisheries were going to be enormous. An international mechanism of some better nature than then existed required to be developed to deal with those problems in a realistic manner if chaos was not to be experienced in the sea fisheries during the decade of the 1970's.

It was all well and good for the international agency having the responsibility in the United Nations family to reorganize, restructure and strengthen its means for carrying out this responsibility. This FAO did through the creation of the Department of Fisheries, and we would be in serious straits indeed had that not been done.

It was all well and good for the Director General to provide himself with competent, independent, outside professional advice. This was done by the appointment of the Advisory Committee on Marine Resources Research. There seems to be general agreement that the advice received from this body, and the use which the Director General has made of it, has been a most useful ingredient in this whole matter. At least I believe this to be true.

The crux of the matter, however, has been what reaction the member nations would make to the mounting problems. No group of persons could estimate or effect this as well as the senior fishing officials in the member countries. They had the administrative experience of dealing with such problems. They had the knowledge of the forces within the country of each with which it was necessary to deal. They had the means to mold national actions toward necessary international cooperation in this field if anyone did. They had within their staffs the research people and programs needed to define and deal with the problems, to the extent that those people and programs existed.

In essence, if the senior fishery officials of 30 member countries could not by joint activity devise means by which international fishery problems could be brought within manageable proportions then probably no other person or group of persons could. Certainly neither the Director-General of FAO or his staff, no matter what their excellence or devotion, could handle these problems without the coordinated advice and assistance of the senior fishery officials of the member countries.

I felt the formation of the Committee on Fisheries, so composed, a major step forward in strengthening the international apparatus for dealing with international fishery problems. I still think so. I have participated in the first meeting of COFI and in the first meetings of its two subsidiary bodies. I think nobody who has done so could help but be impressed by the effective manner in which COFI has grasped its work and begun to deal with the enormous problems within its purview.

But COFI is just one year old. Under the very best of conditions it cannot be expected to advance its work to the levels of effectiveness needed in so short a time. Five years would be a short interval to allow for this, and ten years would be more reasonable. International affairs do not move rapidly, and when they are pushed too fast the result is about the same as from trying to push a loose-laid rope.

For these, and other, reasons I would have been much happier if another five years, at least, could have been given us fishery people to get our feet under ourselves a little better in the international field before these active debates among the nations on the management of ocean affairs were initiated. That is not the case, the fat is in the fire, and we must deal now with the consequences.

CONCLUSION

In these pages I have sought to enumerate some of the forces affecting thinking about the more effective use of the sea in the United States, some of the effects of this on public action, and some of the reasons why I would have preferred that the U.N. Resolution on the "Resources of the Sea," and the public activities it will generate, had been delayed for five years, or perhaps ten.

How it is in other countries I do not know, but it is of importance to note that in the United States the voice of fishery experience in these marine use affairs has grown so dim as to become, at times, hardly audible. The other users of the sea, and those who anticipate using the sea, have become so energetic, numerous and vocal that the fishery voice is just drowned out and submerged. Professional fishery opinion and experience, for instance, had substantially no effect on the events leading up to the United States Government pushing for the passage of the U.N. Resolution on the "Resources of the Sea," and was scarcely informed until after the event.

The Panel on Oceanography of the President's Science Advisory Committee which last year produced the key report "Effective Use of the Sea" had nobody experienced in food fisheries on it, and few oceanographers. The National Council on Marine Resources and Engineering Development is composed of the Vice-President and Cabinet level officers, none of whom have fishery affairs high in their experience, and their staff does not yet have a professional fishery man on it. This body is the most important group now dealing with these matters in the United States, and its report of last month on "Marine Science Affairs—A Year of Transition" is a powerful guiding force in United States activity in this field.

It may well be that this is the shape of things to come, that the other users of the sea will over shadow the fishery users of the sea, and that the voice of fishery people in councils dealing with the rational use of the ocean on the international level will shrink relative to the whole of the others. If this is to be the case I think the consequences to the world will be substantial and not entirely wholesome. My reason for this belief is simply that the major source of disputes among the nations over the use of the sea has been, is, and will be over fishery issues, and I doubt that these can be resolved without the inputs of fishery people.

I have not painted a very happy picture of the State of Ocean Use Management in the world, because it does not look to be in very good shape to me. I have not put forward any world-shaking ideas that might mend the situation, because I do not have any.

It seems to me that the course we fishery people have embarked upon, a reorganized, revitalized and strengthened Department of Fisheries in FAO, backed up by independent

outside expert advice in ACMRR, and supported by the senior fishery officials in the member countries as gathered into the Committee on Fisheries, is the only prudent course for us to follow in the near future, and until somebody can demonstrate a better course.

In this coming period of international activity on the rational use of the ocean the Committee on Fisheries has a key role to perform, and much will depend on how that role is executed. A betting man could wager without much risk that we are heading for a period of considerable anarchy and chaos on the ocean, that much of this will arise from fishery disputes, and that the voice of fishery people in settling those disputes will be hard to hear. It is only in unity that there is any strength at all. In the near future it appears obvious that we fishery people must depend very much upon the Department of Fisheries and the Committee on Fisheries of FAO to look after the interest of us all.

TRIBUTE TO DR. CARL HANSEN

Mr. MORSE. Mr. President, at the end of this month, the very distinguished superintendent of schools, Dr. Carl Hansen, will retire from the District of Columbia public school system. Dr. Hansen's departure from the District of Columbia public school system is a great loss to the community, a great loss to the school system, and to all schoolchildren of all races.

As chairman of the Education Subcommittee of the District of Columbia Committee and the Education Subcommittee of the Labor and Public Welfare Committee, I have worked very closely with Dr. Hansen and the school administration over a period of many years. I know of few educators in America who have cared more, tried harder, and done more to improve the quality of education than Superintendent Hansen. Dr. Hansen's work in the field of education in the District of Columbia is a great monument to his ability, his foresight, and his wisdom. This superintendent of schools will long be remembered for his insistence on quality public education for all children, often under very adverse handicaps and circumstances.

I know of no man who has achieved more for the District of Columbia public school system in a shorter period of time than Dr. Hansen. From personal experience, I know how effective Dr. Hansen has been in seeking improvements in the school system, for I have worked shoulder to shoulder with him and his administration on numerous school problems and educational programs for a good many years.

Dr. Hansen is entitled to the praise of all citizens of the District of Columbia. We should ask ourselves: What kind of school system did Dr. Hansen inherit and what are the accomplishments of his administration? We should also ask: What is right about the District of Columbia public school system?

One of the first tasks undertaken by Dr. Hansen after becoming superintendent of schools was to integrate the school system. He was plagued with the problem of integrating into one system "separate but not so equal" schools under the old system. He has faced the serious challenge of bringing these not so equal schools up to the same standards as the previously all-white schools without causing damage to the previously favored schools. This was a major undertaking, but this did not diminish his determination to bring into being a truly model public school system for the Nation. His public career has been devoted to improving the learning conditions for all school-age youngsters.

We should remember that the pupil-teacher ratio in the elementary schools has decreased from 36 pupils in 1956 to 30 in 1966. In 1961 there were 19 librarians in the entire public school system. Under Dr. Hansen's leadership, there are now approximately 88. In 1961 there were 60 school counselors in the entire public school system. That number has been increased to 245 in 1966.

There were 228 special schoolteachers in 1955, with that number being increased in 1966 to 880. The public school system maintained a speech correction staff of nine people in 1950 and by 1965 that number was increased to 99. In 1953 the public school system did not maintain any classes for severely mentally retarded children. Today, under Dr. Hansen's leadership, 286 mentally retarded children are attending classes. There were no elementary schoolchildren enrolled in foreign language classes taught by language specialists 9 years ago. Last year there were 8,775 pupils enrolled in these classes under the tutelage of 40 teachers.

The Senate will recall that in 1958 no public funds were allocated for free lunches for hungry schoolchildren. Today, free lunches, and to a lesser degree free breakfasts, are supplied daily to more than 12,000 elementary schoolchildren. Free milk is provided all elementary schoolchildren twice daily.

In 1965 the District of Columbia public school system maintained a summer school program for approximately 22,000 students. That program in 1966 accommodated approximately 40,000 students. Under the leadership of Dr. Hansen, pregnant school-age girls are given the opportunity to attend special school facilities in order that they may continue their education. Special school programs have been organized for school dropouts. This program has an enrollment of close to 765 students.

More than 300 teacher aides are presently employed so that teachers may concentrate on instruction rather than paperwork and other chores. Dr. Hansen proved himself over a period of a good many years as a strong friend of the schoolteachers in the public school system. He worked relentlessly to better their retirement and obtain for them more decent salaries.

One of the greatest accomplishments of Dr. Hansen is one of which few people in this city are aware. This Superintendent of Schools played a very significant and successful role in helping to obtain for all children of all races a university and vocational institute. The role Dr. Hansen played was a quiet but very effective one. The District of Columbia Committee with good reason relied heavily upon his advice.

Dr. Hansen has worked relentlessly to obtain additional and improved school facilities in the underprivileged areas of the city. Practically all school construction has taken place in the less affluent areas of the city.

Dr. Hansen has never deviated from the fact that disadvantaged children, if given the proper care and attention, can be educationally rehabilitated. But as an educator he realizes that it takes time, that much more specialized instruction and smaller classrooms must be maintained in order to achieve that objective. For that reason he has worked extremely hard to obtain more appropriations from the Congress in order to make it possible to decrease the size of the classes and increase the quality of instruction and physical facilities.

As Dr. Hansen leaves the public school system, I want him to know that he has thousands and thousands of friends in the District of Columbia who admire him for the very fine work he has done. As a member of the District of Columbia Committee, I publicly thank him for the complete cooperation he has given to me as chairman of the subcommittee having jurisdiction over the schools during his tenure of office.

SENATOR DIRKSEN TO PLANT MARIGOLDS IN HARRISON-WILLIAMS COURTYARD

Mr. WILLIAMS of New Jersey. Mr. President, I wish to announce that our beloved minority leader, Senator EVERETT M. DIRKSEN, has graciously consented to plant marigolds in the courtyard of the Old Senate Office Building tomorrow at 12:30 p.m. As we all know, the subject of marigolds is very close to this great Illinoisan's horticulturist heart. On behalf of the chairman of the Committee on Rules and Administration, Senator EVERETT JORDAN, and myself, I wish to issue an invitation to all Senators and their staffs to attend this ceremony.

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. 4538. An act for the relief of Dr. John E. Yannakakis;

H.R. 5996. An act for the relief of Dr. Bernardino D. Marcelo; and

H.R. 9080. An act for the relief of Federico de la Cruz-Munoz.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on the Judiciary:

H.R. 4538. An act for the relief of Dr. John E. Yannakakis;

H.R. 5996. An act for the relief of Dr. Bernardino D. Marcelo; and

H.R. 9080. An act for the relief of Federico de la Cruz-Munoz.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

AUTHORIZATION OF APPROPRIATIONS TO THE ATOMIC ENERGY COMMISSION

Mr. BYRD of West Virginia. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 379, H.R. 10918.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 10918) to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

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

The motion was agreed to, and the Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. 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. PASTORE. 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. PASTORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PASTORE. What is the pending business?

The PRESIDING OFFICER. The pending business is H.R. 10918, to authorize appropriations to the Atomic Energy Commission.

Mr. PASTORE. I thank the Chair.

Mr. President, H.R. 10918 would authorize appropriations to the Atomic Energy Commission for fiscal year 1968. The total authorization which this bill would provide amounts to $2,633,876,000 for both operating expenses and plant and capital equipment for the current fiscal year, including increases in prior years' authorizations.

This amount is about $4 million less than the AEC requested. However, the fiscal year 1968 authorization recommended by our committee is about $374 million more than last year's amount. About $200 million of this increase is due to new requirements for the weapons program. The overall reactor development program would increase by $53.4 million, a large amount of which is due to expanded work on breeder reactors. There are large increases in prior year project authorizations—a net of $81.5 million—primarily associated with a fast flux test facility needed for the breeder reactor program, and a meson physics facility. In addition, the balance of unobligated funds from prior years—used to reduce the authorization request—is substantially less this year than last.

I should like to emphasize that the task of the Joint Committee in passing upon this $2.6 billion authorization request is a complex one. The AEC's program covers a very broad spectrum. It includes defense activities vital to our national security; development of advanced reactors for applications on earth and in outer space; research into the most fundamental secrets of nature; and application of atomic energy in a wide variety of peaceful uses. As in the past, our committee was called upon to make decisions this year that will have a crucial effect on the future of national programs of highest priority.

One might expect—under the circumstances I have described, and considering we are dealing with a huge request encompassing a multitude of subheadings—there would be considerable disagreement within the committee concerning its recommendations. However, I am glad to report that with the one exception to which I shall return later this is a unanimous report by all 18 members of our committee, from both sides of the aisle and both branches of Congress. As I have said in the past, the Joint Committee's ability to achieve a consensus on these controversial subjects is a tribute to our legislative system.

Mr. President, I will now summarize the major provisions of H.R. 10918. Of course, if any Member has questions concerning this bill, I shall attempt to answer them.

Section 101(a) of H.R. 10918 would authorize appropriations of $2,164,843,000 for the AEC operating expenses. On page 3 of the committee's report there is a breakdown of this recommended authorization by the AEC's major programs and subprograms. A more detailed discussion of each committee action will be found in the section of the report entitled "Committee Comments," beginning at page 8. Section 101(b) of the bill would authorize total appropriations of $338,233,000 for plant and capital equipment, broken down into various projects and categories. Some of the more significant features of the fiscal year 1968 authorization are as follows.

The AEC requested $700,500,000 for operating expenses for the nuclear weapons program. This is a large sum, about one-third of the AEC's total operating budget. However, on the basis of information obtained in executive hearings, the committee has concluded that a more intensive development and testing program than would be possible with the amount of money requested by the AEC is required if development of new weapons systems and their entry into production are to occur at a pace consistent with the national security. Therefore, the committee has recommended a $15,000,000 increase in the weapons program.

It should also be noted that this bill would authorize $180,250,000 in plant and capital equipment for the weapons program in fiscal year 1968. Included in this request is $100,500,000 for the construction of new weapons production capabilities at six locations: Oak Ridge, Tenn.; Rocky Flats, Colo.; Burlington, Iowa; Amarillo, Tex.; Tampa, Fla.; and Savannah River, S.C. The major portion of these new weapons production capabilities relate to warhead production for Poseidon and other new nuclear weapons systems.

The reactor development program is one of the Commission's most important efforts. The committee has recommended a total operating authorization of $484,290,000 for this program—a net reduction of $1.75 million from the AEC's request.

Spending for the high-gain fast-breeder reactor program would rise steeply. The program level would go from approximately $51 million in fiscal 1967 to about $71 million in fiscal 1968. As most of you know, the breeder reactor is the one which holds the promise of providing this Nation and the world with a virtually limitless supply of energy. If our long term energy needs are to be solved, it is absolutely essential that high-gain breeder reactors be developed.

Included in this year's budget is the balance in funding of $80 million for construction of a fast flux test facility at Richland, Wash. This facility, for which $7.5 million in architect-engineering funds was previously authorized, will provide vital test facilities for the sodium cooled fast-breeder program. Test results from this facility are not expected until about 1975. We feel that it is important, therefore, to authorize this project this year.

Orders for construction of the commercially available light water reactors continue to be placed at a brisk pace by the Nation's utilities. Again in calendar year 1966, major commitments were made to nuclear-powered electrical generating capacity. During that year approximately 16.5 million kilowatts of nuclear-fueled electrical generating capacity were ordered. By comparison, about 25 percent of that amount, or 4.7 million kilowatts, of nuclear-fueled generating capacity were ordered in the preceding year—a year when more nuclear capacity was contracted for than in all the years prior thereto. This trend has not abated in the first 6 months of 1967.

This startling growth of the nuclear power industry is indeed encouraging to those of us who long have worked for the development of an additional energy source for this Nation. However, such rapid change carries with it a number of problems. Thus, the committee has reemphasized to designers, manufacturers, and utilities that they should pay unparalleled attention to the details of design, construction, and operation to assure that performance and safety requirements are met. The heavy demands that are being, and increasingly will be, put upon all of our sources of energy make it essential that powerplants using the newest of these energy sources become available without significant delays. Our report urges the AEC to exercise leadership in the nuclear power field and to work closely with the utilities and the Federal Power Commission so as to help assure that adequate attention is paid to these important matters.

Calendar year 1966 also saw a number of significant developments with respect to the Government's research and development endeavors in the civilian power program. With the Joint Committee's encouragement, the AEC further concentrated Government development efforts on fewer power reactor concepts. A number of concepts were dropped, including the experimental beryllium oxide reactor—EBOR—and the heavy water organic cooled reactor—HWOCR—concepts. The HWOCR concept was dropped after the joint committee recommended, and the AEC performed, an intensive review of the program to determine whether the technical and economic factors involved,

when viewed in relation to the potential of competing systems, justified the expenditure of the resources needed to carry out this program. The effect of the decision was to save $15 million in fiscal year 1968 alone. The sodium reactor experiment—SRE—was also terminated because of its limited potential value in the advanced sodium cooled reactor field. Further concentration of effort on the more promising reactor concepts is planned.

Although not requiring additional authorization this year, two Government-industry cooperative power projects in the reactor development program—the Fort St. Vrain reactor in Colorado and the Metropolitan Water District nuclear power-desalting project in southern California—are at important stages. The next, or construction, phase of the Fort St. Vrain reactor is dependent upon continued successful operation of the smaller Peach Bottom reactor, which began a 9-month operating run on June 3, 1967. Thus the upcoming period is of critical importance in determining the future of this joint AEC, Public Service Co. of Colorado, and General Dynamics Corp. project.

The parties involved in the Metropolitan Water District nuclear power-desalting project are continuing to make progress in furthering this exceedingly complex arrangement. The committee reviewed developments in this connection with the AEC during the recent authorization hearings. The committee understands that a construction permit application may be filed by the participating electrical utilities with the Commission's regulatory staff by the fall of this year. However, the committee noted its concern that the schedule for this project may slip substantially.

In the physical research program, the committee has recommended authorization of funding of an additional $50.3 million for the meson physics facility at the Los Alamos Scientific Laboratory in New Mexico. It is estimated that the total cost of this project will be approximately $55 million. Already $4.7 million has been authorized for this project, primarily for architect-engineering work. There is also proposed to be located at the Los Alamos Scientific Laboratory a project which would house and power the proposed Scyllac controlled fusion experimental device. This bill includes an $8.5 million construction authorization for this project—the first new construction project requested by the Commission for controlled fusion research in the past 5 years.

I will now review very briefly the remaining sections of H.R. 10918.

Section 102 of the bill would impose certain cost limitations on the initiation of construction projects, similar in most respects to limitations contained in other AEC authorization acts.

Section 103 of the bill would authorize the AEC to perform design work, subject to the availability of appropriation on construction projects which have been submitted to Congress for authorization. This special authority would allow the AEC to undertake preliminary design work on projects which are of such urgency that construction must be initiated promptly after appropriations for the projects have been approved.

Section 104 of the bill would allow the AEC to transfer funds between the operating expenses and the plant and capital equipment accounts to the extent permitted by an appropriations act.

Section 105 of the bill would amend the AEC authorization act for fiscal year 1958—Public Law 85–162—by extending for an additional year, until June 30, 1968, the date for approving proposals under the third round of the AEC's cooperative power reactor demonstration program.

Section 106 of the bill would amend previous AEC authorization acts to increase two project authorizations as discussed above, and change the location of another project previously authorized.

Section 107 of the bill would rescind authorization for two projects which are no longer considered necessary, except for funds heretofore obligated.

Mr. President, no item here is in controversy, as far as I know. I am happy to say that the ranking Republican member of our Joint Committee is present on the floor of the Senate. If there are any questions with respect to the bill I would be happy to answer them.

These are the highlights of H.R. 10918. Mr. President, I wish to repeat that this bill was reported out by the Joint Committee on Atomic Energy without any dissent except with respect to one construction item—providing funds for certain work on a proposed 200 Bev accelerator. I, myself, strongly support that bill—except for the authorization of funds for this accelerator. My associates on the Joint Committee know my feelings on this subject and I informed them of my intention to move to strike this item from the bill on the floor.

Mr. President, unless there are comments I shall begin explaining my position.

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

Mr. PASTORE. I yield.

Mr. LAUSCHE. I would like to ask a question for general information. Am I correct in my understanding that the authorization that would be approved if the present recommended version is accepted would be $3,280,000 over the amount of the Atomic Energy Commission authorization request? I am looking at page 3 of the report.

Mr. PASTORE. The authorization is broken down into two parts. We have what is known as "operating expenses" and "plant and capital equipment." If the Senator will turn to the next page he will see the figure is $4,381,000 less.

Mr. LAUSCHE. Yes. How does that compare with what we authorized last year?

Mr. PASTORE. It is $374 million more than last year's amount. About $200 million of this figure is an increase due to new requirements for the weapons system, and as to the remainder, the overall reactor development program would increase by $53.4 million, and there are increases in prior authorizations to the tune of $81.5 million.

Mr. LAUSCHE. However, the figure is about $375 million more than was granted last year.

Mr. PASTORE. The Senator is correct.

Mr. LAUSCHE. I thank the Senator.

Mr. PASTORE. Most of that increase is for weaponry. I hope that is clear.

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

Mr. PASTORE. I yield.

Mr. HOLLAND. Has the statement of the Senator covered the matter of comparison of this bill with the budget request behind this authorization?

Mr. PASTORE. Yes; I stated that. This amount is $4 million less than the Atomic Energy Commission requested.

Mr. HOLLAND. I thank the Senator for that information.

There is one other question by way of information for the Senator from Florida, and the Senator from Rhode Island may have covered that heretofore.

What was the division in the Joint Committee on the item which the Senator says he will move to strike from the bill?

Mr. PASTORE. The House Members were unanimous in authorizing the 200 Bev accelerator. Those on the Senate side who were for the authorization were: Senator HICKENLOOPER, with whom I talked. He was not at the meeting at the time. He could not attend because of other official business. I talked to him and he was for it. Senator BENNETT was for it. Senator CURTIS did not say one way or another, but I think he was inclined to support it. Senator ANDERSON I believe took no position. Senator GORE was for it. Against it were: Senators PASTORE, JACKSON, and AIKEN, as indicated by the separate report.

Mr. HOLLAND. The members of the committee from the Senate who opposed this item are all joining in this minority committee report; is that correct?

Mr. PASTORE. No. The minority committee report is joined in by three, as against the others. This is a very unique situation. I will get into that matter if the Senator from Florida will bear with me.

The Senator from Rhode Island believes that this is one area in which we could have waited and effected a cut, realizing the situation we have in Vietnam, the tax situation confronting us, the fact that this Bev has nothing to do with national defense or national security, the fact that in time it will cost us more than $400 million to build and perhaps $60 million or more a year to operate. It is nothing more or less than an educational gadget for the physicists of this country who are interested in high-energy physics. I am going to go into that in some detail. Apart from the question of open housing, apart from the question of equal opportunity of employment, apart from the question which has been raised by the attorney general of Michigan that too much water cannot be taken out of Lake Michigan, apart from all these questions, there has been so much talk on the floor about cutting here and cutting there to avoid a tax increase. The President within a matter of days will send up a program—and I am speculating, I do not know for sure—but in all probability we cannot go on forever with a deficit of $20 billion. The President will try to make up some of that by asking for a tax program. The minute that "bomb" falls on the floor of

this Chamber, we will see the whole Senate rise up, with Members saying "Let us take out the antipoverty program. Let us take it off the backs of the poor. Let us do away with the Great Society. But let us build a 200 Bev accelerator in Illinois." That is something which will eventuate only 6 or 7 years from today and will cost the taxpayers of this country $400 million to build, and then $60 million or more to operate per year.

Mr. HOLLAND. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I am happy to yield to the Senator from Florida.

Mr. HOLLAND. The Senator from Rhode Island has probably not understood my question, because he did not answer it. The question was whether the representation of all the Members of the Senate on the Joint Committee who disapproved this particular item, about which the Senator from Florida knows very little, and certainly has not heard of many of the things which the Senator from Rhode Island has mentioned, and is not interested now in going into the matters which he is sure will be debated; but my question simply is whether all Members of the Senate on the Joint Committee who disapproved of this item are signers of the minority report.

Mr. PASTORE. Yes, that is right—three of us. I believe I gave the names—Senators PASTORE, JACKSON, and AIKEN.

Mr. HOLLAND. I thank the Senator. That was all I asked.

Mr. PASTORE. Mr. President, if there are no further questions on the territory which I have covered, with the exception of the 200 Bev accelerator, which is going to be a sister to the one we have already at Stanford University which was built to the tune of $114 million and is only being utilized to 50 percent of its capacity, I send an amendment to the desk to delete the 200 Bev accelerator.

Mr. HICKENLOOPER. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I am happy to yield to the Senator from Iowa.

Mr. HICKENLOOPER. So far as I know, Mr. President, there is no disagreement on the part of the committee about all the details of the proposals in the bill with the exception of the question of the present location of the 200 Bev accelerator. I think that all committee members have agreed on the amounts and the proposed disposition of the money.

In passing, I call the attention of the Senate to the fact that I really wanted to make that statement for the RECORD now so that we can probably narrow down the discussion to the one item in question.

Mr. PASTORE. That is correct.

Mr. HICKENLOOPER. So far as the Stanford University accelerator is concerned, it is one of the greatest research tools which has ever been developed. True, it is operating only at 50 percent of its capacity at this time, but the committee has recommended—on page 35 of the report:

> The committee recommends that $1.5 million of the additional $3 million needed to optimize SLAC's operation be added by Congress. As for the remaining $1.5 million, the committee believes that inasmuch as the advantages of fuller operation of SLAC would contribute to the entire high energy physics subprogram (and possibly to other parts of the physical research program as well), efforts should be made by the Commission to provide these funds from within the physical research program.

The purpose of that, Mr. President, is at least to get the operation of this vast Stanford accelerator up to about 80 or 85 percent of its total capacity. We are trying to get there, but lack of money is the reason we have not done so.

The 200 Bev accelerator is a fantastically advanced research tool. I do not mean to intrude on the time of the Senator from Rhode Island to make the presentation of his amendment, but I do want to call that to the attention of the Senate in order to narrow down the issue and get to the point at least to see what the committee will be discussing.

I have no question about other items in the authorization bill. I do not think the Senator from Rhode Island has, either. But, we do disagree on this one item.

I shall oppose his amendment to strike the item and will give my reasons therefor later.

I thank the Senator from Rhode Island very much for yielding to me at this time.

Mr. PASTORE. I fully understand the position of my dear friend and colleague on this issue.

Mr. President, for myself, the Senator from New York [Mr. JAVITS], the Senator from Massachusetts [Mr. BROOKE], and the Senator from Michigan [Mr. HART], I move to strike lines 9 and 10 on page 3—Project 68–4–f, 200 Bev accelerator, Du Page and Kane Counties near Chicago, Ill., $7,333,000.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 3, to strike out lines 9 and 10, as follows:

> Project 68–4–f, 200 Bev accelerator, Du Page and Kane Counties near Chicago, Illinois, $7,333,000.

Mr. DIRKSEN. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I am very happy to yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum, and it will be live.

The PRESIDING OFFICER. The clerk will call the roll.

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

[No. 181 Leg.]

Allott	Gruening	Montoya
Bartlett	Hart	Morse
Bayh	Hartke	Moss
Bible	Hatfield	Murphy
Boggs	Hickenlooper	Nelson
Byrd, W. Va.	Hill	Pastore
Cannon	Holland	Percy
Carlson	Jordan, N.C.	Ribicoff
Case	Kuchel	Russell
Church	Lausche	Symington
Clark	Magnuson	Talmadge
Cotton	Mansfield	Williams, Del.
Dirksen	McGee	Yarborough
Dominick	McGovern	Young, N. Dak.
Fannin	Monroney	Young, Ohio

Mr. BYRD of West Virginia. I announce that the Senator from North Dakota [Mr. BURDICK] and the Senator from Maryland [Mr. TYDINGS] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Mississippi [Mr. EASTLAND], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Louisiana [Mr. LONG], and the Senator from Montana [Mr. METCALF] are necessarily absent.

I further announce that the Senator from Alabama [Mr. SPARKMAN] is absent because of a death in the family.

Mr. KUCHEL. I announce that the Senator from Tennessee [Mr. BAKER] is necessarily absent.

The Senator from South Carolina [Mr. THURMOND] is absent because of the death of a friend.

The PRESIDING OFFICER. A quorum is not present.

Mr. BYRD of West Virginia. 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 West Virginia.

The motion was agreed to.

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

After a little delay, the following Senators entered the Chamber and answered to their names:

Aiken	Harris	Morton
Bennett	Hayden	Mundt
Brewster	Hruska	Muskie
Brooke	Inouye	Pearson
Byrd, Va.	Jackson	Pell
Cooper	Javits	Prouty
Curtis	Jordan, Idaho	Proxmire
Dodd	Kennedy, Mass.	Randolph
Ellender	Kennedy, N.Y.	Scott
Ervin	Long, Mo.	Smathers
Fong	McCarthy	Smith
Fulbright	McClellan	Spong
Gore	McIntyre	Stennis
Griffin	Miller	Tower
Hansen	Mondale	Williams, N.J.

The PRESIDING OFFICER. A quorum is present. The question is on agreeing to the amendment of the senior Senator from Rhode Island.

Mr. DIRKSEN. Mr. President, I thought that perhaps the distinguished Senator from Rhode Island would undertake an affirmative statement on this matter before we undertake to make a response.

I think I ought to say to all Senators that I shall feel obliged to keep a live quorum here because this is a tremendously important issue. It affects not merely the Midwestern part of the country, but also the remainder of the country.

There are 20 States that have open occupancy laws. There are 30 States that have no such laws.

If Congress in its wisdom undertakes at any time to draw that line, then I want to say to the occupant of the chair that line is going to be firmly drawn, and it is going to be equally firmly held.

With respect to any authorization or appropriation bill, an effort will be made to strike every authorization and every appropriation for projects in any State in which this difference between open and nonopen occupancy exists.

The idea of ever putting this country on that kind of discriminatory basis means the ruination of the country, and it will mean the ruination of the esprit de corps in the U.S. Senate and the House of Representatives.

This provision does not affect only a

community that is approximately 30 or 40 miles west of the city of Chicago. This provision affects all 50 States of the Union, and likewise the District of Columbia and our territories. We are going to see if that is going to be the case, that whatever is sauce for the goose is going to be sauce for the gander.

I am only occupying time until the distinguished senior Senator from Rhode Island gets here. However, I point out that the House of Representatives had this bill before it and they approved the Weston site and they approved this initial authorization for an appropriation.

At the appropriate time I shall state from a letter by the distinguished Chairman of the Atomic Energy Commission what his views are with respect to proceeding with this project.

At this point, I will momentarily yield the floor so that the distinguished senior Senator from Rhode Island can make his statement.

Mr. PASTORE. Mr. President, I hope that the Senator from Illinois will forgive me. The only reason why I was absent from the Chamber while you were speaking is that I was talking to some constituents, just as the Senator from Illinois is speaking to his constituents now.

Mr. President, the idea of the availability of housing leading to the equal opportunity of employment is not something that was initiated by the senior Senator from Rhode Island. I did not start this. This was predicated by the Atomic Energy Commission. And I applaud the fact that they did it.

The trouble with the Atomic Energy Commission is that when the issue got to be a hot potato, they dropped it. And it bounded and bounded and bounded. And where do you think it landed? Right in the lap of the senior Senator from Rhode Island. I have been struggling with it ever since.

I have been approached by sincere and troubled residents of that vicinity.

I have never said, and I do not pretend to say, that this authorization should be used as a vehicle to bring about an open housing law in Illinois. I have never said that, and I do not pretend to say that here. However, what I have said is that we are planning to invest $400 million of the money of all the taxpayers of the United States of America, of every religion, every race, and every color.

There is no urgency in this project.

This is not an emergency measure. This is not for national defense. This is not for security. This is a gadget, an exploratory gadget, to be used by the physicists who are working in high energy physics, so that they can promote their research.

Now I think when we begin to take $400 million that belongs to all the taxpayers of this country to build a project that has only an educational value—and that is all this has—we ought to make sure that every American of any religion or color can live within the vicinity of that project so that, being close enough to it, he can avail himself of the equal opportunity of employment in that project. That is all this amounts to.

Time has a healing, helping way.

We have been dealing with this matter so long that some fine things have taken place. When the pending bill was passed in the House of Representatives on June 29, not one single community with the exception of Weston had passed an open housing ordinance. And Weston disappears once we build this project.

Since the pending bill was passed in the House of Representatives, on June 29, the town of Wheaton has passed an open housing ordinance, I applaud that. It is marvelous.

Only yesterday, Joliet passed an ordinance.

We are getting closer to Weston.

So, I must say to my good friend, the senior Senator from Illinois, that we should give this good feeling a chance and postpone this project for another year.

I am not for changing the site from Weston. I have said that in the hearings. All one has to do is to read these green-colored books of the hearings. I want the project to be in Weston. I do not want to look for an alternative site, but I am saying now: "You have raised this issue, Mr. Atomic Energy Commission. You stick by your guns, and don't retreat."

When it looked as though they were going to lose the project, they all compromised and retreated. They are all satisfied now that everything will be all right in the future.

We talk so much about the heat of a "hot summer." Let me say to the Senate that unless we begin to do the decent thing for the decent Negro who wants a chance to live and a chance to work, how is he ever going to convince the impatient and violent ones that good reform comes from promise when not backed by real performance?

The Senator from Illinois has made the argument here time and time again that he is going to begin to strike this out and he is going to begin to change that. Well, that is his prerogative. But, Mr. President, just because I cannot save all the souls of the world, do I stop my efforts in at least trying to save one? Is that irreligious? Is that sacrilegious? Is that un-American?

Now, let me tell you something about this project. They are asking here for $7,333,000, and they are trying to minimize the scope saying the amount is meager, relatively speaking. Well, under the bill, they have a right to use part of this money for construction. This money is tied in with the Weston site. Next year they are going to come in, because, after all, if you do not bring about the architectural design and the engineering that this $7,333,000 will bring, and you do not appropriate the money to build the project, you are only sending this money down the dirty drain and to the open sewer. The $7,333,000 is tied in with $400 million which the AEC will be requesting next year. Once you have your nose in that tent or you have your foot in the door, you have to begin to weigh whether or not you will lose the $7,333,000.

Mr. President, let me bring out another point. This project came to our attention about 4 or 5 years ago. They wanted to build a 200 bevatron of high intensity which would cost $375 million. So last year they went to the Budget Bureau. The Budget Bureau said, "This is too much money. We have to compromise this." That was the first compromise. They cut it down to a lower intensity and eliminated important equipment. It is not what the Atomic Energy Commission wanted in the first place. They cut it down to a lower intensity, and the lower intensity would cost $240 million. But now they are going to do it in two stages. Anything to get it going. That is the gimmick here.

So when it came before our committee, we said, "Wait a minute. We thought you wanted a $375 million machine. Now you are compromising on a lower intensity machine costing $240 million. We are going to investigate this."

So we held special hearings, and the committee suggested that we build a big machine. But the Atomic Energy Commission has not yet given its approbation.

My question is, Until that is decided, what is the harm in waiting another year? In that 1 year, we will find out more about our commitment in Vietnam.

I have heard the Senator from Illinois, time and time again, rub the back of this administration on its antipoverty program, which has to do with people. They want to cut down the antipoverty program, which affects people, but they want to build this machine. This they say, is important. The neighborhood youth program can wait. The retraining program? Let it wait. But build this machine, they insist, build this machine. Oh, yes, and if they win this point, what a record they will make, as I said before. What a ringing of jingle bells, jingle bells, for next Christmas. I say this with a smile on my lips: in all good humor—and in all honor—for, seriously, I do not know of anybody who would look better as Santa Claus than my dear friend from Illinois.

I have struggled with this matter. It has been dropped in my lap. These are the people who are intensely interested. Do you think I am making this up? When the Commission got rid of it and dropped it in my lap, these are the people they got interested.

The Spanish-American Center of Aurora. That is a beautiful word, "Aurora." It means "daylight." The Aurora Fair Housing Commission. They are in Illinois. Citizens United for Equality; the First Methodist Church, Naperville; North Suburban Organization for Fair Housing, Evanston; the NAACP; the National Committee Against Discrimination in Housing; First United Presbyterian Church, Elgin, Ill.; the Summit Conference on Open Occupancy.

I am sorry that the senior Senator from Illinois has left the Chamber.

Clergymen's Association of Greater Elgin, Commission on Religion and Race, Elgin Deanery Council of Catholic Women, Elgin Federation of Churches, Elgin Housing Group, Family Service Association, Fox Valley Chapter of the National Association of Social Workers, Fremont Activities Association, Health and Welfare Council, Latin American Community Organization, National Association for the Advancement of Colored People, Parents League for Future Citizens, Kane County Council for Economic Opportunity, the United Organizations for Community Action, the Fact Committee, Evanston; National Council

of Jewish Women, National Catholic Conference for Interracial Justice.

These are the organizations. I did not invent them. They are against the establishment of the bevatron there, unless they have assurance that within the vicinity of this project there will be an opportunity for housing which will lead to an opportunity for jobs.

Am I being academic? Let me read to the Senate a letter with reference to the Argonne Laboratory which is in that vicinity, in Du Page County. I should like to read the letter. I am sorry that the senior Senator from Illinois [Mr. DIRKSEN] is not in the Chamber to hear it:

On Tuesday, June 27, 1967, I was privileged to be with a group of NAACP representatives to enjoy your counsel relative to the Weston Atomic Energy site at Weston, Illinois. During the course of our verbal exchange I indicated to you that a survey was made by the NAACP during the month of January 1967 concerning the disparity that exists in housing at or near the Argonne Installation for minority group people. I stated to you at that time that our survey reflected the following information.

Now I come to the crux of the letter. This is the meat in the nut:

We determined that there were 259 minority group people working at the Argonne Installation on that day, and of the 259, 225 were Negroes. Of the 225, 223 found it necessary to commute approximately 70 miles per day round trip between the Argonne Installation and the City of Chicago, as well as the City of Gary, Indiana.

In other words, "Go back to your ghettos. Go back to your ghettos."

Is that not a deplorable situation? Here at a Federal installation, where the Government has spent millions of dollars, 259 persons of minority groups are working; 225 of them are Negroes. Of the 225, 223 have to travel 70 miles a day to go to work. What will that result in?

We talk about cooling off a hot summer. This is a way to make it hotter, not to cool it off. These people know. They live in that locality.

Senators may ask me, "What good will waiting do?" This is what waiting will do.

The waiting will bring other communities like Wheaton and Joliet to face up to fairness, and that is what we need. I do not want to change the site. I have nothing against the Senators from Illinois. I do not raise this question although I think the question is important.

I shall read what Dr. Seaborg said in April of 1967:

Frankly, at the moment the Atomic Energy Commission has little to offer. The commitment sought from communities in the western area has failed to materialize.

I do not pretend to be the conscience of the Senate. I do not pretend to be the conscience of the Congress. I do not pretend to be the conscience of the country. I have enough to do to mind my own conscience. However, in good conscience, Mr. President, once this issue has been raised by a Federal agency—in my mind—to back off is unpardonable.

If the majority of the Senate wishes to vote for the authorization it is their privilege. As far as I am concerned, I have made my case. My points are well founded. First, the availability of housing was a criterion from the very beginning. In later press releases equal housing was spelled out as being the primary concern in the selection of the site.

Second, there is the important question raised by the Senator from Michigan as to whether or not we have determined scientifically what this will have to do with the water in Lake Michigan.

Third, we have to decide whether it is going to be the $375 million job or whether it has to be the $240 million job.

Lastly, and quite important, Mr. President, is the fact that here we are faced with a deficit. We were notified only a short time ago by Henry Fowler that the deficit this year is going to be between $20 billion and $22 billion. When the deficit was considered to be $13.1 billion, the President suggested the 6-percent surtax which would give us $5 billion in return.

Now, the amount is going to be $20 billion. I can hear the voices in this Chamber, the harangue: "Cut the budget, cut the budget." There is no better place to start than here. What a glorious time the Senator from Rhode Island is going to have in months to come. What a glorious time the Senator from Rhode Island is going to have with all those who will vote "nay" on this when they stand up and say, "Do away with an increase in taxes; cut your budget; cut your budget." What a show that is going to be.

Mr. President, little I say here may convince anyone. I suppose minds are pretty well made up. I am stating my position. I must say in all fairness that the vast majority of the Joint Committee voted against it. The House of Representatives by a vote of 104 to 7 authorized this item, and I shall make a comment on that. There are 435 Members of the House of Representatives, and 104 and 7 comes to 111. That number is not even one-half of the quorum, and this is a $375 million job.

ORDER FOR YEAS AND NAYS

Mr. President, I ask for the yeas and nays on this amendment.

The yeas and nays were ordered.

(At this point, Mr. RIBICOFF assumed the chair.)

Mr. PASTORE. Mr. President, I close by saying I have done the best I can. I have done it in good conscience. This is no reflection on the sincerity or good conscience of anybody else. I realize we have a problem here. I realize we have sinned in the past and possibly we will sin in the future, but I am trying to avoid adding one more sin to that roster.

Mr. DIRKSEN. Mr. President, being not quite sinless, I suggest the absence of a quorum, and it will be live.

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

Mr. DIRKSEN. I yield.

Mr. JAVITS. Mr. President, I wish to speak on this matter at the convenience of the Senator from Illinois.

Mr. DIRKSEN. Whenever the Senator wishes.

Mr. JAVITS. If it is convenient, I could address the Senate now.

Mr. DIRKSEN. Mr. President, I withdraw my request.

Mr. JAVITS. Mr. President, I thank the senior Senator from Illinois.

I believe it is just as well to have the affirmative case laid before the Senate at the earliest time. I am a cosponsor of the amendment of the Senator from Rhode Island and I have some background I would like to lay before the Senate. I hope the Senate will indulge me. I shall be very brief.

Mr. President, I support the amendment, and I supported all the points made by the Senator from Rhode Island. However, the point to which I shall speak deals with the question of equal housing opportunity.

I believe that the distinguished Senator from Rhode Island [Mr. PASTORE] has rendered, as usual, a distinct service in undertaking this matter and in presenting the amendment which he has. He is the chairman of the committee and a Senator of great prestige. I know his conscience on this matter as reflected in his speech today. Whatever may be the outcome, I want him to know that his efforts are appreciated. This was a difficult matter and the Senator undertook it. It is characteristic of him.

Mr. President, I was engaged in a poverty hearing and I was unable to be in the Chamber to hear all of the speech of the Senator from Rhode Island. I do know the character and quality of the speech and I heard enough of it to know that it was completely consistent with the extraordinarily high quality of debate in which the Senator engages.

This is a matter of volition. We can or we cannot authorize the amount in the bill. I am also a member of the Committee on Appropriations and I feel in good conscience it should not be done for the following reason. I understand clearly that the Atomic Energy Commission made its choice and that the committee sustained that choice. However, I do not believe that we need to allow the Legislature of the State of Illinois to act in a way which it knew would jeopardize this program on the floor of the Senate because apparently its deep feeling about open housing was superior to its concern for the presence of a great Federal installation in that State.

The distinguished and extremely able Senators from Illinois, led by my minority leader, naturally are trying to do their best with that situation, but if I were in their shoes I would have been full of consternation when the Senate of Illinois turned down an open-housing statute in Illinois, the home of Abraham Lincoln, and one of the great and forward-looking States of the United States.

It seems to me that if the legislature of a State which is getting this big installation for which everyone competed, including my State, does not think enough of the installation and would be unwilling to pass an open-housing law in order to satisfy the elementary policy of the United States in getting it, then we should wait a while until they change their minds. That is all it comes down to. My State and other States sought to have this installation and they failed. That is the end of that. It is finished, so far as I am concerned. So far as my State is concerned, the verdict is in. But I do not believe that we should compound that verdict and the disappointment of other States by yielding on the matter of other major considerations. This is also the view of the Senator from Rhode Island, the chairman of the Joint Atomic

Energy Committee itself—perhaps we should wait a while and give the Legislature of Illinois a chance to change its mind about this very important matter before we jump into it and act now.

I do not believe that we should give the Legislature of the State of Illinois a premium for failing to do what it should have done concerning open-housing legislation. That, I think, is the basic argument in regard to this matter.

Now, they certainly had notice because the papers in Illinois—and I have copies of them—were full of the fact that the legislature was jeopardizing the presence of the installation in their State by this very action. They were told that in explicit terms by Dr. Seaborg, head of the Atomic Energy Commission, himself. He said, in just so many words, in April of this year, that there was grave danger they would lose the installation if the legislature did not pass an open-housing law.

No one is trying to intimidate the Legislature of Illinois. Illinois is a great, sovereign, and important State. It can do anything it likes about open-housing legislation. But we do not have to give them a premium on this highly sought-for contract when they do turn it down.

Mr. President, that, it seems to me, is the nub of the argument.

The Senator from Rhode Island [Mr. PASTORE] has made this eloquently clear. One thing I want to add is that we should not give any premium for action which is contrary to the policy of the U.S. Government. Illinois is perfectly free to turn down this installation. In effect, it has turned it down by failing to pass open-housing legislation. Therefore, there is no reason why we should, here in Congress, give them a premium for something which they have failed to do which they should have done.

What I said about Dr. Seaborg's representation on this subject, is contained in a story in the Chicago American of April 14, 1967, which I ask unanimous consent to have printed in the RECORD.

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

[From Chicago's American, Apr. 14, 1967]

OPEN HOUSING DISPUTE: AEC NOT BLUFFING IN THREAT ON WESTON A-SITE—ARRINGTON

(By Robert Gruenberg)

State Sen. W. Russell Arrington (R-Evanston) said he is convinced Atomic Energy Commission officials are "not bluffing" over a threatened loss of the atomic accelerator in west suburban Weston.

In Washington, U.S. Rep. Melvin Price (D-Ill.) said he had "no doubts" that the House would authorize funds for the project, but said it was possible an attempt would be made to remove specific mention of a Weston site.

"I will fight to have the site identified," he promised.

Arrington said he will confer over the weekend with Illinois legislative leaders over the Weston situation, which he said "is serious."

As Arrington holds his meetings, State Rep. Lewis V. Morgan, Jr. (R-Wheaton) will be "mulling over" whether to ask Democrats to join him in sponsoring a fair housing measure.

Morgan, who will introduce his measure Monday, claims the support of 18 GOP colleagues for his bill to bar racial discrimination in housing by real estate agencies and nonresident homeowners.

The threat to the Weston site came Wednesday when AEC Chairman Glenn T. Seaborg and three fellow commissioners told Gov. Otto Kerner in Springfield that Illinois could lose the $375,000,000 project because of racial problems.

Arrington said he has been looking during the entire session for some break in the controversy, and voiced hope Thursday that AEC and Congress might settle for open occupancy ordinances by villages in the Weston area.

"Nobody is saying that a statewide law must be imposed," he said.

This drew a caustic retort from Sen. John Pastore (D-R.I.), chairman of the Joint Committee on Atomic Energy, which is slated to vote on $10,000,000 in planning funds early in May.

"Up to this point," said the peppery Pastore, "it is my impression we have gotten nothing but double-talk.

"I will not be a party to any authorization (of funds) unless we have an out-and-out assurance that is reliable that every American will receive equal treatment as to employment and housing."

Morgan's neighbor, State Rep. James (Pete) Philip (R-Elmhurst), is unconvinced that the accelerator is necessary for Du Page County.

"Do we really want Weston out there?" Philip, a bread salesman, asked a reporter rhetorically. "What will it do for Du Page County? What has Argonne National Laboratory done for Du Page County?"

Rep. Price said authorization funds can be voted out of committee in May and passed in the House.

Price said it is possible the House committee would cut the authorization for funds from $10,000,000 to $7,500,000.

Price's doubts about the fate of the funds on the Senate floor found confirmation in statements by Sen. Philip Hart (D-Mich.) and Sen. Peter Dominick (R-Colo.).

"Mr. Seaborg is absolutely right," said Hart, an old-line liberal.

"Clearly, if it is a fact that minority groups are not able to find decent shelter on equal terms (at Weston), this country has no business locating the installation in that place."

Dominick, a conservative opposed to civil rights measures, said he believes the AEC should have given greater weight to Illinois' lack of an open housing law. Colorado, he said, has had such a statute since 1897.

Mr. JAVITS. Mr. President, as to the situation factually and on the ground, the most eloquent answer to that is the fact that even Du Page County, in which this installation will be located, through its board of supervisors, has not adopted any open-housing regulations for the county itself. It is said that they did that because they resented pressure. Well, there is no pressure. It seems to me that if there is something that one certainly wants, and one of the conditions of meeting it is to have open housing, and he rejects that open housing, he cannot expect to get a dividend for it, too.

Therefore, I do not see that there is any pressure involved. The fact is, they have not acted.

We put some questions to the Atomic Energy Commission on this subject and the best they could give us in the way of answers is, and I now quote from the Du Page Board of Realtors and the Aurora Board of Realtors, that they would make every effort to find adequate living quarters for permanent employees of the Atomic Energy Commission if the Weston area were chosen.

Mr. President, I respectfully submit that that certainly is not enough to get this dearly sought-for multimillion-dollar contract for which the whole country was bidding. Illinois is the only State among the last six contestants, including my own, which did not have an open-housing law.

Now its legislature has riveted that in by refusing to pass open-housing legislation.

As to the conditions on the ground, a letter was sent to the Senator from Rhode Island [Mr. PASTORE], and to me—he probably referred to it in his speech—from the Hinsdale Area Human Relations Council, dealing with the situation in that particular area, which is very close to the site in which people would naturally be expected to live.

They said:

Some day fair housing may become a real issue but, as pointed out in our enclosed letter, the issue in Hinsdale today is the more basic one of whether we shall stop the present practice of excluding Negroes from our village.

Mr. President, it seems to me that that is the most eloquent evidence on the subject that there is discrimination in housing.

I close as I began by saying that we should not give a dividend or a premium to the Legislature of the State of Illinois for failing to act on this matter as it should, if it really wants this installation. I know that their Senators want it. But, apparently, the Legislature of the State of Illinois does not.

I do not believe that the Senate of the United States should give it to them so long as they have in this way defied one of the basic conditions of the grant.

I hope that the amendment of the Senator from Rhode Island will be supported.

Mr. DOMINICK. Mr. President, I presented my views on this subject on the floor of the Senate, July 10.

Today I received a wire from Roy Wilkins, and a detailed letter from the Coordinating Council of Community Organizations, supporting the position of the Senator from Rhode Island [Mr. PASTORE].

I ask unanimous consent that the telegram and the letter may be printed in the RECORD.

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

JULY 11, 1967.

HON. PETER H. DOMINICK,
Washington, D.C.:

The leadership conference on civil rights urges you to vote against authorization for the 200 Bev Accelerator in Weston, Illinois. Of the six States considered as sites for the accelerator, Illinois is the only one with no guarantee in law against racial discrimination in the sale or rental of homes. Thus we face an intolerable situation in which hundreds of millions of dollars made available by taxes upon all the citizens of the Nation will be used to encourage discrimination and to provide jobs for white workers only since only they will have unrestricted access to housing near this facility. The contract for this installation should go to a State that at the very least has a fair housing statute.

ROY WILKINS, *Chairman.*

COORDINATING COUNCIL
OF COMMUNITY ORGANIZATIONS,
July 10, 1967.

HON. PETER H. DOMINICK,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR DOMINICK: We are writing to you on behalf of the combined human rights forces of the Chicago metropolitan community with regard to the proposed Atomic Energy Commission facility at Weston, Illinois. In the next day or two you will be asked to approve this project and to make an initial appropriation of some $7,300,000 toward its construction.

We appeal to you most earnestly to join Senator John O. Pastore in opposition to this proposal. We ask you to delete the Weston project from the appropriation bill.

Our reasons for this appeal are as follows:

1. We believe that the proposed Weston project is a national test case for the integrity of Title VI of the 1964 Civil Rights Act. As you know, Title VI says,

"No person in the United States shall, on grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

At the very least, Title VI is a guarantee that there will be equal job opportunity at federal projects and federally assisted programs.

2. Equal job opportunity, however, cannot be created in a vacuum. It may depend on certain other conditions and surely it is the obligation of the federal government to understand this and to strive for those conditions which make it possible for us to keep faith with the commitment of Title VI.

3. In the Weston case, job opportunity is intrinsically and directly dependent on the housing situation. There are practically no Negroes in the Weston area. Weston is in the middle of DuPage county, an all-white suburban county. As of April 1966, the total population of DuPage county is just under 300,000 persons (298,132). Of this number it is estimated that *just 540* are Negroes. Between 1960 and 1966 the white population grew by 80,000 but the non-white population grew hardly at all—by only 129. Yet DuPage county is just 30 miles west of Chicago, the home of nearly 1,000,000 Negro citizens. Clearly equal job opportunitiy at the Weston project will be meaningless unless Negro scientists, technicians, and other personnel will be able to move into the area to live within reasonable distance of their jobs.

4. The Atomic Energy Commission, itself, is quite aware of the relationship between housing and jobs in the Weston area. In an unprecedented action, the Commissioners personally visited the state, conferred with the governor and with legislative leaders of both parties to explain that housing discrimination in Illinois cast a cloud of doubt about Illinois' eligibility for the proposed nuclear accelerator facility at Weston. They discreetly appealed to Illinois political leaders to remove this doubt by passing appropriate remedial legislation, i.e. a fair housing law.

5. Unfortunately, their appeal fell on deaf ears. The Illinois Senate has thus far killed 8 fair housing bills including a very minimum proposal from Senate majority leader, Senator W. Russell Arrington. (Under Senator Arrington's proposal, owner occupied dwellings of 10 units or less would have been exempted, which meant that less than 50% of Illinois' housing would have been covered, and less than 10% of the housing in DuPage county, site of the proposed Weston project, would have been covered. Even this bill, however, was defeated.)

6. We do *not* say as Representative Holifield of California has charged that *all* states without fair housing legislation are ineligible for federal projects because of Title VI. We do say that in this case and in similar cases where job opportunity is so totally dependent on housing opportunity, Title VI stands against the project being located in Illinois as long as Illinois refuses reasonable cooperation in the creation of those conditions which are absolutely necessary for compliance with the federal law.

7. The general housing market in Du Page county is closed to Negro families despite the admirable efforts of some private citizens, human relations groups and the recent ordinance of the city of Wheaton. The enclosed memorandum describes some actual, current cases of discrimination in the area. Perhaps, the most compelling evidence, however, is the experience of Negro employees of another Atomic Energy Commission installation, the Argonne National Laboratory, also located in Du Page county just 10 miles from the proposed Weston site.

8. According to the Director of Personnel at Argonne, as of 1965, the laboratory employed 238 non-white employees and 3,880 white employees. Of the 238 non-white employees *only one* lived in Du Page county. In contrast 1848 or 47% of the white employees live in Du Page county. 92% of the non-white employees had to commute to their jobs from Cook county and 97% of the non-white employees had to travel over 15 miles to reach their jobs while only 20% of the white employees travelled this distance.

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10. Finally, we think that you should vote against the Weston appropriation because if it is approved under the present circumstances—after the Atomic Energy Commission has, itself, raised the issue of housing and after the Commission's appeal for cooperation has been denied—a serious, perhaps fatal blow will have been done to Title VI.

The 1964 Civil Rights Act should be preserved and respected as the finest legacy of the late President John F. Kennedy to his country. If the Weston project goes through, it will be seen by black Americans as just another broken promise by white America. These broken promises are a principal cause of the growing spirit of alienation. They plant the seeds of racial chaos.

We are not anti-Weston in any punitive sense. We are not interested in seeking "revenge" for the failures of our state legislature. We too love this State. We too want to see it prosper and grow. We believe, however, that short-run local interest is not always in the national interest. We believe that what is good for America is also good for Illinois, and that it would be better for our country if the Weston project were located in a state which is willing to do its part to assure that Negro Americans will genuinely be able to share in the benefits of this great enterprise.

Sincerely,

ALBERT A. RABY,
Convenor, Coordinating Council of Community Organizations.
DR. MARTIN LUTHER KING, Jr.,
President, Southern Christian Leadership Conference.
Co-Chairmen, Chicago Freedom Movement.

SOME CURRENT CASE HISTORIES OF DISCRIMINATION IN DU PAGE COUNTY, JULY 1967

A. Mr. A. H., a Negro executive with the Boy Scouts of America, although courteously treated, was unable to find housing in DuPage County. He returned to Teaneck, New Jersey, within the last two months.

B. Within the last 3 months, Mr. L. W., attempted to buy a home in Butterfield, Illinois, just south of Lombard. Such a furore followed that the house was removed from the market. Mr. W., then looked at a house in Wheaton which was bought by a white neighbor *after* Mr. W., looked at it. He finally bought a home in an unincorporated area outside of Wheaton and Glen Ellyn. When a neighbor of the W. Family threatened violence, the Glen Ellyn Conference refused to intercede, saying that the area was outside its jurisdiction. Mr. W. is a Negro.

C. Mr. W. J. P., visited a realtor in Glen Ellyn who showed little interest in him. The realtor did not even ask how much Mr. P., could pay down, what type of home he owned. Mr. P., a Negro, ultimately bought from a concerned private home seller and not through a realtor.

D. Mr. A. J., of Bell Laboratories, Holmdel, New Jersey, tried to buy in Glen Ellyn and in DuPage County generally. Mr. J., a Negro, was unable to buy a home in locations where his means allowed. This happened last year. Mr. J., subsequently refused to move to the new plant, which is five miles from Weston, Ill.

E. Mr. R. N., a pilot for American Airlines, looked in the Glen Ellyn area for a home a little more than a year ago in anticipation of a transfer to the Chicago area (He would be flying from O'Hare International Airport). Unable to buy a home where his means would have permitted, Mr. N., returned to Newark, New Jersey.

F. Mrs. D. S., moved to Glencoe, Illinois, after being unable to find a home in Glen Ellyn. She was told that a home she was interested in was not yet available for showing when, in fact, the realtor was attempting to sell it to a white family.

Mr. HART. Mr. President, will the Sentor from Illinois yield?

Mr. DIRKSEN. I yield to the Senator from Michigan.

Mr. HART. Mr. President, as a cosponsor of the amendment offered by the Senator from Rhode Island, I express the hope that the Senate will, indeed, recognize this opportunity as one which is rather unusual.

When we are confronted with proposals to correct inequalities which have been the result of geography and history, we are told that so many things have been built up around them that we cannot unscramble them, that it is too bad, time will adjust it, but we cannot do anything very forthright.

Mr. President, here is a situation where there is nothing but broad acreage and a proposal to put in a massive installation which will soon create a large population. Now is the time to make up our minds whether we are going to buy a ghetto or not.

We do have the opportunity this time, without upsetting or unscrambling anything, to practice what we preach around here.

I do hope that the Senator from Rhode Island's magnificent leadership will be supported.

Now, Mr. President, I have joined the able Senator from Rhode Island [Mr. PASTORE], cosponsor of the amendment to delete funds at this time for the Weston project. He has just outlined in a moving speech why we should delete.

The report of the joint committee makes clear that many factors were considered by the Atomic Energy Commis-

sion before it finally settled on the site for ten 200 Bev accelerator at Weston, Ill. Yet the distinguished chairman of the joint committee, the senior Senator from Rhode Island, JOHN PASTORE, has recommended that the project should not be authorized at this time. He is joined by the able Senators from Washing [Mr. JACKSON] and Vermont [Mr. AIKEN]. In his dissent, the chairman makes four points:

First, he questions whether this is the equipment the AEC really wants.

Second, he believes there is no compelling need for an immediate start, in view of the urgent demands on our resources for other programs.

Third, he points to the questions raised by the attorney general of the State of Michigan, Frank Kelley, regarding the water supply available at the proposed site.

Fourth, and finally, he identifies as a fundamental question of public policy the fact that Illinois does not prohibit discrimination in housing.

I speak to the last two issues. As Senator PASTORE stated, I did raise the water supply question. I did this through a statement made March 29, 1967, Michigan's attorney general, Frank J. Kelley, who questioned the sufficiency of the water supply, not only for the proposed facility but for the newly attracted population as well. Attorney General Kelley pointed out that 7 years ago, in 1960, the State of Illinois contended, in the proceedings heard by the special master regarding the diversion of water from Lake Michigan, that the water resources of Du Page County were not adequate to meet the water requirements of the area at that time.

To this the Atomic Energy Commission has answered that, on the basis of information provided primarily by the State of Illinois, adequate water is available to the proposed new facility. And the State of Illinois has stated that there are three sources of water potentially available for the operation of the facility, all unrelated to drainage from Lake Michigan.

In both instances, however, reference is made solely to water usage by the facility. Nothing is said about the need for water for the thousands of new households in the area, plus the addition of commercial and industrial establishments that go along with our urban life. So one wonders whether we have received a complete answer, or whether at some future date the total demand for water would outstrip the supply.

The second point I make is the absence of any action on the part of the State of Illinois to insure that housing in the area of the site would be open to all races. Positive action was certainly a part of the AEC's consideration in selecting Weston. When the Commission announced its decision December 16, 1966, it said on this score:

> During the selection process, the AEC informed the Weston (and the other) site proposers of the thinking of the U.S. Commission on Civil Rights on civil rights criteria, and indicated that the AEC planned to seek from the selected site appropriate commitments in areas of employment, housing, education and community facilities and services as were suggested by the Commission on Civil Rights.

> The Atomic Energy Commission noted differing views with respect to non-discrimination in housing and in certain areas more distant from the site with respect to integration in public schools, but will expect that with the leadership of the state and local governments and with the cooperation and support of citizens and community organizations in the Chicago area, a broad satisfactory record of non-discrimination and equal opportunity will be achieved.

This is what the Commission expected, Mr. President. But what has actually taken place? Chairman Seaborg, in a statement 4 months later, deplored the failure to move on the matter of fair housing. He said:

> With the exception of the Village of Weston, no community in the site area has enacted an effective housing ordinance. None has even provided the AEC with commitment letters on non-discrimination in housing.

What are the possibilities for a change in attitude in the local communities? Surely the pressure to change—to take a positive step in the direction of open housing, has been great these past few months. The answer may well be indicated in the action taken some months ago by the organized real estate industry of Du Page County, which initiated the successful effort to enjoin the enforcement of Governor Kerner's executive order on housing.

At the State level, just last month the Illinois Senate buried in committee the one successful effort made by the House to meet this responsibility.

So here, Mr. President, is where we stand: The AEC has emphatically stated the importance of nondiscrimination in housing, in contemplation of attracting personnel of all races to operate this facility. But the answer of the local communities and the State of Illinois is one of utter disregard.

Senator PASTORE has summed it up well:

> For our government to foster basic research facilities in areas where freedom to live is still an unsolved problem is not the American way to start a new center of excellence in research.

Let us consider, for a moment, what conditions in the Weston area appear to be at this moment, in the absence of a State fair housing law.

One Chicago newspaper reported the words of a Negro leader who is a member of a local human relations commission in the Weston area. He summed up the housing situation shortly after the Commission announced its selection of the Weston site this way:

> Unless realtors have changed their minds within the last few weeks, racial discrimination in housing exists throughout the entire area.

> Negro groups have conducted tests in almost all of the cities and villages around Weston, and, save for a few instances, real estate dealers have flatly refused to show Negroes homes.

Since that time, multiple listing services in Wheaton and Glen Ellyn have agreed to show their listings. Weston itself, a village of 400, has passed an open housing ordinance which is limited to a ban on discriminatory practices by real estate brokers and salesmen. Eighteen Negro families have moved into 12 apartment buildings and two houses in Wheaton and one Negro family is living in Glen Ellyn.

However, in 1966, the organized real esate industry of Du Page County, where the Federal investment will be made, initiated the successful effort to enjoin enforcement of the Illinois Governor's executive order on housing. The State legislature defeated all efforts to pass an open housing law.

In that county, population has grown from 154,000 in 1950; to 313,000 in 1960, and 389,000 in 1964. Between 1962 and 1965 there was an increase of 50 percent in the number of nongovernmental jobs in the county. But there are less than 2,000 nonwhite residents in the county, less than one-half of 1 percent of the total population. There are no Negroes in Weston.

And there is now one AEC installation in the Chicago metropolitan area, the Argonne National Laboratory. The Chicago branch of the National Association for the Advancement of Colored People has indicated that Negro personnel cannot now find housing in the vicinity of that Federal facility and must commute from Chicago. The commuting distance to Weston—if facilities and schedules and fares permit—would be 35 miles.

That is the record to be weighed against the general assurances which have been offered to the AEC.

The AEC accelerator will cost an estimated $400 million to build, $60 million annually to operate, and will directly employ 2,000 men and women and an estimated 6,000 others in resulting job growth in the area.

Will the Senate accept the Weston, Ill., site for that investment of Federal dollars and resources on the basis of present general assurances of equal opportunity in jobs and housing for all citizens as against the record of actual past and present restrictions, which created a virtually all-white area? If it does, it will, I am convinced, write another chapter in official Federal policy of discrimination and segregation of housing, contravene the 1964 act, and above all lose a valuable opportunity to be of pioneering and creative assistance.

I believe that planning authorization should be withheld until specific steps are taken and mechanisms created to make equal access for jobs and housing available. This enormous investment is to be paid for by the tax dollars of all Americans, Negro and white. I believe we have a responsibility to locate it where housing opportunity is available equally to all Americans who would seek employment. So often a pattern based on earlier practices, discriminatory practices, has created an omelet of problems which we are told makes it impossible to unscramble. But here we start fresh, from scratch. We can insure nondiscrimination in this new area where in a few years a large population will be centered.

Mr. President, I should acknowledge that Ann Arbor, Mich., was a leading contender for the accelerator site and therefore my words here might be dismissed as those of a politician protecting a parochial interest.

But the facts are, nevertheless, clear. Fair housing guarantees were one of the basic criteria that the AEC demand-

ed of the chosen region. And these guarantees have not been forthcoming.

The question, as I see it, is this: Should massive amounts of taxpayers' money be spent to create a new ghetto at a time when it is national policy to eliminate ghettos?

Not in my opinion, Mr. President. I am hopeful the Senate will delay authorization of this project until we are all assured this will not happen.

Actually, spokesmen for some of the scientific community in Michigan have asked that I not delay the authorization for Weston. They regret that Ann Arbor was not selected but are pleased that it is proposed to place the facility in the Midwest. I understand the interest of scientists to move promptly to learn all that can be known about the atomic package. But I believe the claim for equal employment opportunity is strong; the claim that the Senate must not establish this enormous new facility until we are certain we have done all possible to protect the legitimate interests of all our citizens.

I ask unanimous consent that the concerned and thoughtful article by Roy Wilkins, of the NAACP, which appeared in the Detroit News of July 1, 1967, and the Detroit News editorial of June 27, 1967, as well as a letter addressed to me from the Coordinating Council of Community Organizations, be printed at this point in the RECORD.

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

ILLINOIS CRITICIZED AS ATOM PLANT SITE

Negro citizens who have managed to preserve a faith in the easing of racial difficulties through steady, orderly procedure got another kick in the teeth a few days ago.

The Illinois state senate has killed a fair housing bill. The arresting aspect of this act lies in the fact that housing for minorities was a factor in the selection of Weston, Ill., as the site for the $375-million atom smasher by the Atomic Energy Commission.

Weston, a town of a few hundred residents, has no Negroes in or near the place. DuPage County, in which Weston is located, has a population of approximately 300,000, of which only 600 are Negroes. Since the county is very near Chicago and Weston is only 35 miles from the metropolis, it is easy to believe that DuPage County has had a policy of deliberately discouraging Negroes from settling there.

In fact, the record shows that DuPage County politicians and leaders have opposed adamantly the enactment of any fair housing legislation by the state legislature. They were unbending when the Weston plant was being discussed. They wanted no concessions on minority housing.

Five other states, California, New York, Michigan, Wisconsin and Colorado, had sites competing with Illinois. All of Illinois' rivals had laws on housing and employment even though California was involved in litigation. Despite this, and despite lily-white Weston and almost lily-white DuPage County, the Illinois town was the winner, principally upon the assurance from Illinoisans that a fair housing law would be enacted.

Now the Illinois legislature has reneged. The state has the $375-million atom plant and the $60-million a year in maintenance money. It has 2,000 technical employes and many workers in other categories, all making up a fat payroll for Illinois. For white Illinois, that is.

Just in case Negro citizens get any ideas, a spokesman for the suburb of Cicero has already laid down talk of "bloodshed." Weston has adopted a town fair housing ordinance but a town official said that it would not require anyone to sell or rent to "anyone he did not choose to deal with." Negroes are still out in the cold on housing.

Why is this important? Why the blood pressures? Well, the United States, where Negroes have lived for 348 years, where they pay taxes and where their men have fought and died in defense of their country in every war from 1776 to Vietnam, is going to use tax money to create an employment bonanza in the middle of an Illinois prairie and that bonanza will be for white, not black, Americans.

This use of the money of all the people to build a facility where nonwhite workers will have to face insults and bricks and mobs in order to occupy a home is a monumental sin in the world of 1967. Since about eight years of construction are required, a procedure is being adopted that will give life to the jim crow policy of 1975!

In a letter to a New York newspaper a woman points out that one Negro is in the President's Cabinet and one has been nominated to the Supreme Court. She asks, plaintively, "What more do they want?"

Well, madam, they are grateful to the President for the Cabinet member and (if confirmed) for the Supreme Court associate justice. However, two men, estimable as they are, cannot substitute for opportunity and justice and dignity for the entire Negro population, or even for Negro Illinoisans.

The Atomic Energy Commission and its controlling Joint Congressional Committee should cancel out Weston, Ill., and build the plant elsewhere.

A HARD LOOK AT WESTON NEEDED

Though we'd love to see the federal government's new $375 million atom smasher built in Michigan, we would call it undignified and unworthy for Michigan or any other state to make cynical hay over Illinois' troubles in landing it.

But that should not preclude the federal government from taking a hard, searching second look at its tentative choice of an Illinois site.

Weston, Illinois was the Atomic Energy Commission's choice for the giant, prestigious economic plum. Weston presumably met the AEC's technical criteria as, presumably, did the other five finalist communities, including Ann Arbor.

But Illinois is under fire for lack of any semblance of a fair housing law. Strenuous attempts to enact one failed this month, and civil rights leaders are leading a drive to keep the atom smasher out of that state.

Equality of employment opportunity is by now a foregone conclusion in any major undertaking by the federal government. But what is its practical value, ask civil rights spokesmen, if Negroes cannot live within 50 or 60 miles of the jobs they are offered?

There are other technically adequate sites where qualified Negroes need not be subjected to this disability, they say; build the atom smasher at one of these.

They are right.

No state can yet claim that its problems of race and housing are wholly solved; it ill behooves any state, then, to play the vulture to Illinois' troubles.

But some states have done better at providing fair housing opportunity than others. The Weston site is apparently not the only place in the nation where the AEC facility can do its job properly and efficiently. The federal government can and should put it where equality of opportunity is a practical fact, not an empty theory.

COORDINATING COUNCIL
OF COMMUNITY ORGANIZATIONS,

Hon. PHILIP A. HART, *July 10, 1967.*
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR HART: We are writing to you on behalf of the combined human rights forces of the Chicago metropolitan community with regard to the proposed Atomic Energy Commission facility at Weston, Illinois. In the next day or two you will be asked to approve this project and to make an initial appropriation of some $7,300,000 toward its construction.

We appeal to you most earnestly to join Senator John O. Pastore in opposition to this proposal. We ask you to delete the Weston project from the appropriation bill.

Our reasons for this appeal are as follows:

1. We believe that the proposed Weston project is a national test case for the integrity of Title VI of the 1964 Civil Rights Act. As you know, Title VI says,

"No person in the United States shall, on grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

At the very least, Title VI is a guarantee that there will be equal job opportunity at federal projects and federally assisted programs.

2. Equal job opportunity, however, cannot be created in a vacuum. It may depend on certain other conditions and surely it is the obligation of the federal government to understand this and to strive for those conditions which make it possible for us to keep faith with the commitment of Title VI.

3. In the Weston case, job opportunity is intrinsically and directly dependent on the housing situation. There are practically no Negroes in the Weston area. Weston is in the middle of Du Page county, an all-white suburban county. As of April 1966, the total population of Du Page county is just under 300,000 persons (298,132). Of this number it is estimated that just 540 are Negroes. Between 1960 and 1966 the white population grew by 80,000 but the non-white population grew hardly at all—by only 129. Yet Du Page county is just 30 miles west of Chicago, the home of nearly 1,000,000 Negro citizens. Clearly equal job opportunity at the Weston project will be meaningless unless Negro scientists, technicians, and other personnel will be able to move into the area to live within reasonable distance of their jobs.

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F. Mrs. D. S., moved to Glencoe, Illinois, after being unable to find a home in Glen Ellyn. She was told that a home she was interested in was not yet available for showing when, in fact, the realtor was attempting to sell it to a white family.

Mr. MAGNUSON. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. On what?

Mr. MAGNUSON. I want the floor.

Mr. DIRKSEN. On what side is the Senator?

Mr. MAGNUSON. I am on Senator PASTORE's side.

Mr. DIRKSEN. Is the Senator in our corner, or is he not?

Mr. MAGNUSON. I am with Senator PASTORE.

Mr. DIRKSEN. Oh. Then, Mr. President, I renew my request for a quorum—I make the point that I observe the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

[No. 182 Leg.]

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

The PRESIDING OFFICER. A quorum is present.

The Senator from Illinois is recognized.

Mr. MORTON. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. DIRKSEN. Mr. President, I am ready to proceed.

I thought I would be so spent, after the emotional appeal of my distinguished friend from Rhode Island, that I was not quite sure I could stand in shoe leather and do justice to the problem which confronts us.

One would think, from hearing the distinguished Senator from Rhode Island talk, that he is the only crusader in the Senate; that, like Atlas, he bears the whole weight of the world, including all its sins.

Well, I am sorry, Mr. President, if my sins have been cast upon his shoulders. I have tried always, of course, to bear them as bravely and as sacrificially as I know how.

But that is neither here nor there. I should start, perhaps, with the fact that once upon a time I was on the Senator's committee. In fact, I was on his committee for a period of 7 months. Even at that time, we were talking about accelerators and goodness knows what all; but I never heard anybody talk about the availability of housing at that time. Before that, they went out and built the Argonne laboratory west of Chicago, and not a voice was raised about the availability of housing or open occupancy. It is rather strange that suddenly this becomes such an emotional issue that, unless it is rightly solved, it may visit condign punishment upon the 50 States of the Union, and perhaps the District of Columbia, and perforce Puerto Rico and the Virgin Islands. Who shall say?

But let us start where we ought to start. The Atomic Energy Commission proposed this matter; so let us get a few things squared. Senators have been reading from letters here, from the Chairman of the Commission, that go back to April and perhaps March. Let us see what Mr. Seaborg says in a letter that is only 19 days old, dated June 23, 1967. His letter was not addressed to me, but it was sent to me. It was addressed to Roy Wilkins, the executive director of the NAACP. If anyone wants to know, Roy Wilkins comes from Chicago; and if you want to know whether or not I feel kindly toward him, I got his older brother appointed as an international secretary of labor a good many years ago. At one time he had his eye upon a Federal judgeship out in Illinois, and unfortunately I only had one and I could not deliver to everybody. My distinguished friend from Rhode Island understands the verities of that situation pretty well, I am sure.

But what does Mr. Seaborg say? Let us see:

> It is the Commission's view that proceeding at Weston as planned is a course of affirmative action that can and will advance the cause of and benefit Negroes and other minority group people, regardless of whether the Commission will have the immediate support of open housing laws, ordinances, or regulations.

Now, that was 20 days ago; and I cannot believe that Glenn Seaborg, great professor, great scientist, great technician that he is, changes his mind quite that often.

Of course, I have seen minds change, Mr. President, like the fellow in a revolving door. He had himself a good package on, and he could not get out of the door. He kept going around and around. Every time he attempted to get out on the street side, some girl in a yellow dress was poured out the door. When he got inside the building, somebody in a pink dress came out.

After he saw about 18 or 20 different colored dresses, he said, "By golly, it certainly surprises me how she changes her dress so fast."

Well, they do change their minds in Government. But I cannot believe that such a substantial scientist would change his mind quite that way.

They conclude that they have got to go ahead with it, that it is necessary in the scheme of things for the prestige of this country, and for its scientific advancement. So the search begins for a site.

I remember once when the Department of Agriculture looked for a site, and there were 1,100 comers; and did Henry Wallace have a time of it. But finally they did select a site, and, John, they selected Peoria, believe it or not, for which I was quite happy.

But the Commission got this scientific advisory committee to coast around the country, and they looked at everything and at everybody, to find out where they ought to land. In fact, they just combed the Nation. Then they made a selection; and what was the basis for that selection?

Well, one thing was transportation.

We think we have about the best transportation out there of any place in the country. O'Hare is rated as the most efficient metropolitan airfield in the country today. Chicago is the railroad center. We have enough concrete laid down all over the place to do justice to two States the size of California and, goodness knows, there is concrete to spare there.

We have universities that are close by.

We have the University of Illinois, with its huge new plant in Chicago. We have the University of Chicago. We have Northwestern University, attended by people from all over the Nation, the Illinois Institute of Technology, the University of Wisconsin, the University of Michigan, the University of Iowa, Bradley University at Peoria, and four State universities in addition to the University of Illinois.

We have laboratories galore. So, you find me any location in the country from the standpoint of physical location and resources to match this site.

It was not surprising to me that they made the announcement that they were going to bed down at Weston with this project that will cost a great deal of money. Who would not be entranced with that amount of money?

We have no air facilities of great dimension. However, we do have Chanute field and Scott field. They are smaller when measured by the standards of Maxwell field in California, but this is one location at which we could meet the demands and needs of this scientific group.

No question was ever raised about it until finally the civil rights groups began to write the Atomic Energy Commission, and the Joint Committee.

It was some time thereafter that Dr. Seaborg and other members of the Commission journeyed out to see the Governor and talk about the matter.

My friend, the senior Senator from New York [Mr. JAVITS], says it is strange that the Legislature of the State of Illinoise did not rise like a bass to the fly and suddenly divest itself of all sin and just rise to this mandate for housing. Well, that is no little legislature.

The population of the State of Illinois is over 10 million. You can sink quite a lot of States there and lose them. You can lose some of them in one county. However, we have over 10 million people and 57,000 square miles of territory. Every part of it is represented in that legislature, and you do not go in there and just push them around.

They are elected under State law, and if they did not have some independence about them, I would not be proud of them.

I was willing to act as a good Samaritan and as a charitable mediary in this business. I called up the speaker of the legislature, and I had two Illinois Representatives sitting there, thank goodness.

The newspapers got the story wrong. The Chicago Tribune was the only one that published the correct story.

I did not try to browbeat or push the speaker around. He is an old friend.

I said: "You are having trouble there."

He said: "Yes. I have been trying to do something about it."

I have been in Washington for 34 years and I have not seen the day when I have to pressure the legislature as to what they are going to do. If they do not know their business, they have no business being in Springfield, Ill., in the State capital.

In fact, the legislatures have been a great training school for people who ultimately come here. I missed, of course, the grassroots training of a State legislature. However, I do not for one moment demean the fact that it is a great training ground.

They are doing their own thinking. And what happens?

The general assembly in our legislature passed a general occupancy bill. What was the vote? It was 106 to 44. They were not slow on the uptake.

When the matter got to the senate, it was a different matter. Maybe there, as here, senators feel that probably there is greater prestige, knowledge, and wisdom in the senate than at the other end of the capitol.

I used to quip with some of my friends and say: "You know, the House is the lower house and this is the upper House." They did not like it.

That term comes from the days when the House met in the lower chamber and the Senate met in the upper chamber.

Some historian can remind me whether it was in Philadelphia or New York.

Mr. SCOTT. It was in Philadelphia.

Mr. DIRKSEN. Good enough. Be sure that the RECORD is correct so that the historians do not get me by the hair.

They were not neglectful. They went into it.

I began to explore the matter a little bit to see what could be done under the law if there was a disposition to do it.

To show you how our friend, the senior Senator from New York [Mr. JAVITS] got off base—brilliant lawyer that he is—he said: "Kane or Du Page County have done nothing about it."

We went to the attorney general. The attorney general said that the counties have no authority under the law.

That drops his argument like a leaden doughnut. And I told him not to make that mistake again, because there was no validity to it whatsoever.

We began to encourage the people in the cities. What do you think happened? The day before yesterday either the third or fourth largest city in the State, Joliet, with a population of 74,000 people, passed an open occupancy ordinance. And some time ago the city of Wheaton, with a population of 26,000 people—a highly educated, sophisticated, and cultured area—passed an open occupancy ordinance.

So, when they say that Weston may disappear under tons of concrete, it can. But Wheaton is not going to disappear and Joliet is not going to disappear.

It is 6 miles from Wheaton to where they will build this great big project, and it is 5 miles from Joliet.

There is a great emotional outpouring from my friends about having to drive a long distance from Argonne Laboratory. The same group that came to see you came to see me. I listened patiently in my office. There they were, colored and noncolored.

I said: "Tell me about it."

They said: "Why, people will have to drive 30 or 40 miles."

I said: "What are you squawking about? I have a man out in Virginia helping with my flowers and vegetable garden who drives 100 miles every day, from away beyond Leesburg, to get to work."

I will show you crowds. You ought to come out and see Route 7 when I come through in the morning. They are stacked up bumper to bumper, and they come from 50 miles away to get to work. They do not drive 30 or 40 miles. They drive 100 miles.

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

Mr. DIRKSEN. I yield.

Mr. PASTORE. Is the person who drives 100 miles to plant flowers a Negro or a white person?

Mr. DIRKSEN. They are all kinds.

Mr. PASTORE. Well, is he Negro or white who has to drive the 100 miles?

Mr. DIRKSEN. He is Negro.

Mr. PASTORE. That may be so.

Mr. DIRKSEN. How are you going to argue about it?

Mr. PASTORE. What the Senator from Rhode Island is actually saying is that in that part of the country, 225 Negroes are working at Argonne Laboratory in DuPage County, and 223 of those Negroes have to travel 70 miles a day, and the whites do not have to do so. That is what we are talking about.

Mr. DIRKSEN. Some people have to drive about 100 miles a day.

Mr. PASTORE. We are talking about equality.

Mr. DIRKSEN. You do not have to drive that many miles to drive all the

way across the State of Rhode Island twice. There you have a population of 1 million. You can sink it in one-fourth of the city of Chicago and never know that it existed.

Geographical restraints amaze me. When one lives where you have big vistas, like our distinguished friend, the Senator from Wyoming, he thinks nothing of these great distances.

I remember one time down in Texas, I went to a Legion convention. They said, "Come with us. We're going to Mexico to see a bullfight."

I said, "Where is it?"

"Somewhere down there."

I asked, "How far is it?"

They said, "200 miles."

I said, "Do you guys drive 200 miles to go to a bullfight?"

"Why, we drive 200 miles to go to a dance."

So it depends on where you live, whether your cabin, as Shakespeare said, is cribbed and confined, or whether you live in the great open spaces, where you can appreciate vistas. We appreciate vistas out there.

We have Joliet. We have a great segment of Negro people, fine people, and it is only 20 miles from the Weston site.

Mr. PASTORE. Mr. President, will the Senator yield on that point?

Mr. DIRKSEN. I yield.

Mr. PASTORE. We have had this project under consideration for 5 years.

Mr. DIRKSEN. I know.

Mr. PASTORE. And nothing ever happened; no equal housing had ever taken place. But since this thing started, since we showed a determination to do something about it, then open housing began to happen? I applaud Wheaton for doing it. Wheaton did it on July 3, and Joliet did it only yesterday.

I am saying to the Senator that I am not trying to move this project from Weston. All I am saying, for the reasons I have spelled out, is, give this a chance and you will do equity to Weston and open housing.

The argument that the whites will have to travel only 5 or 10 miles a day to go to work but that Negroes will have to go back to the ghetto in Chicago—and all because somebody wants to go 200 miles to a dance in Texas—does not convince me at all. This is no dance proposition. This is quite serious, especially if the color of one's face is black.

Mr. DIRKSEN. Mr. President, that is about the airiest nonsense and persiflage, with all apologies to my friend, the Senator from Rhode Island, that I have heard on this floor in a long time.

They keep talking about ghettos. Well, talk about New York and the cosponsor of the bill, the Senator from New York [Mr. JAVITS].

Mr. PASTORE. But this project is not going to New York.

Mr. DIRKSEN. I know. The Senator from Rhode Island is talking about ghettos. Harlem is a ghetto.

Mr. PASTORE. But we are not putting this project in New York.

Mr. DIRKSEN. They put this tag of "ghetto" so easily upon areas if the housing is not quite up to standard. We have more Negroes in Chicago alone than the entire population in the State of Rhode Island.

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

Mr. DIRKSEN. I yield.

Mr. PASTORE. What does that prove? If that is not pure and simple nonsense, what is? What does that prove—the fact that Rhode Island is small and can be buried in Illinois? What does the fact that Chicago has more Negroes than the entire population of Rhode Island prove, when we are talking about human dignity? We are not talking about the quantity of any race—but about the quality of their lives—quality and equity.

Mr. DIRKSEN. They are herded in a couple of blocks in Providence, and the Senator talks about a ghetto. We have them scattered all about the State—north, south, east, and west—and we look after them pretty well. I would be the last man to stand on the floor and defend some of the housing we have there. On the other hand, I will defend a great deal of it. All you have to do is drive down Michigan Avenue, State Street, Clark Street, to the end of town, and see what we have offered them. There is no community in the land, I presume, that does not have some substandard housing. But we have a big problem, and we deal with it rather competently and rather efficiently. That is the point I make.

But they want it done overnight. Push your legislature. Blackmail them. Make them do it.

In the 7 months I was on the Joint Committee on Atomic Energy, I never heard a voice raised about available housing.

Here sits my friend and colleague from Illinois, MEL PRICE. MEL, you are here as long as I am.

He has been here a long time, and he has been on that Joint Committee a long time. He lives down at the other end of the State, and he is on the Joint Committee. He can testify to the things I have been saying here.

MEL, I am sorry I am not with you. I might have given you a vote. I had to give it up because somebody else wanted it. But I am charitably inclined, and I suppose disposable and dispensable.

So these arguments just do not stand up.

My friend the Senator from Rhode Island did not demean me. He is too gracious to demean anybody. But he made the economy argument, and he talked about me taking out after the so-called poverty program. Did I take out after it? I not only took out after it, but I also did a pirouette on this floor that even got into Time magazine.

The idea of taking girls around—teenagers—and showing them huge 20-ton trucks, to find out whether they wanted to be truckdrivers. That is the kind of stuff we dealt with in the poverty program, and it had to be brought out into the open, to show how shameless it really was.

Yes, I made fun of it. Ridicule is sometimes the only weapon you have when other things fail, and so you have to ridicule them.

But he puts that on my shoulder and says that is the economy tag. Strange thing, we have not heard anything about economy in this program for a long, long time. It comes out now because here is a little nucleus. I do not know why, but that is the way it is.

Maybe it is just a question of whose ox is being gored.

My friend from New York [Mr. JAVITS] said that Illinois, in effect, turned this project down. Illinois did not do anything of the kind. Show me any affirmative action, show me a word, where Illinois turned it down. Merely because Illinois was not going to be pushed overnight into a forced action certainly does not indicate a turndown. It was not a turndown by me.

But I have some respect for our legislature. I wonder whether the legislature of the State of my distinguished friend from New York gets pushed around like some Federal agency, when there is an agency of that kind. Does that happen in the great Empire State? If it does, I will get up and jump off of the top of the Empire State Building.

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

Mr. DIRKSEN. Yes, I yield.

Mr. JAVITS. I am sure that none of us would want the Senator to jump off the Empire State Building.

New York does have such a statute. Being a lawyer, and a very good lawyer, the Senator from Illinois used the words "in effect." That, in effect, showed us that they were not going to do anything they did not feel like doing to get this installation. They had been warned by Dr. Seaborg that they were likely to lose it. If they were willing to take that chance, why should we bail them out?

I know that the senior Senator from Illinois and his colleague [Mr. PERCY] are eloquent. We would like to oblige them. But I think this is a rather big "oblige." That is the reason why I supported, and do support, the proposal of the Senator from Rhode Island [Mr. PASTORE].

Mr. DIRKSEN. As one lawyer to another, the words "in effect" are fine print. I caution the Senator against the fine print. But we do not want to be obliged.

The Commission took all this time, and they cast New York into outer darkness, as they did Colorado and other States. They finally said, "We will put the installation at Weston, Ill."

I am not a scientist, goodness knows. I took some chemistry, physics, and a few other subjects in high school, once upon a time. But I know that the Commission could not accidentally have come to that conclusion. They said, "This is the place, from the standpoint of every facility, and here it should be built."

What more is there to say, except one thing? Thirty States have no open occupancy laws. Some States do. If Senators are going to make the argument that this work should not be done and that the Pastore amendment ought to be adopted because Illinois has no open occupancy law, then look out for what will happen, because I have got to live, and I am going to keep a list handy. Just wait until some of the authorization and appropriation bills come around, and we will spend a lot more time in acting on them if they relate to States that do not have open occupancy laws. If that is

to be the requirement, if that is to be the standard, then let us know it now.

The amendment ought to be defeated by an overwhelming vote of the Senate, rather than to establish an evil precedent today by adopting the amendment.

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

Mr. DIRKSEN. I yield.

Mr. HOLLAND. In the event such a precedent as this were set, how would it operate in future instances, such as, for instance, in choosing the location of a great center such as the Kennedy Space Center, at Cape Kennedy?

Mr. DIRKSEN. Canaveral; exactly.

Mr. HOLLAND. How would it operate with respect to the location of the Manned Space Center at Houston, Tex.?

Mr. DIRKSEN. You put your finger on it precisely. They have one going in New Mexico right now. There is no open occupany law, but somehow or other no voice was raised, shouting and singing, "jingle bells, jingle bells." The Senator from Rhode Island must have known that I was making a Christmas record yesterday when he mentioned jingle bells.

(At this point, Mr. MONDALE assumed the chair.)

Mr. HOLLAND. How would this operate with respect to the operation of the great Huntsville complex for the space activities in Alabama?

Mr. DIRKSEN. We will come down and try to get it away from you.

Mr. HOLLAND. I had not expected that sort of ungenerous response from the Senator. I think he was joking.

Mr. DIRKSEN. It would not have been put there in the first place if this had been the rule.

Mr. HOLLAND. How would this operate against the Tennessee Valley Authority or Oak Ridge in the area where they are located?

Mr. DIRKSEN. It would be particularly true with respect to Florence, Ala., and Knoxville, Tenn., and other areas where there is a big demand for housing close to the installation.

Mr. HOLLAND. How would it operate with respect to the establishment of the great Langley Space Center in Virginia?

Mr. DIRKSEN. It would have the same effect.

Mr. HOLLAND. This kind of precedent, if once adopted, would be a great expansion of title VI of the Civil Rights Act so as to operate against future Federal investments of great size in any State unless that State bowed to the will of that group which wants open housing established throughout the Nation but has not passed a Federal law on that subject.

Mr. DIRKSEN. The Senator stated it better than I could, with the exception that now it would be done on a national basis.

Mr. HOLLAND. I have one more question. There are a large number of space establishments, shipyard establishments, and similar Federal establishments in California which, as I recall, failed to adopt an open housing provision on a statewide referendum by a heavy vote. How would this kind of precedent operate against such establishments being set up in California in the future until and unless an open housing law is voted there?

Mr. DIRKSEN. That was a complicated situation there because it had been submitted to the voters. I believe they called it proposition 14 on the California ballot. The matter got to the Supreme Court, and then it went back to the California supreme court. Whether or not it has finally been resolved I cannot quite tell the Senator, but it is the same problem over and over.

Mr. HOLLAND. There is no question about the fact that although the referendum was knocked out by the Supreme Court the Legislature of California has not passed an open housing act; has it?

Mr. DIRKSEN. No.

Mr. HOLLAND. Would not this kind of precedent, as established in this case, be equally applicable to the establishment in many of the 50 States of the Union which did not happen to have an open housing act in needed, advantageously located, and well-chosen spots for Federal establishments for great Federal objectives?

Mr. DIRKSEN. The Senator has stated the case and I have tried to state the case.

I honestly hope that the Senate will not make this unprecedented blunder, because they will regret this a long time and perhaps discover, as the Book does not say: Sufficient unto the day is "not" the evil thereof; because there will be greater evils to follow.

Mr. President, I shall not belabor the matter. I think the case is one sided and the Pastore amendment should be roundly defeated. I prefer now to yield the floor unless Senators wish to speak on this subject.

Mr. PASTORE. Mr. President, I wish to make an observation or two before the distinguished Senator from Illinois leaves.

The distinguished Senator from Illinois took occasion to say that the question of open housing did not enter this situation until such time as these groups moved in. Nothing could be further from the facts.

The fact of the matter is that when the original criteria went out the AEC said specifically that they were concerned with adequate housing for 2,000 employees. Then, in January 1967 it was not the Senator from Rhode Island but it was the Chairman of the Atomic Energy Commission who issued the following statement. He said:

> The Commission considered the 200-Bev accelerator site selection question at 18 meetings. Primary concerns of the Commission were electric power supply and civil rights and now discrimination.

This is nothing I invented. Here is a governmental agency that is proposing to build a purely educational device. It has nothing at all to do with the military. It has nothing at all to do with the national security. The argument is being made here that this would set a precedent. They dwell in the past. We went without a civil rights law for 100 years, but in 1964 we passed the civil rights law. We are dealing with it today.

I repeat again that this idea that it is perfectly all right for a Negro to travel 60 miles a day but it is not all right for a white man to travel 60 miles a day, that the white man can live close to his job while the Negro has to live in a ghetto, removed by 35 miles, does not strike the Senator from Rhode Island as being dignified argument.

Perhaps we are setting a precedent and the precedent will be that any time a governmental agency brings up the question of open housing, or fair housing, or a fair opportunity for a job, that they make that a predicate. We have a perfect right to defend that predicate. If that is wrong and the Senate wants to take an opposite view it is its privilege to do so. As far as I am concerned, I do not care if I am alone. If this is roundly defeated, I still stand firm. I have stood on the floor of the Senate and I managed title VI. I have not been in the habit of marching up the hill and the next day marching down the hill. I have the courage to be consistent.

Yes, maybe our forces are too little or too late, but the question here is: Do we come with humanity uppermost in our minds?

It is foolish reasoning and nonsensical to argue that it is all right for a Negro to travel 70 miles if he wants a job, and that he should be happy to get it.

I say yes, it will be a long, hot summer. Keep doing this to American society and you will never cool off summer. Unless you say to the able, ambitious law-abiding Negro, "We will give you a decent chance, not by promise but by performance," how can he place any restraint upon the violent ones?

Already our society has been cursed—and I use that word advisedly—with violence and vandalism. I say, the only cure is to begin to do the things we preach about but never seem to get around to doing.

Let me read this letter, Mr. President. It comes from——

Mr. DIRKSEN. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. Does the Senator mind if I read the letter first, and then I will yield to him?

Mr. DIRKSEN. Of course.

Mr. PASTORE. This letter comes to me from Marvin L. Montgomery. I am going to read it in toto, because it points up a disgraceful situation.

It reads as follows:

CHICAGO, ILL.,
May 13, 1967.

DEAR SENATOR PASTORE: One year ago I was assigned by the Veterans' Administration to Hines, Illinois, a western suburb of Chicago, to supervise construction of a new 24-million dollar general medical and surgical hospital in Hines within an existing VA complex.

I am a Negro and a graduate architectural engineer.

Because of my experiences here in Illinois, I have read with growing concern of the atomic reactor which is proposed to be built in Weston, a western suburb of Chicago. My concern is for the hundreds of professional and non-professional men and women of my race as well as other minorities, who, as I was, will be asked to work on the Federal project in Weston, Illinois.

Prior to my reassignment to Hines, because of my concern about the housing situation in Illinois, I was assured by Veterans' Administration, Central Office supervisors that housing was plentiful and that I would have no problem in Illinois.

When I arrived April 19, 1966, I did find plenty of housing advertised in newspapers and eagerly began to call upon realtors and owners listing apartments and houses for rent.

How can I describe the feelings we experienced as one realtor or owner after another told us "This is only for whites," or "We are not ready to integrate," or "This apartment has just been rented" (later found to be untrue). Others said, "I'll check and call back," or "Our rental office is closed, we can't help you today." We were ushered out of realtors' offices hastily lest white passers-by would think they were doing business with us. During May, June and July, 1966, we visited thirty-two realtors and owners in west suburban communities near Weston, Illinois.

Almost invariably we were told to "Look in Maywood," the location of a large "Negro Ghetto."

What hurts most of all was that my wife, daughter and I were not treated as human beings, American citizens, but as *things* to be placed where white persons chose to place us. It did not matter that we were college graduates, ambitious, conscientious . . .; all that mattered was the *color* of our skin. We could have nothing to say about where we could live or where our daughter could attend school.

As a result of our frustrating and dehumanizing experiences, my desire to protest and publicize the treatment accorded minorities led me to pitch a tent containing my family in front of the Oak Park office of one of Illinois' largest real estate firms, Baird and Warner, Inc. This event was well covered by newspapers and television evoking the usual responses of concern and indignation. However, in spite of the efforts of many concerned individuals, the barriers remained, and we reluctantly moved to the only place that was open to us, the "Negro Ghetto" in Maywood, Illinois.

During the spring of 1967, we tried again to find housing outside the ghetto, unsuccessfully. My inability to obtain adequate housing has led me to change to another job much sooner than I had planned. I am now employed with the Department of Housing and Urban Development and have moved to one of the very few integrated housing areas of Chicago.

I am writing specifically to register my strong feeling that the United States Congress would be very unwise and unjustified if funds are appropriated for the atomic reactor at Weston, Illinois, unless Open Occupancy legislation is enacted by the Illinois Legislature. It is unthinkable that the leaders of our nation would pour billions of dollars into a project in Illinois when American citizens asked to work on this project are denied any choice of where they may live.

In spite of the assurances of community leaders in and around Weston that housing will not be a problem for minority groups, *this problem will not be solved without passage of a strong, enforceable, state or federal open occupancy law.* I have heard these same assurances of community leaders and have found them to be hollow. I believe that any appropriation should be held up until Illinois passes a meaningful open housing law, or that the atomic reactor should be built in one of the other states suggested, states which have legal means to deal with discrimination in housing.

I feel so strongly about this that I am willing to appear before any member or committee in Springfield or in Washington. Because of our nation's devotion to the freedom of all men everywhere, and because of its leadership of free nations in the world, it is imperative now that our actions truly follow our words.

In summary, I wish to do all within my power to assure that no other Negro employee or citizen of the United States is subjected to the degrading treatment which my family and I received when we were assigned to live in Illinois.

Sincerely yours,

MARVIN L. MONTGOMERY.

I want to ask my distinguished colleague from Illinois that if he were chairman of that committee and letters of this kind came in, and all these organizations wrote to him, what part would he take in this? Would he sweep it under the rug, or tell these people to go to the devil. Would he tell these people, "Look, you do not count. You are black. You are not white." I am sure he would not.

That is what is involved here. It is a question of morality. I would not say that the Senator from Illinois is insincere. He has his own point of view, and he has made it abundantly clear time after time after time. But this is a time to be serious as well as sincere. This idea of making a joke of the whole situation, of how long it takes to travel through Rhode Island, or how large Rhode Island happens to be, and all that sort of nonsense, really has no place in this debate.

Mr. President, so far as I am concerned, I do not care if I stand alone. I am going to vote my conscience this afternoon. I never said for one moment that I wanted to integrate the whole State of Illinois. Read the RECORD. I said time after time after time that the bill should not be used as a blackjack to integrate the State of Illinois, I said that I was compelled and obliged, because of the action of the Atomic Energy Commission, to make sure that every American, regardless of the color of his skin, could go to that site where we would be pouring in $400 million of the taxpayers' money and be assured that he would not be turned away, as Mr. Montgomery was, because he was dark, when he sought to live close to his place of employment.

There has been reference here to Philadelphia and our beginning as a nation.

Referring to the Declaration of Independence, where is the equality of creation? Where is the inalienable right of life, liberty, and the pursuit of happiness?

What does life mean, if it does not mean a job—the means of making a living?

What does liberty mean if we cannot express ourselves?

What does the pursuit of happiness mean unless we can find a home for our family?

Mr. President, that is the human question here this afternoon.

I do not care how other Senators vote. I do not care if I stand alone. So far as I am concerned, in my heart, I feel good—I feel very good. I feel just as good as when we passed title VI.

If Senators want to defeat the amendment, they can go ahead and do it. The opposition to my amendment may have the votes this afternoon. But let me say this to the Senate: When in days to come we pick up the newspaper and read about violent demonstrations and the violence on the streets, ask ourselves this question: What did I do to avoid it? What did I do for the decent Negro who wants a chance? What did I do for him to pass on as a good example? What will be his response—if we do not discharge our responsibility?

These are some of the questions involved in this issue this afternoon.

The Senate can do what it pleases. The House has already had its pleasure. If the Senate wants to act the same way, it can go ahead and do it. But, as far as I am concerned, I felt compelled to speak on behalf of these fine groups, and the people who live close to the problem. They tell me that they are being discriminated against.

I do not care if Illinois passes open housing or not. That is its business. But any time anyone asks me to stand up and spend $1 which belongs to all the people, to all the taxpayers of this country, they cannot tell me that I am going to leave it to a handful of people to decide who can live in the favored place and who cannot.

Go ahead and defeat the amendment, if you will, but I will cast my vote for it.

Mr. DIRKSEN. Mr. President, of course, I cannot help it if the distinguished Senator from Rhode Island must persist in the error of his ways. It is too bad. I would not say, however, that he has the only conscience in the Senate.

Mr. PASTORE. I did not say so. I said the opposite.

Mr. DIRKSEN. I would not say that he has the only throbbing heart in the Senate for humanity.

Why, Mr. President, I remind my friend, when he talks about the Civil Rights Act of 1964, where does he think the act of 1957 was written, and 1959, and 1961, and 1963, if it was not in my office, just 15 steps from here—with the present Vice President sitting there, the present President of the United States coming to that office, and the Attorney General, now the Assistant Secretary of State, also sitting with us, not just day after day, but week after week after week, where those bills were written?

Thus, if he wants to believe he has the only conscience in the Senate, just go and look at the RECORD and see where the senior Senator from Illinois was when we were writing that legislation and trying to perfect it and make it pragmatic and worthwhile. And we did, I believe.

Now, be careful about one letter and about all the tears that are in it, because I will tell Senators the other side of the story. An agricultural laboratory, the Northern Regional Research Laboratory, was established in Peoria. A few years ago they decided to send a very distinguished Negro organic chemist there. Well, of course, the housing in Peoria for Negroes is not anything to be proud of, and he made some complaint of it. I went to the president of the chamber of commerce, and then to the president of the largest savings and loan association in that town. They said, "All right, we will go out in the most favorable area in town. We will buy the equivalent of at least two, and possibly four, city blocks," and they optioned the property and then said to him, "Look, we are going to build you a brand new, stylish house." He said, "I won't take it. You are trying to isolate me. You are trying to set me off to one side." Look at the support that community poured out for

him, and then he said, "Oh, no, you are trying to segregate me."

So look out for these individual cases. Let my friend drive up and down south Chicago and west Chicago and see what we do about housing there. Then he will get something besides this kind of picture, which has been painted in such broad strokes on the Senate floor that not even an artist would recognize it.

No, it is not quite that way. So let us vote this down. We can show the country that we have hearts and consciences. We have done it before, because we put legislation on the books for the first time in 80 years. Look at the long lag before it was done. Could it have been done without the sympathy of the House and the Senate? No.

We have made progress, lots of it. We are making progress in Illinois. Communities are falling into line. One branch of the legislature did it. This move started only a couple of months before the adjournment time. Yet some think it must be done overnight, like a cyclone and a fire bell in the night. Well, people are still people, and it does not work out that way.

So do not be misled by that kind of letter. I get these letters, too, and I know what to do about them, particularly if the address is in the letter, because I know my State pretty well, and I know the city of Chicago, and I can pretty well tell what it is.

It is in the nature of people to complain. I remember what "Black Jack" Pershing, our commander in World War I, said: "I would not give you a nickle for a soldier who did not bitch." That was his language. That is quite true of soldiers.

I am glad when they protest and express their dissent, because that is one of the motive powers of the people.

Mr. President, I have belabored the issue. I shall yield the floor with the plea to Members of the Senate that they vote this amendment down by an overwhelming majority and show that there is still some reality and appreciation of reality in what we do.

Mr. PERCY. Mr. President, I feel there would be nothing to add to the arguments of my distinguished senior colleague from Illinois. He has answered many of the points raised by the Senator from Rhode Island.

I should like, however, to refer to the four points made by the Senator from Rhode Island as the concluding argument for his amendment and against the approval of this site.

Because of my high regard for him and for his obvious dedication to our national interest and the interests that are served in this project; and because of the implication that this project will further discrimination rather than remove a blight upon American life, I would like to take up these four points and try to answer each of them in as rational and logical a way as I can. I would hope that with these arguments I could even persuade the distinguished Senator from Rhode Island to vote against his own amendment.

One of the four arguments he made is that we should have economy in Government and that, after all, this project is not needed. He described it as a toy.

Second, he argues that there is some indecision about the size of the unit, and that we should wait a year, because a year's delay would not cause any harm.

Third, that scientific determination leaves us in doubt as to whether there is an adequate water supply for the project.

Fourth—I shall consider it last, although it is the most important and overriding argument—the point of discrimination in housing. I shall leave that last, because I do feel as deeply and as strongly about the issue of discrimination in housing in 1967 in Illinois and in every other State of the Union as my distinguished colleague from Illinois does.

From the standpoint of the first argument, whether or not this project is needed, I simply refer to the report which was made in May 1963, by the Panel of High Energy Accelerator Physicists of the Atomic Energy Commission and the President's Science Advisory Committee, recommending in 1963 that the Federal Government construct a 200 Bev accelerator immediately. Ever since that decision was made by that distinguished panel, every delay we have had has set the national interest back.

A second policy report was made indicating the need for national action in the field of high energy in January 1965. The official position was taken by that panel on that date, and President Lyndon B. Johnson endorsed that report.

I would also like to read this paragraph from a letter from Norman F. Ramsay, Higgins professor of physics at Harvard and president of Universities Research Association, written to Senator EDWARD BROOKE, who is a supporter of this amendment.

> Since the scientists in this field are so clearly aware of the need for speed, a major delay will involve a great loss of momentum and enthusiasm and will probably lead to the disbanding of the present organization which is already at work in Illinois. To start all over again in a year or two from now will be much more difficult and may never again be as effective. It would be a tragedy for this great and promising cooperative scientific enterprise to be severely weakened by a delay when the delay will not necessarily lead to open housing legislation in Illinois and when the presence of the Laboratory will provide an increasingly strong force favoring such legislation and similar action favorable to minority groups.

This comes from the president of Universities Research Association.

I should also like to refer to a report of the National Academy of Scientists' Site Evaluation Committee, a group of distinguished scientists at work for many, many months in making a determination as to where this accelerator should be located, and read as follows:

> The quest for basic knowledge of elementary particles is a commitment shared by the United States with other nations that are capable of building accelerators of greater and greater energy. The largest particle accelerators now operating (at energies of about 30 Bev) are at Brookhaven National Laboratory on Long Island and at CERN (European Organization for Nuclear Research), Geneva, Switzerland. The Soviet Union is constructing a 70 Bev proton accelerator. The thirteen European countries cooperating in CERN recently agreed to take a major step to higher energies through construction of storage rings that would, in effect, greatly multiply the energy available from their present 28 Bev accelerator for certain experiments. CERN has also made initial plans for a new accelerator in the 300 Bev range and its proposal is now before the member countries.
>
> The United States can continue to remain in the forefront of explorations in high energy physics by bringing the proposed 200 Bev accelerator into operation at an early date. As Congressional reports have pointed out, the task will be long and exacting. Site selection alone has required extensive consideration during the past year, and that stage is not yet concluded by this report. However, additional parameter studies and development of components for the accelerator can start at once. After the AEC has decided upon the final site and has received authorization to proceed, about two years will be required for detailed design work and four to five years more for construction. Testing, alignment, and exploratory experimental work will take another year. Even should work commence immediately, full operation could not be expected until the early 1970's.
>
> It is highly desirable to proceed promptly with the authorization and construction of the proposed national laboratory. It is essential to insure that the laboratory attract a caliber of scientists and engineers most likely to construct a truly exceptional laboratory and to advance knowledge of the fundamental nature of matter. In order to retain and recruit the high quality staff that is potentially available, progress must be continuous and visible. Experiments in this field must be brilliantly conceived and executed, without undue delays and interruptions, by men expert in the procedures of high energy physics. In order to bring this about the laboratory must be readily accessible to the best men in the field from all parts of the country.

After a great deal of deliberation, the Atomic Energy Commission selected Dr. Robert Wilson, one of the most distinguished physicists in the world today, to administer this project.

Based on the fact that a decision had been made by the Atomic Energy Commission, and based on the unanimous report of the site selection committee, and with indications that it would be supported by the Senate and the House of Representatives, Dr. Wilson began to assemble a group of technicians, scientists, and engineers in Chicago, in rented quarters near Argonne. Those men have given up their university appointments, have given up their jobs, have moved to Illinois, and are now in the process of doing preliminary work, acting on good faith that the many reports that have been made over a period of time will be acted upon favorably by Congress.

Mr. PASTORE. Mr. President, will the Senator yield on that point?

Mr. PERCY. I shall certainly yield to the Senator from Rhode Island.

Mr. PASTORE. Does the Senator feel that this is good procedure? Without casting any reflection upon Dr. Wilson, for whom I have the highest degree of esteem and respect, does the Senator think it is right to set up an organization even before Congress authorizes a program?

The idea that an organization has been set up, and that, therefore, we must authorize the project, does not strike me as good procedure. They had no business to set up an organization before Congress acted upon it. Now we are told, "You are going to break up the organization unless you pass this $400 million project." That I cannot understand.

The Senator said he was going to an-

swer me rationally, point for point. I think that is a specious argument.

Mr. PERCY. I was answering the Senator's point as to the fact that, in his judgment, a delay of 1 year would not matter, and that we could put this project off; and his point that it is just a toy, anyway, in the opinion of the scientific community.

I say that in the opinion of the scientific community this is considered nothing other than a basic tool, required to carry us forward in the areas of knowledge that are essential in this atomic age, if we are to continue to explore and delve deeper into the nature of the atomic particle.

Mr. PASTORE. Did the Senator from Rhode Island use the word "toy"?

Mr. PERCY. Yes.

Mr. PASTORE. I did? I believe I used the word "gadget." The word "toy" is being used by the Senator from Illinois. I never used it; I beg the Senator's pardon.

Mr. PERCY. In my further comments, I shall be happy to omit the term "toy" or "gadget." I shall simply address myself to the fact that the Senator has taken the position that this device is not needed now, and that it is not urgent that we have it. I would only point out that the Atomic Energy Commission would not proceed with its planning studies now, and continue to gather scientists and technicians, unless they felt there was an urgent need for it.

The Senator from Washington knows that with as complex an organization as Boeing builds, a scentific and engineering community cannot be put together overnight. These men have contracts. They are dedicated to the universities in which they work. Based on a decision made by a commission of the U.S. Government, they have gone ahead, in good faith, under instructions from the AEC. They have made arrangements to go to Chicago; they have formed the nucleus of a scientific community, because of the urgency the scientific world feels for this project to move ahead, and to move ahead now.

If the distinguished Senator would like to have further evidence that the whole business community and a distinguished publication feel the urgency of this project, I refer to an article entitled "Europe's Giant Atom Smasher," in the July 8 issue of Business Week:

> The most powerful atom smasher of them all—one that will generate 300-billion electron volts (bev)—is in the early stages of construction near Geneva for the 13-nation European Organization for Nuclear Research, known as CERN. . . .
>
> Right now the most powerful atom smasher in full operation is the 33-bev accelerator at Long Island's Brookhaven National Laboratory. But the Russians will top this in the fall when their accelerator at Serpukhov, near Moscow, gets up to its full 70-bev power. By 1974, the Atomic Energy Commission should be on top again, with a 200-bev accelerator at Weston, Ill.
>
> But three years after that, CERN—which already has a 28-bev atom smasher in operation—hopes to move into the international lead with its 300-bev project. The organization believes that its member governments will agree to the $400-million cost, steep as it is in comparison with CERN's total 1967 budget of $58-million. Reason: The project is favored by France, West Germany, and Britain, which contribute between them 65% of the total CERN budget; physicists from other member countries are pressing their governments to go along.

Mr. PASTORE. Will the Senator yield on that point?

Mr. PERCY. I yield to the Senator from Rhode Island.

Mr. PASTORE. We had the staff check that. That article in Business Week is in error, the picture is wrong, there is no authorization for it, and it has not even been started.

Mr. PERCY. I just had the article handed to me an hour ago.

Mr. PASTORE. It had better be checked, because I have it on what I consider reliable authority that that article is absolutely in error where it states a 300 Bev accelerator is under construction by CERN. The photograph that accompanied the article and purports to show construction of the 300 Bev is not that at all. The picture showing excavation is for the addition of storage rings for the existing 28 Bev CERN accelerator.

Mr. PERCY. I turn, then, to the testimony before the Senator's own Joint Committee on Atomic Energy, in which the witnesses discussed the need for not only proceeding with the 200 Bev accelerator, but have already started planning to see whether or not that accelerator can be moved up to the 300 Bev accelerator level they feel will be required. In other words, since this project has been conceived, a study project was undertaken by the Commission to determine whether or not they could accede to the Director of the Budget's request that they reduce the size of the accelerator. That was turned down by the Commission, and it was turned down by the joint congressional committee. Rather than reduce the size of it, in accordance with a request from the Budget Director, they saw the need to increase its size, because, as time goes on, this accelerator will become increasingly obsolete as others press forward. If the Soviet Union, with only a part of the gross national product that we have, and other European countries can see the urgent need to move forward in this field, how can we sit here and say that one single criterion should delay this project, the need for which has been seen for the last 4 or 5 years, and is fully recognized by every top grade physicist and scientist in the United States of America, as well as in the world?

The question has been raised by the Senator as to whether or not there is adequate water supply. This question has been gone over time and time again. I would merely turn to a report made by Albert J. Meserow, chairman of the Great Lakes Commission of Illinois, in which he says:

> There is no basis for the argument made with respect to the availability of water at the Weston site. In the first place, there was a full investigation made by the Atomic Energy Commission as to the availability of adequate water at the Weston site, and they found that there is sufficient ground water in the area to provide all of the necessary water for the atomic plant at Weston.

We have one of the greatest reservoirs of water available to us in that area; there is no question about that. I shall not belabor the point, but I ask unanimous consent to have printed in the RECORD at this point a full and complete report that will refute every basis for that type of argument, that there is inadequate water in the Weston area.

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

REPORT ON WATER AT WESTON SITE

(By Albert J. Meserow, chairman of Great Lakes Commission of Illinois, former assistant attorney general of Illinois (handled the Lake Michigan Diversion case in the U.S. Supreme Court))

There is no basis for the argument made with respect to the availability of water at the Weston site. In the first place, there was a full investigation made by the Atomic Energy Commission as to the availability of adequate water at the Weston site and they found that there is sufficient ground water in the area to provide all of the necessary water for the atomic plant at Weston.

Secondly, Congressman Rogers should not be concerned with the availability of water at Weston because it does not affect his area whatsoever. Third, it appears from his statement that he is acting as the "Charlie McCarthy" for the States of Michigan and New York, who is traditionally opposed to Illinois with respect to diversions out of Lake Michigan. Attorney General Frank Kelley of Michigan wrote the Congressional Commission opposing the Weston site on the ground that it may require Illinois to withdraw water from Lake Michigan for the Weston site. There is no basis for this assumption because Weston is too far from Lake Michigan and the withdrawal of water from Lake Michigan for Weston would be impracticable and nonfeasible and further it would be unnecessary because there is sufficient ground water and streams in DuPage County to adequately supply Weston. Furthermore, Congressman Rogers should know that the State of Illinois is bound by the U.S. Supreme Court decree in the Lake Michigan Diversion case to limit the withdrawal from Lake Michigan for *all* purposes to 3,200 cubic feet per second. Because of this limitation in the decree it cannot withdraw any more water from Lake Michigan for Weston or for any other purpose in Illinois over and above the 3,200 cubic feet per second. The important thing to emphasize is that there is sufficient and adequate ground and stream waters in the Weston area for the atomic plant otherwise the Atomic Energy Commission would never have selected this site.

Mr. PERCY. I then come to the last point, the question of housing. I say to the distinguished Senator that I have listened with a great deal of interest to his comments on that point.

I have been an advocate for a number of years of open occupancy legislation at the municipal level. I have fought for it at the State level, in the midst of a political campaign where I was told that I would be crucified if I went down and testified for it; but I did, and I did so because it was right to do so. I advocated it at the Federal level, supported the House-passed bill last year, and regretted that the Senate did not pass that measure.

But I think it is grossly unfair to imply that Illinois, alone among all the 50 States, or among the six States considered for this facility, is in a position of not offering adequate opportunity for housing. I simply say there is discrimination everywhere in this country.

The American dream is not available to many Americans, millions of them,

because of race, color, and creed. And until such time as we remove every last vestige that we can of discrimination simply because of race, color, or creed, we will not have fulfilled the expectations and hopes that we have and that we should have for our country.

I turn now to a point-by-point argument as to whether this point should be the controlling point and should delay this project for a year or more, whatever time may be required.

Twenty States presently have open occupancy statutes. Thirty States have none.

If I am to take the critics at their word, then I must assume that AEC will spend no more money in any of the 30 States that do not have an open housing statute. Indeed, if this principle were followed out logically and consistently, 30 States of our Union would be ineligible for any kind of Federal facilities.

For example, what would happen to a bill such as H.R. 8363 that was passed by the House of Representatives for the improvement of the Nation's waterways? That bill proposes that about $95 million will be spent in States which do not have such legislation.

If Congress is to deny a 200 Bev accelerator to Illinois, may it spend $372 million of Federal money in other States which do not have open occupancy laws? Indeed, the pending bill contains an appropriation for the construction of a facility by the AEC in the State of New Mexico. New Mexico does not have open housing.

If we insist on clinging to the false criterion of the presence of a State open housing law, let us at least apply that general rule across the board. Let us realize that if we deny the accelerator to Illinois on that basis, 29 other States in the future will be prohibited from receiving appropriations for public works, for NASA, and for the military.

Finally, those who subscribe to this point of view are saying that our Government regrets having built Cape Kennedy in Florida, the Redstone Arsenal in Alabama, the Strategic Air Command Headquarters in Nebraska, the Tennessee Valley Authority dams in Tennessee, Alabama, and Kentucky, the AEC facility at Alamogordo, and the Pentagon in Virginia, and that the Government will never again let a TFX contract to a company in Texas.

It has been asserted that matters of civil rights and nondiscrimination—and specifically open housing legislation—was a "primary criterion" or a "condition precedent" to the approval of a particular site.

It is important to recognize that neither the original site selection criteria submitted to the Joint Committee in April 1965 by the Commission, nor the National Academy of Sciences Report to the Commission recommending consideration of six sites for the accelerator in March 1966 specifically mention the criteria of civil rights or nondiscrimination, much less the matter of open housing legislation.

It is correct that, beginning in April 1966, the AEC did announce that certain commitments of employment opportunity would be expected from the successful site. However, the Commission never took the position that the matter of equal opportunity or any of those aspects would be given primary consideration over all other factors in choosing an accelerator site.

On the contrary, the Commission's decision was announced to be based upon a "balancing of all factors involved."

Even more important, the AEC never singled out the existence of open housing legislation as a condition precedent to the selection of a site, nor did it give disproportionate weight to the factor of housing in evaluating the climate of equal opportunity.

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

Mr. PERCY. I yield.

Mr. PASTORE. Mr. President, I emphasize that this is nothing that was invented by the senior Senator from Rhode Island.

This is a criteria requisite instituted by the AEC.

To say that this was never made a primary prerequisite is incorrect. I am reading from page 400 of the hearings, from a release of the Commission in January 1967.

These are the words of the Commission:

> July-December, 1966. The Commission considered the 200 Bev accelerator site selection question at 18 meetings. Primary concerns of the Commission were electric power supply, civil rights, and nondiscrimination.

Those were the words used by them. They did this.

We must realize that this is an educational project and nothing more. This has nothing to do with national defense. There is no emergency involved here.

All we are trying to do is to afford equal opportunity to people for jobs, and that depends entirely on whether they can live in the vicinity of the project.

I realize that in the past maybe we have been rather neglectful. However, only the other day, Secretary McNamara set upon certain apartment projects because they were not accommodating Negro boys in uniform. Those boys are fighting in the fields in Vietnam. When they come back home and try to get a job at this accelerator, we do not want to have them told that they would have to commute back and forth from the Negro ghettos in Chicago. That is not the American way of doing things.

If it had not been for the impetus given to the whole matter by those who believe in the prerequisite set by the Atomic Energy Commission, we would not have seen the towns of Wheaton and Joliet pass their ordinances. I applaud them for their action. Give a little more time and other towns will satisfy the remonstrances of these people.

These people are sincere. They are people of Illinois. They tell me: "This is awful. This is terrible. We will be denied our equal rights."

Let us give them equity and justice.

That is all this amounts to. That is the position taken by the Senator from Rhode Island.

I repeat what I said this morning, that I do not pretend to be the conscience of the Senate. I said that, and the Senator from Illinois was here when I said it. I do not pretend to be the conscience of the Congress.

All I am talking about is my own conscience, and that gives me enough responsibility.

I know that the Senator from Illinois is sincere, and I hope that he feels that I am sincere in my stand.

This is no laughing matter. This is deadly serious. It has to do with the basic constitutional rights of people.

I did not start this. When we seek to give out a Federal contract, we cannot do it unless the contracting party can guarantee the opportunity of equal employment for all Americans.

Times have changed.

We did not have that provision 50 years ago or 10 or 15 years ago. We legislated that recently. This is a new day.

Our cities never knew the frenzy of racial demonstrations. They know them now.

A "hot summer" used to mean just that. Now—it means hate, fear, violence, vandalism.

Let us take out the heat and the hate.

Let us get beyond promises and get to performances.

Let us give a little encouragement to the decent people so that they can say to the other people: "Quiet down. Be a little more patient. Don't be so emotional. A better day is coming."

That seems so sensible.

However, every time we get a chance to do something, we muff it.

Mr. PERCY. Mr. President, I ask the distinguished Senator from Rhode Island whether he feels that with respect to the other five States cited by the committee there is in any of them, California, New York, Colorado, Michigan, or Wisconsin, an absence of discrimination?

Mr. PASTORE. I am perfectly willing to admit to my good friend, the junior Senator from Illinois, that it exists in Rhode Island. We are not the paragon of virtue. No State is.

The mere fact that an evil situation exists in other States does not warrant us in approving an authorization of $400 million for the building of this project. It is an educational project. We do not want to discriminate against people.

I know that there have been sins in the past. However, this is my present task. I happen to be chairman this year of the Joint Committee on Atomic Energy.

I repeat that the AEC, when this issue became a hot potato, dropped it, and they dropped it in whose lap? They dropped it in the lap of the senior Senator from Rhode Island. And I have been struggling with it ever since.

Mr. PERCY. It would be my sincere hope that a year or 2 years from now my distinguished colleague, the senior Senator from Rhode Island, will come to me and say: "You were right. Progress has been made in Illinois despite the fact that we awarded it. Now that we have it underway, I find that it is important. I am glad that we went ahead with it."

It would be my fond hope that I may have that expectation realized.

Mr. PASTORE. That would be my fond hope, also. I cannot promise the Senator to vote for him, but I will write him a nice letter.

Mr. PERCY. Because I was somewhat concerned as to how Illinois stacked up

against other States, I looked up in the Congressional Data Book of the Census Bureau the percentages of nonwhites living in the congressional districts where the final six prospective sites were located.

Weston, Ill., has 2.8 percent. That is in the congressional district in which Weston, Ill., is located. Brookhaven, N.Y., has 4.8 percent; Denver, Colo., 6.1 percent; Madison, Wis., four-tenths of 1 percent; Sacramento, Calif., 3.9 percent; Ann Arbor, Mich., 41.5 percent.

Now, if we are to base our judgment on this one criterion, then the situation is clear: The project ought to stay in the Middle West, and it ought to go to Ann Arbor, Mich.

The Commission had the responsibility and clearly cited that this was to be a factor, but the matter had to be balanced out with other factors.

When I look at these figures, I see there is discrimination in every community, and Illinois is worse than some and better than others.

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

Mr. PERCY. I yield.

Mr. NELSON. I do not believe I can accept the idea that the number of minority people living in a particular community demonstrates whether or not the community has prejudice. The fact is that the State of Wisconsin has an open housing law. Most of the Negroes live in Milwaukee. The open housing law applies to Milwaukee. The city of Madison, which is near where the site would have been if the Commission had selected Wisconsin, also has an open housing law.

I just wanted to cite that for the RECORD.

Mr. PERCY. We have had reference on many occasions in this body to the attitude of various civil rights groups, and a long list of distinguished citizens from Illinois has been read off.

I can assure the Senator from Rhode Island that I have met with representatives of virtually every one of those groups. I have talked with them and I have found a great deal of understanding on their part. Many of them were not aware of the remarkable progress the State of Illinois has been making in recent years.

After all, the city of Chicago, not under the threat of getting or not getting an atomic energy facility, passed an open occupancy ordinance years ago, and it was sustained by the Supreme Court of Illinois just last year. We did not have to do anything under threat of not receiving a facility.

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

Mr. PERCY. I yield.

Mr. GORE. I appreciate the eloquence of the able Senator in describing the accomplishments of the State of Illinois. That, however, is not the question posed here.

The issue brought before the Senate by the pending amendment is whether Congress shall undertake to deny the location of a project, the authorization of a project, which has been declared as essential to the progress of this country and to the maintenance of this country's lead in the field of physics, to a particular State because it has not enacted a law which Congress itself has refused to enact.

If this criterion should be applied to other projects in the bill, then a multimillion dollar project to build weapons at Oak Ridge, Tenn., would be stricken out. Why? Because Tennessee has not enacted a law which the Senator from Rhode Island would undertake to require of Illinois before this project could be located there.

I see the senior Senator from Kentucky in the Chamber. No money, by this yardstick, could go to the atomic energy plant at Paducah, because neither has Kentucky enacted such a law.

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

Mr. PERCY. I yield.

Mr. COOPER. I have listened to the distinguished Senator from Rhode Island, and I must say that he speaks from a deep sense of justice. But I do wonder what his views would be about the extension of the principle which he has so eloquently supported, which has now been opened up by the argument of the Senator from Tennessee.

Would the Senator from Rhode Island extend the principle—noble as it is, and one which should be adopted for the entire country—to the location of any Federal facility or the enlargement of any Federal facility in a State which has not enacted an open housing law? That seems to me to be the issue which the Senator from Tennessee has opened up and which we must decided.

I do not say this in derogation of the position of the Senator from Rhode Island; but it would seem to be rather hypocritical for me, for example, to vote for his amendment and then later to vote for the location or the enlargement of any facility in the 30 States which do not have an open housing law.

What is the distinction? That is what I should like to know.

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

Mr. PERCY. I yield.

Mr. PASTORE. I realize that we are getting into a very fine line of demarcation.

We have passed a higher education law, and we have passed the spirit of title VI of our civil rights law. We do not give out money for educational purposes if there is segregation, and I do not believe anyone challenges that. This is because we feel that when you are dealing with the whole complex of the student society of this Nation, you have to treat them all equally and give them all a fair opportunity.

In this particular case, I do not know why, but the AEC took it upon itself to make a criterion. They did it. They raised this question. Any time they went to Denver, they asked the question: "How about the availability of housing for all Americans in this locality?"

The Senator from Tennessee [Mr. GORE] has talked about our using this instrumentality to bring about the enactment of an open housing law in Illinois. The Senator from New York [Mr. JAVITS] made that argument. But I have never made that argument. I have never said that during the course of the hearings.

I have said that in view of the fact that the AEC did raise this question, in view of the fact that they did institute this as a prerequisite—because they did excite a lot of people who know discrimination, a lot of people who have been stung, even at the Argonne installation, people who were forced to travel a distance of 70 miles to and from work every day only because of the color of their skin. I believe the Commission had a perfect right to get into these questions. And because we undertook this responsibility, we have made some improvement. The town of Wheaton has instituted an open occupancy law, and the town of Joliet did so only yesterday.

I am not here to fix any precedents. In view of the fact that we have made that an issue, my argument is that this project is not essential and is ill advised at the present. The people who want the 200 Bev are talking about the 800 Bev. If you leave it up to them, it will be 2,000 Bev. This may be very desirable. But we have not decided exactly how large it should be. The Budget Bureau talked the AEC out of doing it in one step. They suggested a two-phase accelerator. They said, "OK, do part of it now and later on do the rest of it."

The cost is $240 million now, and the Lord only knows how much it will cost later on. The Joint Committee felt that it should be the big job on the first step, and that has not been determined. In the use of this money, we do not know whether they will get into the $240 million job or into the $375 million job or even a more expensive job. That is an issue. It should be resolved.

The Senator from Michigan raised the subject of Lake Michigan. I know that a report was made, but the argument made in refutation of the report is that when you begin to build the complex around the accelerator, there will not be enough water.

The next point I make—and I believe it is a good point—is the fact that this project is not for a military purpose. This has nothing at all to do with military security. It has nothing at all to do with the security of the Nation.

We can afford to wait a little longer, and perhaps we can straighten out our difficulty. Otherwise, this will be a sore spot for a long time to come.

Since the House passed the bill, two communities have come along with open housing. I am hopeful that if we wait another year, several more communities will come along.

I am not trying to blackjack anybody into anything. I did not raise this question. This was raised by the Commission.

To return to the question raised by the Senator, I would say that any time any agency of the Government for reasons better known to them, because of problems of the past, insists on the availability of housing and homes for all Americans who might be engaged at that project, I shall defend that insistence to the end.

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

Mr. PERCY. I yield.

Mr. COOPER. Mr. President, I know that the Senator from Rhode Island is a believer in and speaks from his heart on open housing. He takes his position in good conscience and from his heart. It is

a position which I hope eventually will bear fruit.

However, I believe it still leaves an unanswered question. Having taken this position upon the particular facility, then what would one do, when next day or the next week another question may arise about another facility in the same or another State. Since I think it would be logical and right that if one took the position of voting against this facility, he should vote against any other facility or its enlargement. Otherwise, I would consider myself to be in a hypocritical position.

Mr. PASTORE. When the Senator speaks about the Federal Government passing a law, we get into a different question. It is a question that States would not encounter. That can be argued until the cows come home. There is a slight difference.

I am not trying to blackjack anybody but this has become a difficult issue. People have overwhelmed me with their concern and insisted on hearings being held. It has become a cause celebre and has been very vexing and disturbing to me. I am trying to do the best I can to convince Senators that if they will postpone this matter for 1 year no one will be hurt and maybe we can ameliorate the entire situation.

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

Mr. PERCY. I yield.

Mr. GORE. Mr. President, I hesitate to get into this colloquy but this is an unusual proposition before the Senate. I am grateful that this matter is receiving serious attention. The matter proposed by this amendment is quite unusual.

The distinguished Senator from Rhode Island said he did not raise the question; that the Atomic Energy Commission raised it. By what authority did the Atomic Energy Commission raise this question?

The law does not require this as a criteria for projects of the U.S. Government. The Atomic Energy Commission did do as the senior Senator from Rhode Island said, but did they do so by requirement of law or by authorization of law? No, arbitrarily.

Now that an agency of the Federal Government has arbitrarily, without a requirement of law, without authorization of the Congress, fixed one item as a matter of consideration, then, ex post facto, without further argument the Congress should refuse to authorize such a project even though Congress declined to enact such a law, if the requirement would arbitrarily apply.

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

Mr. PERCY. I yield.

Mr. PASTORE. Mr. President, here again the presentation made to the committee and to the Atomic Energy Commission is that the project would have a tremendous effect on the international scientific society of the world; that we expect many people from all over the world to come here. That is one of the glamorous things about this project; that is one of the spectacular things about this project: To invite scientists from all over the world, white, black, or yellow, to come and work at this project.

Would it not be a sad day, after we authorize $400 million, trying to promote international good will, to have someone with black or yellow skin come here, someone who is a great scientist as well, only to be told by some innkeeper, "I am sorry. We have no room for you here tonight." That is why they set the criterion of the availability of housing. Then, when it got to be a hot potato they dropped it in my lap.

Mr. PERCY. Mr. President, I did not intend my remarks to be so long, but I am continually stimulated by the senior Senator from Rhode Island. I wish to address myself to the two questions which have been raised immediately preceding: the question of what has been termed, time and time again in this issue, as Federal blackmail, and the issue of urgency and whether this project really is needed at this time.

The Senator characterized this $400 million device as an educational instrument. I would like to indicate that the profound nature of what we are talking about in this instrument was revealed in one sentence in testimony before the Senator's Committee on Atomic Energy by Mr. Glenn Seaborg, the Chairman of the Atomic Energy Commission, when he said, in summarizing this device:

> The aim is to correlate all the information sufficiently to try to bring it together in a coherent manner that will lead to better understanding of the nucleus of the atom and therefore of the atom itself and therefore of molecules and everything that makes up the universe.

Mr. President, if we say we have learned enough about the universe and the particles that make it up, we had better stop progress in this area. We are withdrawing from the atomic age. We are deciding not to live in the 20th century, and we are saying the resources of this country are so inadequate we might as well become a second-rate power.

If we postpone this accelerator for any lengthy period of time for reasons that are not germane to the scientific progress that can and should be made, we would be forfeiting to the Societ Union and to the 13 countries of Europe the leadership in nuclear physics and elementary particle physics that we have built up so painstakingly in this country since January 1939, when the discovery of the fissioning of a uranium nucleus was announced at an American Physics Society meeting here in Washington by the great Italian-American scientist, Enrico Fermi.

I have been a trustee of the University of Chicago for 17 years and a trustee of Cal Tech for a number of years. I do not understand the first thing about physics. However, I understand the concern and I understand when they feel good faith has been breached. I have talked constantly for 2 years with Dr. Robert Bacher, of Cal Tech, a former member of the Atomic Energy Commission and member of the Site Selection Committee.

He has told me time and time again, in Washington and in Pasadena, of his grave concern for the scientific progress that will not be made in this country if we continue to procrastinate and delay for any reason—open housing, or whatever. Today my office has been on the telephone with him twice. He is deeply concerned about the proceedings that are now going on in this Chamber, as is every top-grade scientist in this country.

Einstein and Fermi came to this country because they could pursue this science in freedom. We have, by supporting science in this country, made it possible for scientists and engineers to pursue research and development for human advancement, and for the security of the free world with great success. If we fail now to go forward with the construction of the 200 Bev accelerator, we will be failing the promise that the great pioneers like Einstein and Fermi had set for us in their exploration of the frontiers of nuclear science.

I know for a certainty that the small nucleus of scientists working now would be so disheartened we would probably lose most of them if we abandoned or delayed this project.

May I now return to the concluding comments on the question of Federal blackmail and using the open occupancy issue as a legitimate issue for delaying the project?

Mr. ERVIN. Mr. President, will the Senator from Illinois yield for one question on that point?

Mr. PERCY. I am happy to yield to the Senator from North Carolina.

Mr. ERVIN. Does not the Senator recall that when Chief Justice Salmon P. Chase wrote his celebrated opinion in Texas against White he said this:

> The Constitution, in all its provisions, looks to an indestructible union composed of indestructible states.

Does the Senator recall that, or will he accept my assurance that those are the exact words of Chief Justice Chase in that case?

Mr. PERCY. I accept that.

Mr. ERVIN. Can the Senator imagine any more certain way to destroy an indestructible union composed of indestructible States than for Congress to tell the States of this Union, "If you do not pass the kind of laws relating to local matters Congress desires you to pass, then you will not be able to participate to the full extent in American life, and you will not be permitted to receive Federal installations."

Would that not be destroying the States of this Union for Congress to undertake to coerce the States into passing laws which Congress might think a State should pass and which a State refuses to pass?

Mr. PERCY. I thank the distinguished Senator.

FEDERAL BLACKMAIL

Mr. President, there is no denying—and I would not deny it for a moment—that there is racial discrimination in Du Page County, just as there is racial discrimination in every county in the United States today. It is also obvious that although we have our problems in Illinois, those States which have open-housing laws have not solved their problems. New York still has Harlem. California still has Watts.

I am concerned that using Weston as a lever to obtain open-housing legislation may very well further delay our reaching that goal. While the legislation is not much to ask, representing as it does so-

cial justice, the high penalty the State would pay for not acting immediately seems inequitable to me.

Mr. President, I can say with some degree of certainty that in the Legislature of Illinois there has been a deep resentment at the implication that in Washington we are going to tell a State how to legislate. I would say, in the judgment of some people, that the statements made in Washington have delayed progress in the legislative area in Illinois.

Illinois and every other State has paid, and will continue to pay, the price of discrimination in housing. Our State administration realizes that. The Illinois business community is also becoming more and more aware of it. Thus, I believe that we will, some day, have fair housing legislation at the State level—as I hope we will at the Federal level—because it is right, not because of pressure from the Federal Government.

PROGRESS MADE AND BEING MADE

Mr. President, we have our problems, but we are working to correct them; and we were working even before the impetus of Weston and the accelerator. Moreover, we must remember that it will take 7 years for this facility to become operational, and it will function for many years thereafter. During this time, there can and will be, I am convinced, concrete steps taken to further improve the climate of equal opportunity in Illinois, just as some of the steps have already been taken.

For example, I can report today that in the two communities near the site, Weston and Glen Ellyn, there have been over 500 homes available since the first of the year on a nondiscriminatory basis, through a voluntary plan involving the local real estate board.

For the benefit of my good friend and colleague from Rhode Island, let me repeat that statement:

There have been available, in Weston and in Glen Ellyn, over 500 homes since the first of the year on a nondiscriminatory basis, through a voluntary plan involving the local real estate board.

Weston itself, a village of 350 people, already has a fair housing ordinance.

West Chicago, the nearest city to Weston with a substantial minority of Latin American descent, has open housing, though no open housing law.

Wheaton and Glen Ellyn are two larger towns nearby. They, together with the small town of Winfield, have started the central Du Page program for better living, a voluntary open housing plan. Presently, almost two-thirds of the new listings are offered on a nondiscriminatory basis.

In recent months, the plan has spread to the neighboring towns of Lombard, Villa Park, and Elmhurst, where over 15 percent of the listings are nondiscriminatory.

Perhaps most significantly, 1 week ago, Wheaton, the seat of Du Page County, and one of the largest communities in the area, adopted an open housing ordinance banning discrimination in the sale or rental of homes. The new ordinance, which calls for the Wheaton Human Relations Commission to investigate all complaints of discrimination, and calls for fines of $100 to $500 for violators, has been commended by the NAACP.

Referring to the NAACP, I should like to indicate that in a resolution adopted on June 6, 1966, by the National Board of the NAACP, a resolution germane to this argument, they expressed the opinion that there was comparable discrimination at all six sites and found no reason to assume any position for or against any of the sites.

The resolutions is as follows:

Whereas the U.S. Atomic Energy Commission has decided to construct the world's largest atom smasher at an initial cost of $375 million and

Whereas the question of site selection has been reduced to six communities located in New York, Michigan, Illinois, Wisconsin, Colorado and California, and

Whereas a part of the criteria for final selection of a site is the question of race relations in each of the respective communities, and

Whereas we recognize that racial discrimination exists in each of the six communities now under consideration, we also believe that the degree of difference, if any, between such discrimination in one as opposed to the other is not great enough to justify the NAACP in taking sides in the matter; now therefore, be it

Resolved That the NAACP expresses no preference with respect to the question of selection of a site for the atom smasher planned by the Atomic Energy Commission.

Mr. President, I should like to point out that Joliet, a city of 75,000, within 20 commuting miles of Weston, has just passed on open housing ordinance, which is one of the best ones I have seen.

The question is not whether we have adequate housing in the area near Weston. The only question raised as an objection to the site is that we do not have a State open housing law.

To my distinguished colleague from Rhode Island I can only pledge to him that I shall, without cessation, work to achieve open occupancy legislation in every community, in every area of the State that I serve. I have made my position perfectly clear to the Legislature of Illinois. I have also made it clear to every citizen in our State.

In the absence of any such legislation, we will press forward with all the diligence we can to see that villages and cities in this entire community adopt ordinances that will have the same effect as the State ordinance or law. Certainly I have offered on a number of occasions to Dr. Wilson, my services on a committee—a blue ribbon committee, if we might call it that—to insure that the leadership of our community—political, business, labor, and civil rights groups—is marshaled behind this, because the law can never be depicted as solving all our problems. A law, even if passed, is only the visible part of an iceberg. The discrimination—the plight of the people who cannot have equality of opportunity, of jobs, of housing, or of education—lies just beneath the surface. We can pass all the laws in the world but when people get together to work and to remove these areas of discrimination, perhaps even more progress could be made than if laws are passed.

I can certify to my distinguished colleague from Rhode Island that the citizens of Illinois are aroused. Television, radio, newspapers, have all had a good neighbor campaign on equality of housing running for several months. It is one of the best I have seen anywhere in the country.

By some means or other, we are going to insure that when the site is located in Weston and the accelerator is constructed there, the problems of discrimination will in no sense hold back the progress that can and should be made in the national interest by adopting this very modest, initial appropriation included in the bill now being presented by the distinguished Senator from Rhode Island.

Mr. President, I yield the floor.

Mr. MAGNUSON. Mr. President, I shall ask unanimous consent to place in the RECORD at a later point an analysis of costs as between the various locations, not only by the Atomic Energy Commission itself, but by two independent surveys.

I do not want to discuss the matter of Weston and its problems, and in my remarks I shall not do so. Nor do I want to take anything away from Illinois as to its selection for the location of this accelerator, but I have been involved in this matter for some time, not as a member of the Joint Committee on Atomic Energy, but otherwise, and I want to be consistent in what I have said previously and what I shall say now. This has nothing to do with the selection of the site or the other matters discussed today.

I think the scientific advisory committee of the National Academy of Scientists made its first mistake when it eliminated five or six sites in the United States, sites which involved the investments of hundreds of millions of dollars, many of them having very cheap hydropower and an abundance of water, with no question of having it available involved, and threw them out. I am speaking of atomic energy sites in the United States, of which the TVA would be one. One would be in Hanford. One is in Idaho. There is one other place. The committee narrowed the selection down to the other sites.

As I understood the criteria by the Atomic Energy Commission at that time, the first was low-cost power, because that is going to be a big item in the operation; abundance of water, with no question about the water supply; and some other criteria regarding housing, transportation, and so forth. But the priorities involved were, first, electricity and water—an uninterruptible supply of electricity, one with no possibility of blackout or loss of power or inadequacy of power. But the selection was made, and it was probably justified in the report.

I think the committee was ill advised to start out by eliminating the other places which had all the criteria, at least the ones that were given as priorities back in 1964. I guess that is water over the dam. I still want to place in the RECORD an analysis of the cost figures, not the cost figures of building the accelerator, but the operation costs. I have looked through the record and cannot find any comparison of the costs made by the commission. Annual estimates of costs at the six proposed sites are given, but I cannot find any comparison of the operation costs. Many engineers and

scientists involved in this field have said the costs would be much less at other places. I shall place that analysis in the RECORD. It was made, as I understood it, as late as last fall. Savings of $12 million or $13 million in one item a year were cited. For a 10-year period of operation, that would represent a saving of $130 million on one item. There is no reference to that in the record.

I think I know how these six sites were selected. I know the Academy people quite well. I know the people on the so-called selection committee. They finally ended up by throwing off the effects of the costs. I think the construction costs are pretty accurate and would apply perhaps to wherever the accelerator was constructed. The committee ascertained the personal desires of the people who might be involved as to the location. That should be a criterion, too. But we are dealing with a cost figure of an annual operation that will be just as important as the initial construction cost.

I shall place in the RECORD some of the communications I had on the accelerator standards. I think I recall the the facts pretty well. The witnesses testified before the Joint Committee on Atomic Energy as to the annual operating costs of a similar type of accelerator—the Stanford accelerator. After they got going, it was found they were almost 100 percent, 180 degrees, wrong. In the selection they made, they said there would be plenty of electric power available. Then they had trouble in putting up high tension wires. Also because they were wrong on their estimated operating costs they are only going to operate it 50 percent of the time.

That was last year. It has nothing to do with the issue now before us, but I want the record to be clear that one of the criteria was that these projects should not be placed where there was any possibility of earthquakes. One of the six sites selected was in the San Leandro Fault, where earthquakes occur all the time. As I understand, if the accelerator gets off an inch or two, it has to be started all over again.

While I am not complaining about what is happening now, I want the record to be clear that this was the most ill-advised group for making selections that I have ever encountered—and I have had to deal with scientists quite frequently in the years I have been a Senator.

Another matter which has been discussed today, as suggested by the Senator from Rhode Island, is that it is pretty difficult to ascertain just how much it will cost to operate an accelerator. I will tell Senators that the cost will be much more than has been estimated. I complain that no real comparisons have been made. I cannot find adequate comparisons in the testimony. I hope that wherever the accelerator is located, the Commission will not run into the problem of a lack of power or water and will then look back and say, "There were other places, where we had hundreds of millions of dollars invested, with all of the priorities set up in the beginning, that we could have used, but we went somewhere else."

I merely wanted to make this statement so that the record would be clear. I think the Atomic Energy Commission knows my views. They have known them for a long time. I have had many arguments with them.

I hope this project will work out all right. I hope the costs will not end by being twice as much as was estimated. True comparisons were not made. I am not talking about construction costs. I am talking about the actual operating costs. The Commission's guess on the annual operating costs on similar projects have been so far off that I wonder how far off they will be on this project.

Mr. President, I ask unanimous consent to have placed in the RECORD an independent survey in order to keep the record straight, on the engineering estimates. I understand the matter before us is an authorization for an appropriation for engineering and architectural design.

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

EVALUATION OF SEVERAL PROPOSED SITES FOR THE NEW 200-BEV ACCELERATOR LABORATORY

(Presented to Tri-City Nuclear Industrial Council, Inc., Pasco, Wash.)

1. INTRODUCTION

The design and consequent cost of the proposed 200 Bev Accelerator Laboratory are influenced to a large degree by site conditions.

As examples, two designs for two separate sites, prepared by Lawrence Radiation Laboratory in sufficient detail to provide cost estimates, differed because they were founded on different types of soils. One site, underlain by deep layers of soils and subject to large settlements, had the accelerator ring supported on piles and located below the ground. The other site, underlain by rock, had the accelerator located above ground, with earth shielding mounded above. The cost estimated for the two sites were substantially different.

This report presents differential cost comparisons of several proposed sites by estimating selected significant items. The sites considered in this study are those for which proposals have been made available to Burns and Roe, namely, Hanford, Oak Ridge, Ohio, Indiana and California. The items selected are those for which comparative data are available in the several proposals reviewed herein. The differential costs are not total differential costs. Any comparison of total costs would require preliminary designs and estimates. Such an effort would be beyond the scope of the current study. The costs presented herein indicate substantial savings for the Hanford site and reflect the advantages of Hanford over the other sites studied.

2. SUMMARY OF COST COMPARISONS

2.1 Capital costs, construction

[In thousands of dollars]

Item	Site			California		Indiana
	Hanford	Oak Ridge	Ohio	Site A	Site B	
a. Earth work and earth shielding	2,340	8,950	6,090	7,260	7,400	3,030
b. Piles				3,700		3,700
c. Pile construction system				6,360		6,360
Subtotal	2,340	8,950	6,090	17,320	7,400	13,090
AE (12.5 percent)	292	1,120	762	2,170	926	1,630
Contingency (15 percent)	395	1,510	1,028	2,920	1,250	2,210
Subtotal	3,027	11,580	7,880	22,410	9,576	16,930

Note.—For discussion of the above cost items, see sec. 4.

Capital costs, equipment

[In thousands of dollars]

Item	Site			California		Indiana
	Hanford	Oak Ridge	Ohio	Site A	Site B	
Motor-generator sets		4,200	4,200	4,200	4,200	4,200
Subtotal		4,200	4,200	4,200	4,200	4,200
Engineering, design, inspection, and administration (25 percent)		1,040	1,040	1,040	1,040	1,040
Total		5,240	5,240	5,240	5,240	5,240
Contingency (25 percent)		1,310	1,310	1,310	1,310	1,310
Subtotal		6,550	6,550	6,550	6,550	6,550
Total	3,027	18,130	14,430	28,960	16,126	23,480

Note.—For discussion of above cost item, see sec. 5.

2.2 Operating costs, annual

[In thousands of dollars]

Item	Hanford	Oak Ridge	Ohio		California	Indiana
			Source A	Source B		
Power	1,944	4,300	3,080	3,414	3,888	3,383
Water	242	473	(1)	(1)	(1)	(1)

[1] Not available.

2.3 Operating costs, capitalized

[In thousands of dollars]

Item	Hanford	Oak Ridge	Ohio		California	Indiana
			Source A	Source B		
Power	29,912	66,153	47,380	52,524	59,200	52,046
Water	3,730	7,280	(1)	(1)	(1)	(1)

[1] Not available.

Note.—For discussion of power and water costs see secs. 5 and 6, respectively.

3. GEOLOGIC CONDITIONS AND FOUNDATIONS

A comparison of the excellence of foundation soils for the proposed 200 Bev accelerator tunnel between the Dense Pleistocene gravels of Hanford with the various rock strata available at the Ravenna and Oak Ridge sites, and with the glacial tills at the Indiana site, involves numerous considerations. These include foundation support ground water conditions, ease and cost of construction, and long period risks such as earthquake probability. These various considerations will be discussed separately below.

a. Foundation support

The foundations for the accelerator tunnel must have an extraordinary stability, particularly against any long period movements. At first glance this fact would tend to indicate that the extra rigidity of a rock foundation would be a real advantage. This, however, is not necessarily so. Once a certain degree of rigidity is available more is not all that much better. Once adequate soil rigidity has been demonstrated, uniformity of support over the full extent of the structure is a more important consideration than an excess of rigidity.

In the case of the Pleistocene gravels at Hanford, the long history of construction of facilities, many of them unusually heavy, at this site have amply demonstrated the rigidity of the soils. Actually, once the tunnel is emplaced and backfilled, the tunnel will weigh something less than the soil it replaces, so that no great soil rigidity will be required. Our own investigations at Hanford reveal that over at least some parts of the Hanford Reservation the gravels are persistent and unusually uniform in character for considerable distances.

The Mercer Shales of north eastern Ohio and the tilted shales and limestones in the Oak Ridge area could be expected to be far more variable. The Mercer, for example, could be expected to range from shale to coal to underclay along any random horizontal plane. This complete range of changes could occur in the distance of a quarter mile or so. The character of the rock along a horizontal plane in the basin and range province could be expected to change every 100 to 200 feet.

Such variations in rock type will not necessarily lead to poor foundation action, although some reservations in this respect are reasonable for the Ohio site. At the very least, however, they will complicate design.

The soils at the Indiana site consist of a prism of mixed glacial deposits ranging from 150 to 200 feet in thickness. These deposits were overriden by the glacial ice and are highly compact and the clay portions, at least, are preconsolidated.

At least two till bodies are represented, with associated weathered zones and lenses of outwash gravels. A persistant basal gravel overlies the bedrock, a dense black shale of Devonian Age. Ground water occurs in the weathered zones, the outwash gravels, and in the more permeable portions of the till bodies. The greater portion of the dense tills however are watertight.

The potential of a high and fluctuation ground water level discussed below will prevent the use of a soil supported accelerator tunnel at the Indiana site. Any location of a soil supported unit below elevation 810 will involve problems of waterproofing and the hazard of misalignments caused by differential flotation. The soils above 810 are not shown to be suitable for the direct support of a critical tilt facility such as the proposed accelerator. The most practical way of supporting the critical portions of the facility at this site will be on piles. Friction piles driven below elevation 750 should perform very well. An alternate is high capacity caissons drilled into the rock at an elevation about 680.

b. Ground water

Ground water at Hanford is at the base of the Pleistocene gravels, some 70 to 150 feet below the surface. The water table at Hanford is probably as closely monitored as that of any area of equal size in the world. The depth of the water table is in most places great enough to permit the accelerator to be placed sufficiently deep below the surface to eliminate the need for a shielding fill without encroaching upon the zone of saturation. The elimination of the shielding fill removes the problem of considering settlement under the loads imposed by the fill. Rather, a condition of negative passive increment occurs.

At the Ohio site, on the other hand, seepage water will occur at the contact of the glacial deposits and the underlying bedrock, especially where the Homewood Sandstone is absent. This will present a dewatering problem and some softening of the shale bedrock. This latter condition will require hand trimming, sealing, and placing a levelling course below the foundation. If it is desired to place the accelerator deep enough to eliminate the need for shielding fill, extensive rock excavation and additional unwatering will be required as well as the sealing and levelling described above.

At the proposed Oak Ridge site the conditions are far from favorable. The proposed location of the accelerator ring has a relief within itself of some 60 feet. Ground water will be essentially at the surface in the low part of the site. A small stream will have to be unwatered. Rock excavation will be required for surface placement and will increase grossly with any attempts to bury the facility.

Any tendency for a rise of ground water above the base of the facility will create the twin problems of waterproofing (or draining) the tunnel and stability under flotation. Neither of these problems will occur at Hanford.

Ground water at the Indiana site now has a static elevation near elevation 770. The low pool level of the proposed reservoir at the West edge of the site will be at elevation 790, high pool 811. The static level of the ground water will certainly raise to elevation 790. The rise above that level will depend on the operation of the reservoir.

This proposed reservoir construction will further limit the area of the site available for major construction to the northern two miles where the ground elevations extend above elevation 820.

c. Ease and cost of construction

The costs of construction of the subsurface portions of the facility cannot be readily compared for the various sites. The differences in site conditions would probably lead to quite different arrangements at each site. For example, at the Hanford site the most favorable design appears to be a completely buried accelerator tunnel with the top some 36 feet below grade. (The maximum thickness of the shielding fill.) The top of the backfill would be flush with natural ground. On a sloping site the orientation of the tunnel would be adjusted to plan the sections with low shielding requirements under the lower portion of the site.

This would place the entire tunnel at a depth at which the pressure increments would be negative and any settlement would be recompression, which occurs almost immediately upon the placing of the load. No unbalanced loads due to shielding fill would be involved.

At Hanford this construction can be accomplished without rock excavation or dewatering. The tunnel floor would be placed as a continuous mat, jointed as necessary for thermal stresses, which will be minimal once construction is completed. The tunnel walls and roof will complete a rigid box structure capable of distributing the loads of the magnet banks without local distortion.

At the Indiana site that portion of the site suitable for use is rising to the North and West at a slope of about 17 feet to the mile. Initial grading will be moderate, however a full shielding fill will be required.

d. Seismic hazards

Seismic activity could conceivably cause two types of failure in a facility of this nature. One, the structural failure of the tunnel itself, the other a misalignment within the structure which would require a readjustment of the magnet banks. The first type of failure can be made highly unlikely by proper design. The likelihood of the second type is a function of foundation soil rigidity and uniformity.

It is probable that any major seismic event would create some problem of magnet alignment on any of the foundation soils available at the sites reviewed. Any comparison of such risk must involve the statistical chance of a major event. This is low at all four sites.

4. CONSTRUCTION COST COMPARISONS

a. Earthwork and earth shielding

At the proposed Hanford site, the main accelerator ring is founded sufficiently below ground to permit an average of 30 feet of earth shielding above the ring, with the top of the earth sielding level with the original ground surface. At the high end of the site this will provide the maximum required cover. No dewatering or drainage system is required because of the excellent drainage of the gravel soil and the location of the ground water level below the accelerator ring. Ease of excavation and backfill without need for haulage permit lower costs at Hanford.

At the proposed Ravenna and Oak Ridge sites, the accelerator ring is founded on rock and the bottom of the ring is located 15 feet below the ground level. Shielding is mounded an average of 30 feet above the top of the ring. Costs include rock preparation, dewatering and drainage systems and earth fill for shielding. Oak Ridge costs also include rock excavation for the levelling of the construction areas.

See Section 2.1 for tabulation of the differential construction cost comparisons for earthwork and earth shielding.

b. Piles

The Hanford site is composed of sands and gravels of adequate strength to support the accelerator structures without special treatment.

The Ravenna, Oak Ridge and California "B" sites are underlain by rocks of various types which will require dental treatment of unknown but presumably low degree to support the accelerator structures. The Oak

Ridge site may require extensive treatment of the cavernous limestones which are present over a portion of the proposed site.

Piles will be required only at the Indiana and California "A" site among the several sites reviewed. Due to the high degree of accuracy required in the alignment of the accelerator equipment, the piling design is also very elaborate and costly.

Other sites wherein the soil bearing capacity is inadequate would require similar elaborate piling installations at a relative penalty in cost as compared to Hanford.

See Section 2.1 for the tabulation of the cost of piling.

c. Pile construction system

The requirement for high accuracy for alignment of the accelerator equipment imposes additional penalties by way of elaborate construction details necessary to segregate the pile supported elements from other elements subject to differential movement. As indicated previously, such a system is required only at Indiana and California Site "A" among the sites reviewed.

The additional penalties herein referred to would apply in equal measure to other sites where piling installation is required.

See Section 2.1 for the tabulation of the cost of construction of items related to the piling.

d. Future storage rings

All differential construction costs presented in this report are for the accelerator ring and initial support facilities only. These differential costs will be approximately doubled if the future storage ring construction is taken into consideration. In the case of Oak Ridge, these costs would be more than doubled because of the high rock ridges in the proposed location of the storage rings.

5. POWER COSTS AND POWER AVAILABILITY

A comparison of the average expected yearly electrical energy costs on the several proposed sites are given below. The energy costs also include the kilowatt demand charges.

Operating costs, annual

[In thousands of dollars]

Year	Hanford	Ohio		Indiana	Oak Ridge	California
		Source A	Source B			
1967	3.8	5.9	6.6	6.5	24.9	7.5
1968	5.0	7.9	8.8	8.7	30.1	10.0
1969	11.3	17.8	19.8	19.6	51.9	22.5
1970	23.8	37.6	41.7	41.3	104.1	47.5
1971	45.0	71.3	79.0	78.3	169.5	90.0
1972	250.0	396.0	439.0	435.0	947.0	500.0
1973	575.0	910.8	1,009.7	1,000.5	1,802.0	1,150.0
1975	1,107.5	1,881.0	2,085.5	2,066.3	2,746.0	2,375.0
1978	1,944.3	3,079.7	3,414.1	3,383.0	4,300.0	3,888.5

The above yearly cost for 1978 reflects the following capitalized expenditure based on the fixed charge rate of 6.5%.

Operating costs, capitalized

[In thousands]

Hanford	$29,912
Ohio:	
Source A	47,380
Source B	52,524
Indiana	52,046
Oak Ridge	66,153
California	59,200

Based on the above information over $1,000,000 can be saved yearly in electric power cost if the Hanford site is used over the Ohio site. Larger savings of nearly $2,000,000 can be realized yearly when the Hanford site is compared to Oak Ridge, California or Indiana sites.

The largest power pool of the sites studied is at Hanford consisting of about 14,062 megawatts of hydroelectric generating capacity or 24,088 megawatts of capacity when under construction hydro plants are included.

Electric power at Hanford would be delivered to the new accelerator over the Hanford 230 kv power loop. This loop now is fed from a single substation (Midway) but will be connected to a second isolated source in the near future. Therefore, in addition to the advantages of being connected to a large power pool the new accelerator could obtain its power from a loop system. The loop system has the advantage of a continuous power supply even though a transmission line feeding the project is removed from service.

The criteria for the accelerator calls for an incoming supply or primary transmission of 230 kv. Hanford is the only site that can supply 230 kv. The other sites proposed either 138 or 161 kv.

No new generator capacity will be required at Hanford. Electric power for construction and the accelerator is now available at Hanford and requires only the installation of a suitable transmission line. In some cases on the other sites, additional generating capacity must be made available.

If the accelerator is installed at Hanford it would be in the center of a web of high capacity transmission lines which can provide a stored energy source to supply the pulsed power to the accelerator without the use of costly stored energy motor generator sets. We have been informed that BPA could possibly supply the pulse power requirements if the pulse duration was other than 3 seconds, the natural resonance frequency of the BPA power network.

As an alternative to supplying the pulse power directly from the BPA system without interposing stored energy motor generator sets, two 100,000 kva hydro-electric generators could be installed at one of the nearby dams. These generators would be specially designed to carry the pulse power. It would be advantageous to design the units for a frequency higher than 60 cycles to reduce ac to dc conversion costs. However, it would appear that 60 cycle generators would be finally chosen so that during accelerator shut down periods, the generators could feed into the BPA system. The AEC would have complete field control of the generators to suit their pulse requirements. The costs of the hydro-electric generator would be borne by the agency owning the hydro-electric generating plants.

In either case of furnishing power directly from the BPA system or from an isolated generator, a capital cost saving of approximately $6,550,000 could be realized in the omission of stored energy motor generator sets.

6. WATER COSTS

Water costs are based on the use of a filtered flow of 30,000 gpm as a once-through system capable of dissipating 200 mw. Unit costs for water are those given below. Costs are for operating expenses including chemicals, labor, electric power, maintenance, engineering and associated non-capitalized investment for continuity. Capital requirement or interest are not included.

Unit operating costs for water

[Cents per 1,000 gallons]

Hanford:	
Pumping from river	0.285
Filtration	1.25
Total	1.535
Oak Ridge: Total charge	3.0

The above unit costs extended through a year's use yield the following annual operating costs for water:

Annual operating costs for water

Hanford	$242,000
Oak Ridge	473,000

The above annual costs are converted to capitalized costs, based on a fixed annual charge of 6.5% as follows:

Capitalized costs for water

Hanford	$3,730,000
Oak Ridge	7,280,000

Hanford has available pumping and filtration equipment to handle the above quantities of water, thus minimizing the capital expenditure required to provide the filtered flow. Oak Ridge has similar equipment available. Pending more detailed design and estimates, no differential capital costs are shown for water equipment or piping. At other sites where such equipment is not available, additional capital expenditures would be required.

Mr. HICKENLOOPER. Mr. President, as a member of the committee and a supporter of the committee report, I want to canvas the situation. I may assure the Senator from Washington that if he is concerned about the comparisons of cost, we have a volume on it. Over 200 prospective locations were studied. Then 85 proposals were sent to the National Academy of Sciences for detailed evaluation where the number was reduced to six. It is all in the authorization hearing volume before you. It is all marked, if the Senator would like to look at my copy of the volume.

Mr. MAGNUSON. They had no comparison of the costs of operations compared with sites that were eliminated.

Mr. HICKENLOOPER. Yes, the costs of operations are listed in here.

Mr. MAGNUSON. The costs of the other five?

Mr. HICKENLOOPER. Including these other five that are no longer in the running. The estimates are all here, Mr. President. It reminds me of a couple of lawyers trying a damage suit. You can go out and get a specialist, a doctor, an expert witness, to come in and testify on your side any time you want to, so long as you pay him, and he will testify that you have a bad back or a broken vertebra, and the expert on the other side will say you do not have it. It is quite a game.

We can get private estimators to come in and estimate when our own side does not win on a thing of this kind. But as far as I am concerned, the State of Iowa was in the running, too. We thought we had an excellent location. We had air transportation, we had water transportation, we had railway transportation north, south, east, and west, and everywhere else. Minnesota was in, Michigan was in—all the rest of the States were in this competition.

Mr. President, I believe the chairman of the Joint Committee has already described H.R. 10918 in general terms. I

support this legislation, and believe it represents a prudent authorization for essential national defense and civilian atomic energy programs.

Concerning the AEC's nuclear weapons program, the Joint Committee very carefully considered the AEC's budget and has recommended a relatively small increase in the total request. I might add that there are some of the committee who believe that this increase should be even more. In any event, we have acted because of our concern that the AEC, in order to carry out its essential weapons development and production program might be forced to use for this purpose a significant portion of the funds which would otherwise go to maintaining technological progress. Obviously if such progress is not maintained the future may witness not only a narrowing of the quantitative edge in nuclear weaponry that we presently possess, but a lessening of our qualitative margin as well. I might add, incidentally, that last year the Joint Committee recommended, and Congress approved, an addition of $10 million to the Commission's authorization request for its fiscal year 1967 weapons testing program. Despite this increase the AEC subsequently found it necessary to ask the Congress for added moneys for the testing program. As a result, an additional $20 million was appropriated to the Commission for its weapons program.

Turning to another aspect of the AEC's budget—the Plowshare program—I would like to call attention to some significant portions of our committee's report. While approving the full amount requested for operating expenses in fiscal 1968, we noted our deep concern that planned Plowshare excavation experiments have not been conducted.

Two experiments planned in this connection were not carried out in fiscal 1966. Again, in fiscal 1967—despite the expenditure of nearly $6 million for excavation experiments—no cratering experiments were executed. Approximately $2,000,000 has been totally wasted in getting ready for the Cabriolet cratering event. A hole for this event was dug, the device was emplaced and on February 10, 1967, the event was postponed "in order"—in the words of the executive branch—"to avoid any possibility of complicating the current discussions concerning a Nonproliferation Treaty." Shortly thereafter the President informed the 18-Nation Disarmament Conference considering the Nonproliferation Treaty in Geneva that—

> The United States is prepared to make available nuclear explosive services for peaceful purposes on a nondiscriminatory basis under appropriate international safeguards. We are prepared to join other nuclear states in a commitment to do this.

Quite apart from the apparent inconsistency of these actions—offering to other nations something which is not now available while at the same time and in the context of the same nonproliferation treaty negotiations postponing the effort to develop the promised technology—the committee is disturbed by the overly strict interpretation which the executive branch continues to place upon the Limited Nuclear Test Ban Treaty. Despite assurances given to the Senate in 1963, prior to ratification of the treaty, that plowshare cratering experiments could be performed notwithstanding existence of the treaty, no such experiments have been conducted since early 1965 although several were planned. It is abundantly clear to the Joint Committee that if we do not actively pursue the development of this technology, we will not be able to make it available to anyone—even ourselves. The Soviet Union, meanwhile has conducted a vigorous underground nuclear testing program, and it is believed that some of these tests have been for the purpose of developing nuclear explosives and techniques for civilian application. Several underground events detonated by the Soviets have produced radioactivity that was detected in the atmosphere beyond the territorial limits of the Soviet Union. The committee indicated last year that detection by sensitive instruments of a few radioactive atoms which have vented from an underground explosion does not, in our opinion, constitute a violation of the Limited Nuclear Test Ban Treaty.

Since the date of the President's announcement a number of nonnuclear nations have indicated interest in being able to use the nuclear explosive services which the President has said the United States would be prepared to make available for peaceful purposes. In view of this interest it would seem that a concerted effort on our part to develop the underlying technology would be in direct furtherance of our announced goals relative to the nonproliferation treaty.

I wish now to address myself once again to that portion of H.R. 10918 dealing with the 200 Bev accelerator. This project has probably aroused more interest than any other in the AEC budget. This is due to the widespread publicity surrounding selection of a site for the facility, and more recently the opposition to locating the plant in an area without an open housing statute on the books.

Concerning the selection of this site, I believe that the choice was made after full consideration of the advantages and disadvantages of all the locations that were proposed. As I said before, I was very disappointed that a site which had been offered for this facility in the State of Iowa was not selected by the National Academy of Sciences Committee as one of the six sites recommended to the AEC for final consideration. Nevertheless, I believe that the midwestern region of our country generally will benefit by placing the accelerator in the Illinois site. Of course, one of the major attractions of this site is its easy accessibility to users throughout our country and, indeed, the world.

In my opinion, the issue of open housing legislation—as it applied to selection of a site for the 200 Bev accelerator—has been blown up out of all proportions. Congress is being urged to disapprove this facility simply because the State of Illinois has not decided to pass open housing legislation. If we were to accede to this request, we would be setting a precedent that would be most dangerous and inappropriate.

My own State of Iowa has enacted an open housing statute. I am not, therefore, making my argument for parochial reasons. However, it is significant to me that—notwithstanding the size of the AEC's budget and the many important construction projects it contains—not one voice has been raised to our committee protesting the location of a facility in a State without open housing legislation, except for the 200 Bev accelerator. I can assure you that not all the States in which the AEC will be constructing projects authorized this year currently have open housing legislation on the books. Therefore, why should we single out the State of Illinois for discriminatory treatment? I say we cannot do this, whatever may be our personal predilections about the desirability of that State passing open housing legislation, particularly since the U.S. Congress has not seen fit to pass such a law.

I do not want my words to be misinterpreted to mean that I am not concerned with the climate of equal opportunity surrounding Federal installations. As a matter of fact, in considering the six sites recommended by the National Academy of Sciences, the AEC did announce that certain commitments on equal opportunity would be expected from the successful site. After the Illinois site was picked, the AEC proceeded to obtain these commitments, which covered a broad range of factors—such as employment, housing, education, municipal and community facilities, and police-community relations.

I believe the AEC was adopting the right approach in reviewing all of these factors, rather than focusing all its attention on just one item—the existence or nonexistence of an open housing statute. This was the approach recommended by a variety of Federal agencies which the AEC contacted on this matter. What is more important, however, is the fact that the AEC never took the position that the issue of equal opportunity or any of its aspects would be given primary consideration over all other matters in selecting the accelerator's site. Certainly the Commission never said that open housing legislation was a condition precedent to selecting a site. The Commission, and properly so, considered a whole host of factors in reaching its decision.

Finally, I think every Senator should remember that this facility is not going to be built in a day. It will take 7 years for the 200 Bev to become operational and it will function for many, many years after that. Much can happen during that time. Just a few days ago the city of Wheaton, Ill., the county seat of Du Page County—where the accelerator would be located—passed an open housing ordinance. Wheaton is a city of approximately 27,000 people and it is located about 6 miles from the 200 Bev site. Yesterday, I understand, Joliet passed an open housing ordinance. Enactment of these ordinances will insure that there will be a large housing market legally available on an open housing basis for employees of this installation. It has been estimated that there are between 800 and 1,600 sales of homes an-

nually in the Wheaton area. I have not learned how many homes might be involved in Joliet. Of course, other local communities may well follow the lead of these two communities.

Mr. President, when this bill was considered in the other body, every member of the Joint Committee on the House side supported the committee's recommendation to authorize $7,333,000 for the 200 Bev accelerator at the Illinois site. When a motion was made to delete this project, only seven Members of the other body voted "aye," against 104 "noes." I believe the House was correct in defeating this motion; to have approved it would have set a precedent that would haunt Congress every time a project is to be authorized, regardless of its purpose. I urge the Senate to approve H.R. 10918 without amendment.

Mr. President, I would like to add a point to my remarks relating to the 200 Bev accelerator. Within a radius of approximately 250 miles from the location of this accelerator, which was considered to be the best location in the United States for it, nearly 50 percent of the Ph. D.'s are produced in the United States each year. They go elsewhere simply because the east coast and the west coast have succeeded, by some legerdemain, in capturing these rather important installations—and sometimes, I may say, not to the advantage of the scientific programs. But for some reason or other they have succeeded in claiming those installations for their areas.

This installation is not located in my State, and I am sorry it is not. We have, in my State, two great scientific schools that have turned out numerous graduates with physics and scientific degrees. They are recognized all over the world.

But after about 3 years of careful analyses of all of these locations, the Atomic Energy Commission sifted the possible locations to six. While I have not always agreed with the Commission on every particular—I have had my disagreements with them—I think they are honest; in fact, I know they are intellectually honest, in their own minds, and they have a high degree of competence. After getting the best advice they could possibly get in this country, and probably abroad, from foreign technicians, the time came for sifting down. Finally, they sifted down to six States, and they chose the six, much to the discomfort of some of us who would have liked to see our own States included among those six. Then they sifted the six down, and picked this area in Illinois.

I do not think that any tool is more essential for the advancement of science and the projection of man's knowledge into the unknown than this accelerator. This is to be the biggest, most powerful accelerator in the world. It will unlock secrets we do not even suspect now—at least those of us who are laymen.

I have been a member of the Atomic Energy Committee for about 21 years. I have rather grown up with this problem—not of the accelerator program alone, but I have grown up with the issue from the time it was only, so to speak, a gleam in its father's eye. I have seen the accelerators built. I have seen some of the results that they have not only anticipated, but have proved, and I know some of the things that they feel certain they can prove and establish, so far as future progress is concerned, with the tremendous accelerator that is proposed to be located in Illinois.

To the Senator from Rhode Island, I am sorry to say I believe this is the first and only disagreement we have ever had on the question of an atomic energy program, after it has come out of the committee. We have had, perhaps, some little disagreements in the committee; but when it came to final voting, we have always, some way, ended up on the same side. We have ironed our differences out and come to an agreement, and on the final votes, have always agreed.

So I am sorry we have to disagree on this. I know the Senator feels very deeply about the problem, and I can see that from his standpoint it is probably a social concern which touches him deeply. We all know how deeply he feels about the matter.

My own State has an open housing law, so it is not a question that we are not in sympathy, or beyond the pale, on open housing. So far as the State of Illinois is concerned, while that State does not have an open housing law passed by the legislature, there is open housing, I am convinced, in abundance in the area involved, and readily accessible from the site where the project will be built. I am quite convinced that, as they start the structure, additional open housing areas will be established and extended, and probably will extend throughout the State of Illinois. But within the immediate area involved, there is open housing available now.

I am frank to say that so far as I am concerned, I believe in open housing. I would support open housing. We have it in our State. But whenever the Federal Government comes into my State and holds a club over my head, if I were a member of the legislature, my tendency would be to say, "Take your proposition and go some place else, if you are going to blackmail me into this with some kind of an official club." I do not think that is the way to do business.

This project is located in perhaps not the greatest, but one of the greatest, concentrations of scientific talent and ability that we have assembled in this country. It has been determined to be the best location in the United States for this great essential tool for unlocking further secrets in the future. That is exactly why I can support it with vigor. It will be accessible to our scientists from all over the country, and especially those from areas immediately surrounding the State of Illinois.

Yes, Illinois has had a lot. They have had the Argonne Laboratory, and many other things. We would have liked to have had them in Iowa, because we do not get anything in the State of Iowa. The Federal Government has passed us up quite consistently. Every time we want anything, we just do not get it, that is all. But we do want it to be located with some proximity to where our people can use it, and we in the Middle West want to be of assistance to the great scientific community of the world, that can make use of this facility for peaceful purposes.

I do not feel, myself, because we did not get it in the State of Iowa, like the boy who left the baseball field with his ball and glove and said, "If you don't play according to my rules, I will take my ball and glove and go home, and take my bat along with me."

I want to see this great science advance, and I want to see it advanced by the location of this great accelerator at the place that competent people have said is the best location of all, though I perhaps would be glad to see it located in some other place—Iowa—if I had my choice in the matter.

I emphasize again what has been emphasized two or three times before. With regard to the claim that this has only educational value, there is a great deal to be said for the argument that it has only educational value. But, what is everything in this program except education? What has developed from the entire atomic energy program except education, using the tools that are at hand, and learning more and more about the laws of nature and about science.

That is exactly what this accelerator will contribute to in the future.

This is speculating a great deal into the future. I cannot look too far into the future and I do not know that anybody can. However, I think it is entirely possible that the whole destiny of this country, so far as the western civilization is concerned, may well depend on what we learn.

That is in the not too distant future. It will depend on what we learn from the research work of this 200 Bev accelerator. And we had better well be getting at it and learning what secrets can be unlocked by this accelerator.

Its objective is to learn more about the basic facts concerning the forces of the universe.

The early accelerators—our so-called atom smashers—such as the cyclotron at Berkeley in the thirties and forties contributed a great deal. We cannot overestimate what they did for us in our attainment of leadership in the nuclear age.

The country's first plutonium came from an accelerator. Without the ability to study the properties of this fissionable material, the development of our first nuclear weapon, which used plutonium as the key ingredient, might well not have occurred or may have been seriously delayed.

It was the accelerator, the atom smasher, that pointed the path to this development. And this 200 Bev accelerator is tremendously great in its ability to unlock the secrets of nature than anything we have now or anything that we will have in the world for a long period of time. It may be the one key that opens the door to continued superiority of the United States in this field.

We had better be getting on about our business. Open housing will take care of itself in this area of Illinois. It already has started to take care of itself without a State law. Ample open housing exists in that area. And, believe me, when they start building, open housing will take care of itself.

Downtown Chicago is only 30 miles from this place. Joliet is 20 miles. Wheaton is 6 miles. Glen Ellyn has de facto open housing right now.

I am told that several of these towns, possibly Aurora, which cannot be more than 8 or 9 miles from this place has de facto open housing. Several of these large towns will without doubt pass their own opening housing laws in the immediate future.

There will be plenty of open housing there. However, the point is that we will be getting on with this work. We will be starting work leading to the construction of a plant with very little time to waste in this race for continued scientific superiority.

I have a letter here addressed to the senior Senator from Rhode Island as chairman of the Joint Committee on Atomic Energy. It is signed by Robert Rathbun Wilson, Director of the 200 Bev project. I would like to have this letter printed in the RECORD.

Mr. PASTORE. The Senator has my permission. It is a very fine letter.

Mr. HICKENLOOPER. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter addressed to the senior Senator from Rhode Island [Mr. PASTORE], as chairman of the Joint Commission on Atomic Energy. The letter is signed by Dr. Robert Rathbun Wilson, who is director of the National Accelerator Laboratory in charge of the 200 Bev accelerator. I also ask unanimous consent to have printed at this point in the RECORD the enclosure that was sent with this letter, a telegram that Dr. Wilson sent to 16 key members of the Illinois Legislature. It concerns open housing. Dr. Wilson states that he favors open housing and will work toward its attainment but nevertheless believes that this project should be established and started at once as part of our scientific program.

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

NATIONAL ACCELERATOR LABORATORY,
Oakbrook, Ill., July 6, 1967.

Hon. JOHN O. PASTORE,
Chairman, Joint Commission on Atomic Energy, The Congress of the United States, Washington, D.C.

DEAR SENATOR PASTORE: I am writing this letter as the Director of the National Accelerator Laboratory at which we hope to build the 200 BeV accelerator. That the State of Illinois has not this year adopted open housing is a deep disappointment to me and to my colleagues who have come to Illinois to help build the machine. We believe that such legislation is essential to diminish the injustices to Negroes and to help overcome one of their severe problems. For the National Accelerator to achieve its full potential there must be an environment in which all races are treated fairly and in which all people can work and live with dignity. Thus I was delighted to learn that the nearby city of Wheaton has passed local legislation in this regard. We are encouraged to be hopeful that other local communities will take similar positive actions.

Those of us who have become members of the Laboratory have taken a strong stand for open housing by such actions as sending telegrams and letters to key state legislators and to political leaders urging the need for prompt action on such legislation. A copy of one of our telegrams is enclosed. If the Laboratory is allowed to continue its existence, we intend to increase our advocacy of open housing and of similar legislation that is needed in Illinois as it is in many other states. As you are probably aware, remarkable progress has been made in the Hyde Park area near the University of Chicago in solving problems of achieving a truly integrated neighborhood. We expect to draw on the same people and on their experience in solving our problems near Weston.

It will be my firm policy at the National Accelerator Laboratory to adopt procedures which will, insofar as possible, ensure integration within the Laboratory and which will encourage the adoption of nondiscriminatory practices in the communities immediately surrounding the new Laboratory. For example, in aiding employees in their search for housing, the Laboratory will provide a listing of available rentals and purchases. This list will include only such units as have been established to be available on a nondiscriminatory basis.

Scientists as individuals and as a group tend to be strong proponents of Civil Rights Legislation. We who came to Illinois on June 15 to begin to design and, hopefully, eventually to build the accelerator believe that indeed it is urgent that the machine be built. Our actions in resigning our positions at Universities and Laboratories, and in moving our families to this area, are indicative of the strength of our interest and of our willingness to get on with this job. We do feel that a delay of even one year would be of tragic significance for the project. We have come here in spite of the recent uncertainty injected by the open housing question in order to save even a few months—months that are especially valuable for us to be able to come to you with adequate plans for full authorization of construction in FY 69. We are also trying desperately at this time to reduce the time of construction from seven to five years. The very fact that the project has already been subject to unfortunate delay makes prompt action especially urgent. We also believe that maintaining the project will aid rather than penalize the cause of Civil Rights in Illinois.

I am greatly impressed by the way in which scientists from all regions of our country have been willing to come to Illinois to help us with the work of establishing a single great accelerator. This is in spite of the implication that a sacrifice must be made in many cases of their own plans for additional regional instruments. They have been working very hard and with full enthusiasm on the new plans for the Illinois site. We are making progress and I am now confident that we will be successful in devising a plan for an excellent facility. The recommendations of the Joint Committee that we study the possibilities of constructing the accelerator with the option of later increasing the energy to 300 BeV or higher is proving to be particularly fruitful. We are also calculating costs for various intensities in order to provide the basis for a sound decision between various alternatives.

I most sincerely hope, despite this disappointment in the action on open housing, that enough progress will have been made so that you will be able to lend your support to the National Accelerator Laboratory's program through which all of us can continue to contribute to this field of intellectual activity—and activity which eventually will take its place as an important part of the American cultural heritage.

Respectfully yours,

ROBERT RATHBUN WILSON,
Director.

TELEGRAMS SENT TO 16 KEY MEMBERS OF THE ILLINOIS LEGISLATURE

In our positions as directorate of the new National Accelerator Laboratory at Weston we are deeply concerned that those in the State Senate who oppose open occupancy legislation may not fully understand the impact of their actions on this important National venture and on the State of Illinois.

This State, through its own far-sighted and aggressive self-advocacy, has been selected to be trustee of one of the world's most exciting scientific projects. We believe that Illinois fought for this new Laboratory not for the fifty million dollars that may be its annual operating budget. Rather we believe that the agents of the State foresaw the potential of this basic research activity to attract some of the nation's outstanding scientists.

The presence of men of this calibre can greatly enhance the intellectual climate of the region and can stimulate increased technological activity. However such men tend to have strong feelings about the environment in which they live. Already we are facing serious recruitment problems resulting from the antagonism that has been displayed toward open housing legislation and from the uncertainty and unpleasantness generated by the conspicuously negative manner in which the State Senate has treated this important problem.

We believe that the full success of this project will be jeopardized if we are unable to recruit the very best people. We further believe that the State's goals in its battle for this laboratory are being seriously compromised by recent Senate actions. Finally we believe that even worse than not winning the contest for the site for this Laboratory would be the stigma of winning the site but causing the project to fail or to fall short of its goals. Surely such a failure would seriously handicap any future attempt of the State to win other projects of this kind.

NATIONAL ACCELERATOR LABORATORY,
ROBERT RATHBUN WILSON,
Laboratory Director.
EDWIN L. GOLDWASSER,
Deputy Director.

Mr. HICKENLOOPER. Mr. President, from the standpoint of costs, among other things that were taken into account were labor costs, power costs, and water problems. The overall reasons for the selection of Weston were operating costs, construction costs, and the proximity to the fine universities of the Midwest. All of those matters have been taken into account, evaluated, and thrown into the hopper by a very high level group, the National Academy of Sciences. Out of that hopper has come this evaluation which takes into account all facets of this situation and comes up with this answer.

Mr. President, I point out that of the 18 members of the Joint Committee on Atomic Energy, only three members are opposed to the report of the Joint Committee. And those three members have signed the separate views of the report.

It is interesting to note that all three members come from the eastern seaboard which was very hopeful of getting this plant located on the eastern seaboard.

Mr. PASTORE. Senator JACKSON is from the west coast.

Mr. HICKENLOOPER. The west coast. The Senator is right. The Senator is one-third right, and I am two-thirds right.

But it is interesting to note that the objections came from certain areas that have been hopeful that they would get this project. I do not blame them. I do not criticize them at all. But I do not believe that the desire for a geographical

location alone should override the considered judgment of the scientific fraternity of this country, engaged in the atomic energy program.

Mr. PASTORE. Will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. PASTORE. The Senator from Rhode Island has never taken that position. I have always taken the position that the Weston site should not be changed, but that these irritating issues should be settled. That is why I asked for the delay. I find no fault with the geographical location. I said that the selection of the site was an administrative function to be performed by the executive department, and I would not infringe or impinge upon it.

As far as the Senator from Rhode Island is concerned, this is not a vendetta; this is not a question of sour grapes. Naturally, there is a little disappointment with some because the project did not go to Brookhaven. I understand all the reasons for it, and I am not seeking to change the Weston site. It is only a question of changing conditions that are complex, irritating, and disturbing to many people.

Mr. HICKENLOOPER. I will say this for the Senator from Rhode Island—I think perhaps he has taken that position. I certainly will take his word for that. But if he has taken that position, it would be characteristic of his fairness of attitude with respect to the location of atomic facilities in areas which will best serve the atomic program. He has always taken that position, and I am not at all surprised that he takes that position with regard to the location of this project.

I will have to retreat, then, from my other statement, that this becomes a social argument in connection with certain requirements as prerequisites or interpreted as prerequisites.

I believe the question of water and its availability has been amply covered, the question of power has been amply covered, and the other factors that go into the selection here have been amply covered.

I have a great many notes, Mr. President, but I shall not burden the Senate any longer. I hope that, in the interest of the speedy advancement of this science, and in the hope for continued superiority of the United States in its reaching for the great, new, and unknown laws of nature, we will get on with this matter as quickly as we can, and that we will appropriate this money.

I have no doubt that open housing will take care of itself and that the United States, if it is given the chance, will take care of itself in the atomic energy program and in its future.

(At this point Mr. SPONG assumed the chair.)

Mr. BROOKE. Mr. President, I rise to speak in support of the amendment offered by the distinguished senior Senator from Rhode Island.

Executive Order 11063 and title VI of the 1964 Civil Rights Act require that Federal agencies plan and execute all programs in a manner offering maximum opportunity to all citizens. As the President repeatedly has noted, the relationship of housing to job opportunities is clear, direct, and crucial.

The Federal Government should not condone racial discrimination by rewarding it with Federal grants. The State of Illinois should not benefit from a multimillion-dollar atomic power installation when it is unwilling to open community housing to Negro citizens who will live and work there.

The exercise of the economic power of the Federal Government is a perfectly proper way to demonstrate our true commitment to progress in guaranteeing equal rights and opportunities. The Federal Government should put its money where the principles and guarantees of the Constitution and laws are respected.

Mr. President, I am a great believer in the value of our federal system. The States should take the lead in assuring that their citizens receive the full measure of their constitutional benefits. And those States which have done so are to be commended.

But delay by a State, or complete refusal to act at all, should not compel the Federal Government to continue to abstain. When a State chooses not to insure that its citizens will receive the benefits guaranteed them by the U.S. Constitution, this is the time at which it is most imperative for the Government of the United States to act.

I am aware of the fact that Weston, the community which has been recommended as the site for the facility in question, has adopted its own open-housing ordinance. I applaud this, and I regret whatever economic or other damage may be visited upon Weston because of the refusal of the remainder of the State of Illinois to follow its example. However, we must deal with this problem in practical terms. A project of this nature will bring millions of dollars to the Illinois economy. It will bring a multitude of new Federal employees to dwell within the State. Comparatively few will reside in Weston. Weston will reap a relatively small profit from this project. People will seek to live in many communities which do not guarantee equality in housing opportunities. Many cities and towns which do not promise open housing will reap the benefits of such a decision. The sound ordinances of Weston will be of no effect in neighboring communities which have failed to adopt such ordinances. This is a subject which can only be handled by the passage of State legislation and by the strong enforcement of such laws. Illinois has not only failed to act in the past but has yet to take even the first steps in this direction. It has in fact, only last month, served notice of its continued refusal to do so by defeat of a proposed fair-housing law.

The State of Illinois had in fact been warned that its refusal to act to implement the constitutional guarantees of equality for all of its citizens could result in the loss of this very project. On April 12 of this year, Chairman Seaborg of the Atomic Energy Commission appeared in the State of Illinois at the invitation of Governor Kerner and made the following comment:

> There is no question in our minds but that the issue of housing discrimination will be debated when the Atomic Energy Commission authorization bill goes to the floor of Congress within the next few weeks. Those offering and defending authorization of the project *will need all of the evidence of positive action to eliminate discrimination in housing they can obtain.* Frankly, at the moment, the AEC has little to offer. The commitments sought from communities in the Weston area have failed to materialize . . . You may also ask if it is actually feasible to move the site from the state of Illinois. Political issues aside, it certainly is feasible to move the site.

Thus, the Atomic Energy Commission is clearly on record to the effect that the failure to make progress toward the goal of fair housing for all citizens could well result in the loss of this project. Despite this warning, Illinois still refused to act.

Mr. President, it has been suggested that passage of this amendment will lock Congress into a policy of eternally rejecting the claims of States which have yet to adopt open-housing legislation. This is simply not true. Each award of a project should be examined on its merits. The national interest in placing a particular facility in a particular State should be considered. The progress made by a State in combating discrimination should be one of the factors weighed in the balance. In the case of Weston, I believe that the failure on the part of the State of Illinois to act upon the opportunity to adopt fair-housing legislation outweighs the positive reasons for creation of the facility in this area.

Mr. President, much has been made of a resolution adopted by the board of directors of the NAACP approximately 1 year ago, in which the directors declared that they had no preference among the six communities which were receiving final consideration for the award of the proton accelerator project. This resolution was based upon a recognition that racial discrimination existed in each of the communities involved and that a choice among them was little more than a "choice of poverty." Far more recently, on June 16, 1967, Mr. Roy Wilkins, executive director of the NAACP, wrote to Dr. Glenn T. Seaborg, Chairman of the Atomic Energy Commission, as follows:

> Since Illinois Senate today voted to kill fair-housing bill, NAACP calls upon Atomic Energy Commission to revoke award of atomic installation to Weston, Illinois on ground the state has no guarantee in law against racial discrimination in the sale or rental of homes. . . .

It is obvious that the year-old resolution of the NAACP has been superseded in light of the recent refusal of the Illinois Legislature to adopt fair-housing legislation, and that the NAACP is now strongly on record in opposition to location of the facility in question in Weston, Ill.

Mr. President, we have a chance to make a fresh start. In answer to the distinguished senior Senator from Tennessee, we are not trying to uproot a facility which has been operating. We are not casting reflections upon previous decisions. This is an opportunity to assure that a new project will be constructed in

accordance with the philosophy of the Civil Rights Act of 1964, not in opposition to that philosophy.

I am well aware that there are a large number of projects already located in States which have yet to adopt even the most rudimentary kind of fair-housing legislation. A few which are frequently mentioned are Cape Kennedy in Florida, the Redstone Arsenal in Alabama, and the TVA projects in Tennessee, Alabama, and Kentucky. Even the Pentagon in Virginia falls into this category.

This is an unfortunate situation, but adoption of the philosophy upon which this amendment is based will in no way interfere with the continued operation of these facilities. I must add at this point that these projects which are so frequently mentioned were all constructed long before the statement in the 1964 Civil Rights Act that the Federal Government would no longer tolerate discrimination in projects for which it was responsible. We are not attempting to correct past mistakes. We are attempting to insure that these mistakes will not be repeated in the future.

Mr. President, it is past time that the Federal Government took the initiative in the struggle to achieve equal rights for all Americans. Today we have a golden opportunity not to talk about implementing our commitment to equal opportunity for all Americans, but to act. It is an opportunity for the Senate to let business, industry, and the country know that fair housing is a sina qua non for all future projects of the Federal Government.

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

Mr. BROOKE. I yield to the distinguished Senator from Illinois.

Mr. PERCY. Mr. President, I wish to commend the Senator from Massachusetts for his forthright statement on the position he takes. I share with him many of the expressions he has made. I would like to comment on one point.

The Illinois State Legislature has been maligned in this Chamber today and has been pointed out as having failed of its duty. I think it would be unfortunate if I did not make it perfectly clear that not only has the Illinois State Legislature, both in the house and in the senate, worked in a number of committees to present bills on the floor, but also the House, under the Republican leadership, overwhelmingly supported an open occupancy bill and reported it. The Senate did consider on the floor, at least, open occupancy legislation, but it was regrettably voted down.

When we in this body voted down and did not make possible the passage of the bill that was voted out of the House of Representatives, and when we in 1967 have not brought forth from committee, in either the House of Representatives or the Senate, an open occupancy bill or civil rights bill to redress many wrongs that are apparent in our country today through discrimination, and senseless discrimination, we should point to the fact that the Illinois State Legislature is composed of human beings, as is any other legislature.

This matter has been presented and debated in the Illinois Legislature and the leadership, at least, has voted for legislation to take care of the situation locally; they would like to do it on a State level rather than a Federal level. We have made great progress at the community level, which is the level closest to the State.

Mr. BROOKE. All that the Senator has said is true. The Senator from Massachusetts is well aware of the fact that the Illinois House did report open housing legislation and that it was defeated by the senate in that State. However, the fact remains that this is a new project. We are not now dealing with projects which were granted by the Federal Government prior to the 1964 civil rights legislation and prior to the policy which was adopted by the Federal Government, that there be open housing where Federal projects are concerned.

Illinois was well aware of this fact. The State government knew at the time it defeated open housing legislation that Illinois was being considered for this particular project. It further knew of the 1964 Civil Rights Act and the subsequent policy of the Federal Government. In the face of this knowledge, the Senate of the State of Illinois defeated open housing legislation. It would seem that they were saying, in effect, "We do not care if we do not get this particular project. It is more important to us that we do not have open housing in the State of Illinois." This, of course, does not apply to the house, but it does apply to the senate, and as a result it applies to the legislature because legislation was not passed in June of this year.

Therefore, they are, in effect, asking the Federal Government to turn its back on a change in American society which has been coming for a long time, to turn its back on the 1964 Civil Rights Act and all that it has signified, and to reward the State of Illinois for doing the same.

We are not only talking about the towns of Weston and Wheaton, for these are relatively small towns. We know they will not accommodate all of the people who will have to go to live in Illinois in order to participate in this project.

Negroes living in ghettos in Chicago, if they are able to obtain jobs in this project, will have to travel the long road to get them. Travel is expensive, and the expense and inconvenience will deprive many of them of the opportunity to get these jobs. The vicious cycle is repeated over and over again.

To argue that it might affect the TVA, or projects in Florida, or other States, where installations were developed before 1964 is an unfortunate and specious argument, because we are talking about new projects and a new policy that should be in effect in this country.

I am very hopeful that the amendment will be adopted. We have an opportunity, and we should avail ourselves of it, to insure that Federal money shall not be spent on projects which will not give to all Americans an equal opportunity for the jobs created, and the equal opportunity to live in housing in the vicinity of those jobs.

I am certainly sympathetic to the other issues which have been raised by the distinguished Senator from Illinois, because I know how he feels about civil rights legislation. I know how much this project means to the State of Illinois. But I think the principle here is such an important one that we certainly should, at this time, take the opportunity and see that Federal money, from this day forward, does not go into areas where there are no open housing laws already on the books.

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

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

Mr. PERCY. Does the Senator, then, intend to introduce today an amendment to the bill to take out the authorizations upon which we are to vote today for Project 68–4–g, laboratory energy storage facility, Los Alamos Scientific Laboratory, New Mexico, for $8,500,000; and for the Los Alamos Scientific Laboratory, New Mexico and Nevada Test Site, Nevada, for $2 million? Should we then go through and take out Project 68–1–b, Replacement Storage Tanks, Richland, Wash., for $2,500,000, if we are to carry out the principle of the distinguished Senator from Massachusetts who said, "from this day forward," that we should approve no projects that do not have open occupancy legislation?

Mr. BROOKE. All of the projects to which the distinguished Senator has referred are in existence at the present time. I am talking about new projects which are to be started, such as the one in Weston, Ill. As the Senator from Massachusetts interprets the legislation—and I may be corrected by the distinguished chairman—it is my understanding that these other projects are, or have been, in existence for a period of time. If I am in error, I should like to be corrected.

Mr. PERCY. I have just been advised by my technical assistant that these projects were not in existence, that they do not differ in degree, then, from the project in Weston. If the principle the Senator from Massachusetts has enunciated is to be carried out, then he should be introducing amendments at this time for those projects.

Mr. BROOKE. The Senator from Illinois mentioned Project 68–1–b, replacement waste storage tanks, Richland, Wash., $2,500,000. Certainly the replacement of waste storage tanks must be for a project already in existence.

Mr. PASTORE. Mr. President, will the Senator from Massachusetts yield at that point?

Mr. BROOKE. I yield.

Mr. PASTORE. The establishment is there. This may be somewhat of an enlargement to accommodate what is already there. But insofar as employment is concerned, the people are already living there. It may be a good or a bad situation. I do not know. However, I think the Senator from Massachusetts made a very cogent distinction. The project at Weston will be brand new. Therefore, we should be putting our best

foot forward. Let us put it on firm ground and do what needs to be done to carry out the philosophy of the civil rights law of 1964 when it was adopted.

Mr. BROOKE. I thought I made it quite clear that I am not suggesting that the Government not appropriate any more money, say, to Cape Kennedy in Florida, or that the Government not appropriate more money for the TVA project in Tennessee. I made that clear. I am not suggesting that at all. I am merely distinguishing the two, in saying that this will be a new project in Weston, one which has never been started, one on which many States in this country placed bids. I am saying that the awarding of this project should not be made to any section of the country, to any city or any town, where there are no open housing provisions.

Mr. PERCY. I think that one of the factors we seem to be missing is the principal argument of the Atomic Energy Commission, the Site Selection Committee, and certainly the Joint Committee on Atomic Energy, in its overwhelming vote, to support this project, the point that they have continuously made, that the project is in the national interest and that we should select the site where the project can be best carried out.

One of the controlling reasons, one of the concluding arguments, and certainly the most important argument for placing it at Weston, is that it is readily accessible to Argonne National Laboratories which has been long established, and that it will be a complete intermixture of these communities as to technical knowledge, libraries, computer facilities, and access from one facility to the other. That certainly was one of the major factors which led us to the conclusion that Weston was unique in its qualifications to carry forward this project, and that since it was in the national interest, that the project should be located there.

Of course Illinois wants the project. Of course we, along with every other State in the Union, sought the project. But, actually, the project sought the location. We did not invent the idea of an accelerator. That thought came from the scientific community. The Atomic Energy Commission announced that it was about to find a site and they wanted to find the best site possible. There is no question, and no argument has been made that could diminish the fact that the combined resources of the communities in Illinois, in the Chicago area, offer the best resources for this project to be carried forward in the national interest. I therefore believe that the pending amendment should be defeated.

However, at the same time, I say that with the defeat of this amendment and approval of the project for Weston, we will not cease our efforts to move forward in offering opportunities for equality of opportunity in housing throughout the State of Illinois.

Mr. BROOKE. Does the Senator intend to convey the impression that Weston, Ill., is the only site which can adequately do the job?

Mr. PERCY. Not at all. I simply say that the evidence is overwhelming that it is the best site. It is exactly what the Commission set out to establish when it began to investigate sites. Why should we take a second best site, if Weston is the best site for one of the most important instruments ever to be developed and built in this world?

Mr. BROOKE. I am sure that the Senator is well aware that there was a site committee and that the committee made an exhaustive study—I think the study lasted some 9 months—and that there were several classifications. Finally, the number of sites was narrowed down to six. At the time the committee made its final report on these six sites, of which Weston was one, the committee was also well aware of the policy of the Federal Government as expressed in the 1964 Civil Rights Act, and well aware of the policy of the Atomic Energy Commission respecting open housing.

Now, it would appear that when the committee made its report, open housing legislation was then pending before the Illinois Legislature. The committee had reason to believe that this legislation would be adopted by the State of Illinois but, in fact, the legislation was defeated.

Does the Senator from Illinois have any evidence, any statements, any documents, which would indicate that since the defeat of open housing legislation by the Illinois Legislature the committee has still held out that Weston is the one and only unique location which it must have for this particular project?

Mr. PERCY. I have talked to the Atomic Energy Commission and I have talked over a period of several years to members of the Site Selection Committee. When they reached their final, unanimous report, there was no indication of any kind that, in their judgment, this was not the best site. Now it is true that, on balance, the Commission, members of the Site Selection Committee, and members of the congressional committee, and so forth, would have preferred that Illinois have an open occupancy law. But, I think they very wisely——

Mr. BROOKE. Will the Senator from Illinois yield?

Mr. PERCY. I should like to finish this comment first.

Mr. BROOKE. Certainly.

Mr. PERCY. I think they very wisely did not feel that the existence of the law would insure or guarantee equality of housing or lack of discrimination because, better than anyone, the Senator from Massachusetts knows that in those States where there are laws now—in 20 States—there still exists discrimination, and there still exists inequality of housing. There is not a single site of the other sites within the area where one could not find discrimination in every town, in every village, in every community surrounding any one of those other sites.

In fact, in the State of New York open occupancy legislation has been in effect for years. Yet when African delegations came here to represent their countries in New York, there was such widespread discrimination that it was necessary for Ambassador Stevenson to set up a special committee, with representatives of the Governor, the mayor, and the United Nations, to work not just within the framework of the law—because the law was not working—but to work, just as we are working in Illinois, whether we have a law or not, to remove every vestige of discrimination. But there is discrimination, as the Senator well knows in many of these communities. For that reason, the commission very wisely said that one of the factors was that they would have liked to have had a law. It would have made it easier. It certainly would have made it easier for the Senators from Illinois. There is discrimination every place, but there is no more discrimination in Illinois without a law than in other places with a law.

Mr. BROOKE. Is the Senator suggesting that because there is discrimination in the 20 States that have open housing laws on their books, that this is a reason for not enacting open housing legislation?

Mr. PERCY. Not at all. I would hope to see it in every one of the 50 States. I would like to see it in every local community, because ordinances would be far more effective and far more easily implemented than legislation that comes from a higher order of government, further removed from the people of that community. But I say that, notwithstanding the fact that there are States with open housing legislation, there is not an iota of evidence to prove those laws have removed discrimination. In fact, an Illinois commission appointed by a Democratic Governor studied discrimination throughout the country and came to the conclusion that the existence of such a law did not of itself in any way remove discrimination or other inequalities. It will help, but it is only one of the many steps that must be taken, and it is going to be one of the steps we will take; but, in the absence of it, the State of Illinois is taking many, many other steps.

Mr. BROOKE. Mr. President, one final question. The Senator from Illinois mentioned that the Atomic Energy Commission had stated a preference that there be open housing legislation in Illinois. Does the Senator mean that the Atomic Energy Commission did not intend that it be mandatory that there be open housing legislation in Illinois in order for this project to be granted?

Mr. PERCY. To the best of my understanding, the Commission never took that position. In a visit to Illinois, the Chairman of the Commission indicated a hope that there would be such legislation, but it was never a condition precedent to the granting favorably of one location over another. At no time did the Commission ask for legislation.

Mr. BROOKE. Insofar as the Atomic Energy Commission was concerned, was it not its policy that there be open housing legislation in the State of Illinois as a condition precedent to the granting of this project?

Mr. PERCY. I do not believe so at all.

Mr. BROOKE. Would the distinguished Senator from Rhode Island state at this time just what the policy of the Atomic Energy Commission was insofar as open housing legislation in the State of Illinois was concerned?

Mr. PASTORE. In the original criteria, while they did not use the words "civil rights," they did say "adequate housing" for the 2,000 employees that might be there. Then, later on, the AEC specifically made civil rights an issue in their visits to the sites under consideration starting in April 1966. They also reiterated it again in 1967 in press releases.

One of the primary considerations was electric power. Another was civil rights and nondiscrimination. They clearly made it a prerequisite in that respect. In visiting Denver, Colo., that is one of the questions the Commission asked. As a matter of fact, I understand that is the question they asked in every one of the six sites. So I say again the Atomic Energy Commission raised the issue.

Mr. BROOKE. And they raised the question on every site?

Mr. PASTORE. On every site they raised the question of housing.

Mr. BROOKE. They were trying to assure themselves, then, that every one of these sites would offer open housing, adequate housing, and no discrimination in housing or discrimination in job opportunities?

Mr. PASTORE. That is right, but they did not talk about a law. But it is a remarkable thing that the one State they chose was the only one of the six States that did not have an open housing law.

Mr. BROOKE. The Senator from Illinois has suggested that because an ordinance has been passed in Weston, this would assure adequate housing or open housing as far as this project is concerned. Does the Senator have any information as to what enforcement powers are involved under the ordinance of Weston?

Mr. PASTORE. As a matter of fact, Weston disappears once this accelerator is constructed. So there we have a moot question. But as I indicated today——

Mr. BROOKE. So the ordinance, if the Senator will yield, is of no real value?

Mr. PASTORE. Not insofar as Weston is concerned. But we must go a step further.

On June 29, the House passed the AEC authorization bill. On July 3, Weston passed what I and many other people consider to be a reasonably good open housing law. Only yesterday, Joliet did a similar thing.

The position I took—which is somewhat contrary to the position being taken by the Senator from Massachusetts—was that, while I did not go so far as to insist upon a State statute, I did insist that the vicinity around the project should be of such a character that no one would have any trouble at all in finding housing because of religion, race, or color.

Mr. BROOKE. How would the ordinances pased by Wheaton and Joliet be enforced?

Mr. PASTORE. Like any other ordinance would be enforced. I have the ordinances here. I have not studied them in detail, but I understand from the Joint Committee staff, who have read the Wheaton ordinance, that it is satisfactory. I do not know about Joliet. Since it was pased only yesterday we have not had time to study it.

I have a communication from Governor Kerner, who, incidentally, has been very cooperative. At this time, I ask unanimous consent that the ordinance passed by the city of Joliet, Ill., and the ordinance passed by the town of Wheaton, Ill., be printed in the RECORD.

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

ORDINANCE OF THE CITY OF JOLIET, ILL.

An ordinance prohibiting certain practices in discrimination in housing accommodations because of race, creed, color, national origin or ancestry by real estate brokers

Be ordained by the City Council of the City of Joliet, Illinois:

Section 1: The Code of the City of Joliet is hereby amended by adding hereto the following Ordinance.

Section 2: Discrimination of Policy: It is hereby declared the policy of the City of Joliet in the exercise of police powers for the protection of the public health, public morals, and its power to license and regulate real estate brokers for the maintenance of business and good government, and for the promotion of the City trade, claims, and manufacturing to insure equal opportunity to all persons to live in decent housing facilities regardless of race, creed, color, national origin, or ancestry, and to prohibit discrimination in housing by licensed or unlicensed brokers, real estate salesmen, and agents.

Section 3: Definitions: As used in this Ordinance, unless a different meaning appears in the context, the following terms shall have the meaning ascribed in this section:

A. The term "unfair housing practice" including any difference in treatment in the sale, lease, rental, or financing of housing accommodations because of race, color, creed, national origin or ancestry.

B. The term "housing accommodation" includes any building, structure or portion thereof which is used or occupied or is maintained, alleged, or designed to be used or occupied as a house, residence, or sleeping place of one or more human beings.

C. The term "real estate brokers" means any person required to be licensed under State law or any other person carrying on the business or actions normally done by a broker, salesman, or other employee.

Section 4: Prohibited Act: It shall be an unfair housing practice and unlawful for any real estate broker with regard to any real estate within the corporate boundaries of the City of Joliet:

A. To make any distinction, discrimination or restriction against any person in price, terms, conditions or privileges of any kind relating to the sale, rental, lease or occupancy of any real estate used for residential purposes in the City of Joliet or in the furnishings of any facilities or services in connection therewith predicated by the race, color, creed, national origin or ancestry of the prospective buyer or tenant thereof.

B. To publish, circulate, issue, or display or cause to be published, circulated, or displayed any communications, notice, advertisement, sign or other writing of any kind relating to the sale, rental, or leasing of any residential real property within the City of Joliet which will indicate or express any restriction or discrimination in the sale, rental or leasing of such residential real estate predicated by the race, creed, color, religion, national origin or ancestry of any prospective buyer, leasee, or renter of such property.

C. To refuse to sell, lease, or rent any real estate for residential purposes within the City of Joliet because of the race, creed, religion, national origin or ancestry of the proposed buyer or renter.

D. To discriminate or participate in the discrimination in connection with the borrowing or lending of money, guaranteeing loans, accepting mortgages, or otherwise obtaining or making available funds for the purchase, acquisition, construction, rehabilitation, repair, or maintenance of any residential housing unit or housing accommodation in the City of Joliet because of race, color, creed, religion, national origin, or ancestry.

E. To cheat, exploit, or overcharge any person for residential housing accommodations in the City of Joliet because of race, color, creed, religion, national origin or ancestry.

F. To solicit orally or in writing for sale, lease, leasing for sale or lease residential real estate within the City of Joliet on the ground of loss of value due to the present or prospective entry of any neighborhood of any person or persons of any particular race, color, creed, religion, national origin, or ancestry.

G. To distribute or cause to be distributed written material or statements designed to induce any owner of residential real estate in the city of Joliet to sell or lease his property because of any present or prospective change in the race, creed, color, religion, national origin, or ancestry of persons in the neighborhood.

H. To refuse examination of any listing of residential real estate within the City of Joliet to any person because of race, color, creed, religion, national origin or ancestry.

Section 5: Duties of the Commission on Human Relations. It shall be the duties of the Commission on Human Relations to:

A. Initiate, receive, and investigate complaints charging unlawful housing practices.

B. Seek conciliation of such complaints, hold hearings, make findings of fact, issue orders, and publish its findings of facts and orders in accordance of the provision of this Ordinance.

C. Render from time to time but not less than once a year a written report of its activities and recommendations with respect to fair housing practices to the Mayor and City Councils.

D. Adopt such rules and regulations as may be necessary to carry out the purposes and provisions of the Ordinance.

Section 6. Procedures: Any person aggrieved in any manner by the violation of the provision of this Ordinance shall file a written complaint setting forth his grievance with the Commission on Human Relations. Said complainant shall state the name and address of the complainant and of the person against whom the complainant is brought, and shall also state the alleged facts surrounding the alleged violation of this Ordinance. After the filing of any complaint, the Commission shall make a prompt investigation therewith, and if the Commission shall determine after such investigation that proper cause exists for crediting the allegations of the complainant, it shall immediately endeavor to eliminate the unlawful discriminatory practices complained of by conference, conciliation, and presentation. In case of failure to eliminate such practices or in advance thereof, if in the judgment of the Commission, circumstances so warrant, it shall cause to be issued and served in the name of the Commission a written notice together with copies of such complaint to all parties of a full hearing of the complaint at a time and place to be stated in such notice. The real estate broker charged with having engaged in or engaging in the unfair housing practices shall have the right to answer the complaint, to appear at the hearing in person, to be represented by council, and to submit testimony. The complainant shall be allowed to present testimony in person and be represented by council.

Such hearings shall be conducted by the Commission. The Commission shall not be bound by the strict rules of evidence prevailing in courts of law and equity. The Com-

mission shall have full power to subpoena witnesses and pertinent documents, which power may be enforced by the Commission by proper petition to the Circuit Court of the 12th Judicial Circuit. The Commission shall have power to administer oaths and to take sworn testimony. In the conclusion of the hearings, the Commission shall render a written report and recommendations which shall be served by mail to the parties. No report shall be delayed more than 60 days after the date of the issuance of notice for the commencement of the first hearing.

Section 7. Penalties

A. Any complainant or respondent shall apply for and obtain judicial review of any order of the Commission issued pursuant to Section 6 of this Ordinance including the refusal to issue an order in accordance with the provision of "administrative review act" approved May 8, 1945, and all amendments and modifications thereof; and in the event the order is affirmed, the Commission may obtain an order of the court for its enforcement in the same proceeding.

B. Whenever the Commission shall be of the opinion that any person has violated or is about to violate an order of the Commission issued pursuant to Section 6 of this Ordinance, the Commission shall commence an action in the name of the people of the City of Joliet in the Circuit Court of the 12th Judicial Circuit by petition alleging the violation, attaching a copy of the order of the Commission and praying for appropriate relief. The Court which shall have jurisdiction of the proceeding and shall have power to grant such temporary relief or restraining order, permanent restraining order, and such other relief as may be deemed just and proper. The provision of the Civil Practice Act including the provision for appeal and/or existing and future amendments of said act and modifications thereof and the rules now or hereafter adopted pursuant to said act shall apply to all proceedings hereunder except if otherwise provided in this Ordinance.

The proceedings provided in Section 6 shall be commenced in the Circuit Court in and for the county wherein the unfair housing practice, which is the subject of the Commission's said order, was granted.

C. The Commission shall be empowered at the conclusion of such proceedings and as part of its report to recommend to the Mayor of the City of Joliet the suspension or revocation of the broker's license of any broker licensed by the City of Joliet who shall have been a respondent to any proceeding thus filed and found guilty of violation of any applicable provision of this Ordinance. Any broker whose license has been suspended or revoked by the Mayor, or any complainant aggrieved by the decision of the Mayor shall have full right to appeal from such order of suspension or revocation in accordance with procedures specified in the Administrative Review Act of Illinois. The order of the Mayor shall be final and transmitted to the Commission as part of its record, and it shall serve a copy thereof on the Respondent and any appeal may be taken thereafter.

D. In addition thereto, the Mayor may direct the corporation council to file with the Department of Registration and Education with the State of Illinois a complaint against any real estate broker found guilty of violating any provision of this Ordinance, seeking suspension or revocation of the license issued to such broker by the State of Illinois.

Section 8. Severability: If any section of this subdivision, paragraph, sentence, or clause of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not effect any remaining portion, section, or part thereof.

Section 9. All Ordinances or parts of ordinances conflicting herewith are hereby repealed.

Section 10. This Ordinance shall take effect upon its passage, approval, recording, and publication according to law.

ORDINANCE NO. E-914, WHEATON, ILL.

An ordinance to license and regulate real estate brokers and prohibit unfair real estate practices

Be it ordained by the City Council of the City of Wheaton, Illinois:

Section 1. The Code of the City of Wheaton, Illinois (1955) is hereby amended by adding the following chapter thereto:

"CHAPTER 35—DISCRIMINATION IN REAL ESTATE TRANSACTIONS

"Section 1. Declaration of policy

"It is hereby declared by the City Council of the City of Wheaton to be in the best interest of the health, safety and welfare of the people of the City of Wheaton to license and regulate real estate brokers and to assure equal opportunity to all persons who engage in real estate transactions regardless of race, color, religion, ancestry or national origin and to that end to prohibit discrimination in real estate transactions.

"Section 2. Definitions

"As used in this Ordinance, unless the context otherwise requires:

"(a) The term *real estate broker* means any natural person, partnership, association or corporation, or agent thereof, who for a fee or other valuable consideration sells, purchases, exchanges, rents (or offers or negotiates to do any of the foregoing) real property of another, or holds himself out as engaged in the business of doing any of the foregoing, or manages and collects rental from the real property of another.

"(b) The term *real estate* includes any building, structure or portion thereof in the City of Wheaton which is used or occupied, or is maintained, arranged or designed to be used or occupied as a home, residence, sleeping place of one or more persons, place of business or office, but such term shall not include rooms for rental to one or two persons in a single-family dwelling, the remainder of which is occupied by (1) the owner or members of his immediate family, or (2) a lessee of the entire dwelling or members of his immediate family.

"Section 3. Licenses

"It shall be unlawful for any person to act as a real estate broker in this City without obtaining a license to do so. A license may be issued to an association, co-partnership or corporation only if all members and officers of such association, co-partnership or corporation who actively participate in the brokerage business of such association, co-partnership or corporation are duly licensed as real estate brokers.

"Application for a license and a renewal of license shall be filed with the Clerk upon forms supplied by the Clerk and containing: the name, residence address, business address, date of birth, length of experience in dealing in real estate, the date and number of applicant's current certificate of registration from the State, and such other pertinent information as the Council shall require to carry out the intent and purpose of this Ordinance, and if the applicant is not registered with the State, the application shall be accompanied with a statement by the applicant, under oath, that the applicant is not required to be registered by the State.

"All applications for licenses or renewals thereof shall be referred to the Council. If the Council finds that the applicant has complied with all of the provisions of this Ordinance, it shall approve the application and a license or renewal thereof shall be issued to the applicant. A license or the renewal thereof may be refused or an existing license suspended or revoked by the Council for any violation of this Ordinance or for any causes set forth in Ill. Rev. Stat. Ch. 114 1/2 Sec. 8 as the same now is or may hereafter be amended.

"In the event any license or renewal of license is refused and a hearing has not already been granted, the applicant may, by filing a request with the Clerk within twenty (20) days of the date of such refusal, have the matter of such refusal heard by the Council, or some board or commission designated for such purpose by the Council. If such hearing is before the Council it shall make its determination by adopting an appropriate resolution. If such hearing is before a board or commission designated by the Council, such board or commission shall hear the testimony of sworn witnesses and such other evidence as may be produced and shall prepare findings of fact which shall be submitted to the Council along with a recommendation. The Council shall make its determination by adopting an appropriate resolution.

"Licenses issued hereunder shall be for the period February 1, through January 31, and shall be renewable annually during the month of January. The annual fee for any license or renewal of license shall be for $25.00 and shall accompany the application for issuance or renewal of license.

"It shall be unlawful for any real estate broker or real estate salesman to negotiate the sale, purchase or exchange of any real property either by proposal to purchase, offer, option, agreement for deed, or any other agreement without reciting in such document a statement as to the zoning classification of the property involved in such transaction under the Wheaton Zoning Ordinance as the same is set forth in the then current Zoning Map published by the City.

"Section 4. Prohibited acts

"No owner of real estate, lessee, sublessee, real estate broker or salesman, lender, financial institution, advertiser, or agent of any of the foregoing, shall discriminate against any other person because of the religion, race, color or national origin of such other person or because of the religion, race, color, or national origin of the friends or associates of such other person, in regard to the sale or rental of, or dealings concerning real estate. Any such discrimination shall be considered an unfair real estate practice. Without limiting the foregoing, it shall also be an unfair real estate practice and unlawful for any real estate broker or other person to:

"(a) Publish, circulate, issue or display, or cause to be published, circulated, issued or displayed, any communication, notice, advertisement, sign, or other writing of any kind relating to the sale, rental or leasing of any real estate which will indicate or express any such discrimination.

"(b) Exploit or overcharge any person for real estate because of race, color, religion or national origin.

"(c) Solicit for sale, lease, or listing for sale or lease, of any real estate on the ground of loss of value due to the present or prospective entry into any neighborhood of any person or persons of any particular race, color, religion or national origin.

"(d) Make, distribute or cause to be made or distributed any written material or statements designed to induce any owner of real estate to sell or lease his property because of any present or prospective change in the race, color, religion, or national origin of persons in the neighborhood.

"(e) Refuse to sell, lease or rent, any real estate because of the race, color, religion or national origin of the proposed buyer or tenant.

"(f) Refuse examination of copies of any listing of real estate to any person because of race, color, religion or national origin.

"(g) Enter into a listing agreement which prohibits the sale or rental of real estate to any person because of race, color, creed, religion or national origin.

"(h) Act or undertake to act with respect to any real estate, the disposition of which is prohibited to any person because of race, color, religion or national origin.

"Section 5. Limitations

"Nothing in this ordinance shall require an owner to offer property to the public at large before selling or renting it, nor shall this ordinance be deemed to prohibit owners from giving preference to prospective tenants or buyers for any reason other than religion, race, color or national origin.

"Nothing in this ordinance shall require an owner to offer property for sale or lease to any person if the owner has any reason to believe that such person is not negotiating for the purchase or lease of such property in good faith.

"Section 6. Duties of Human Relations Commission

"It shall be the duty of the Wheaton Human Relations Commission (a) receive and investigate complaints charging unfair real estate practices; and (b) seek conciliation of such complaints, seek compliance by violators, hold hearings, make findings of fact, issue recommendations and publish its findings of fact and recommendations in accordance with the provisions of this Ordinance.

"Section 7. Procedures of Human Relations Commission

"Any person aggrieved in any manner by an unfair real estate practice may file a written complaint setting forth his grievance with the commission. Said complaint must be filed within 30 days of the commission of the alleged unfair real estate practice and shall state the name and address of the complainant and of the person or persons against whom the complaint is brought and shall also state the alleged facts surrounding the alleged unfair real estate practice.

"After the filing of any complaint, the Chairman of the Commission shall designate three of the members to make a prompt investigation in connection therewith; and if such members determine after such investigation, that probable cause exists for crediting the alleged unfair real estate practice, they shall immediately endeavor to eliminate the alleged practice by conference, conciliation and persuasion. In case of failure to eliminate such practice or in advance thereof, if in their judgment circumstances so warrant, they shall send a copy of such complaint, or a description of the alleged practice in the event no complaint has been filed, to all parties, and at the same time notify them, of a full hearing of the alleged practice, at a time and place to be specified in such notice. Any real estate broker or other person charged with the unfair real estate practice shall have the right to file an answer, and he and complainant may appear at the hearing in person or be represented by counsel, and submit testimony.

"Such hearing shall be conducted by the Commission. The Commission shall not be bound by the strict rules of evidence. The Commission shall have power to administer oaths and to take sworn testimony. At the conclusion of the hearings, the Commission shall render a written report and recommendations which shall be served by mail upon the parties. No report shall be delayed more than sixty days after the date of the issuance of notice for commencement of the first hearing.

"Section 8. Sanctions for violations

"At the conclusion of the hearing provided for in section 7 the Commission may, as part of its report, recommend to the City Council:

"(a) the suspension or revocation of the license of any real estate broker found to have committed an unfair real estate practice; (b) the filing of a complaint with the Department of Registration and Education of the State of Illinois, against any real estate broker found to have committed an unfair real estate practice, seeking suspension or revocation of the license issued to such broker by the State of Illinois; and (c) the filing of proceedings against any person found to have committed an unfair real estate practice.

"Section 9. Penalty

"Any person committing an unfair real estate practice shall, upon conviction thereof, be subject to a fine of not less than One Hundred Dollars ($100.00) or more than Five Hundred Dollars ($500.00).

"Section 10. Severability

"If any subdivision, paragraph, sentence or clause of this Ordinance is for any reason held invalid or unconstitutional, such decision shall not affect any remaining portion, section or part thereof."

Section 2. The City Clerk shall cause this Ordinance to be published in pamphlet form.

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval and publication pursuant to law.

KARL F. HEIMKE,
Mayor.

Attest.

HELEN B. PERUSSE,
City Clerk.

Mr. PASTORE. Insofar as enforcement is concerned, in the case of Joliet, I understand that the brokers could lose their licenses for violation of the ordinance.

Mr. BROOKE. The brokers?

Mr. PASTORE. That is under the Joliet ordinance. In the other case, in the case of the Wheaton, I think it is a little more severe. In that case, I understand that not only brokers are prohibited from discriminatory procedures, but also the owner himself.

I must reiterate, in any event, that those who have studied the ordinance thought it was a step forward, and rather satisfactory.

Mr. BROOKE. What would be the distance from this project to Chicago?

Mr. PASTORE. I would say about 30 miles or so. I have never measured the distance. Perhaps others would know better than I.

Mr. DIRKSEN. From Wheaton, which is a town of 26,000, it is 6 miles.

Mr. PASTORE. He did not say that. He said from Chicago.

Mr. DIRKSEN. Please let me finish.

From Joliet, a town of about 60,000, it is 20 miles, and from Chicago, about 30 miles.

With respect to enforcement, I do not know whether the Senator has ever served on a city council, but in Illinois we always use the corporation council to take care of enforcement of any ordinance. It is enforced according to its terms.

Mr. PASTORE. Section 9 of the Wheaton ordinance reads:

> Any person committing an unfair real estate practice shall, upon conviction thereof, be sentenced to a fine of not less than $100 nor more than $500.

Mr. DIRKSEN. That is the thing to be enforced. But your corporation council enforces it.

Mr. BROOKE. That is the enforcement procedure for a city or a town.

Mr. DIRKSEN. That is right.

Mr. BROOKE. There would be a distance of 30 miles to Chicago from this area where the project would be located, or a round trip of 60 miles a day. Of course, if anyone wanted to live in Chicago and work at the project, he could make this round trip, but it would be quite expensive.

Mr. DIRKSEN. I can show the Senator thousands upon thousands of people who live where I live, 30 miles from Washington, who fairly congest the highways in the Washington area in order to get to work.

Mr. BROOKE. But they are not denied the right to live in an area closer to their job, are they?

Mr. DIRKSEN. They can live wherever they like.

Mr. BROOKE. That is exactly the point I am trying to make. They can live wherever they like; and if they voluntarily choose to go 30 miles to work, that is perfectly all right.

But the policy of the AEC and of the Federal Government, under the 1964 Civil Rights Act, as I interpret it, was that all employees should have the opportunity to live wherever they like, under the Constitution and laws of this country.

Mr. DIRKSEN. Thirty miles away is an opportunity in this country, as we see it.

Mr. BROOKE. Not if you wanted to live next door to the plant where you work.

Mr. DIRKSEN. How many people live next door to the plant where they work today?

Mr. BROOKE. The point is that a person should be able to do so if he desires to do so.

Mr. DIRKSEN. That is exactly what we are trying to do in this whole area.

Mr. BROOKE. That is what I am trying to accomplish. That is why, Mr. President, I ask that the amendment be adopted.

Mr. BENNETT. Mr. President, I support enactment of H.R. 10918. I believe the committee has performed a creditable job in analyzing the AEC's entire budget, recommending reductions where appropriate and providing policy guidance to the executive branch in a number of important areas.

One of the AEC's most significant programs pertains to the procurement of uranium concentrates. This program has resulted in the creation of a large domestic uranium mining and milling industry which has produced and delivered material vital to our national defense, and the foundation of our burgeoning nuclear power program. My own State of Utah has made important contributions to the national effort to obtain an adequate uranium supply, and we shall continue to do so. That huge new reserves of uranium must be discovered and developed is obvious from the AEC's latest forecasts of installed nuclear capacity by 1980—120,000 to 170,000 megawatts.

We on the committee regard the primary responsibility for satisfying commercial uranium demands as lying with private industry. However, the Government also has certain responsibilities in this area. For example, the AEC should remain in a position to evaluate and pub-

licize the extent of our total uranium supplies, which involves compiling data from private industry. This type of information is intimately related to the pace and scope of our country's program for developing the more advanced reactors.

It is also desirable for the AEC to continue its current program to investigate means of enlarging our uranium resources, although at a somewhat reduced level than the AEC had proposed.

Turning to a related matter, the Joint Committee's Subcommittee on Research, Development, and Radiation held 7 days of hearings in May and June on the subject of radiation exposure of uranium miners. During that time the subcommittee explored this problem in great depth. The record of these hearings undoubtedly constitutes the most comprehensive review ever undertaken of this complex matter, and I commend it to the attention of everyone interested in the facts.

Unfortunately, many of the statements appearing in the press and elsewhere have been based upon serious misunderstanding of the situation as it exists today. There is a deplorable tendency in some quarters to associate the deaths which have occurred among uranium miners, and which are expected to occur over the next decade or so, with conditions currently existing in the uranium mines.

It is unquestionably true that these conditions have very markedly improved in recent years, as more became known about potential hazards from exposure in underground mines. We on the committee believe that more can and should be done in the future. That is the reason why we called these hearings.

With respect to the current budget request, it is the committee's view that the Commission should be permitted to use raw materials program operating and capital equipment funds to undertake necessary programs during fiscal year 1968 related to the radiation exposure of uranium miners. During the Joint Committee's May 23, 1967, hearings on this subject the AEC outlined proposed programs which would involve several agencies in addition to the Commission. Although the scope of work to be carried out has been identified only in general terms, the committee believes the AEC should not be delayed because specific plans were not included in the fiscal year 1968 budget submission.

The AEC also estimated that about $350,000 would be spent in fiscal year 1968 under the Commission's biology and medicine program pertaining to this subject. Our committee's report noted concern that techniques and instruments for measuring radiation exposure of uranium miners, and concentrations of radioactivity in the air of mines, have not been further developed. We recommended that the Commission increase its efforts in these fields, and in the development of effective respirators for use by uranium miners.

In summary, I believe H.R. 10918 is a well-conceived piece of legislation, and I urge its approval today.

SUPPORT FOR BREEDER REACTORS

Mr. HICKENLOOPER. Mr. President, at the request of the junior Senator from Tennessee [Mr. BAKER], who is necessarily absent today, I have been asked to make the following statement, which he has prepared:

STATEMENT BY SENATOR BAKER, READ BY SENATOR HICKENLOOPER

Mr. BAKER. Mr. President, I am in full support of the AEC authorization bill which, among other things, provides $484,290,000 for the development of various reactor systems. Included in this amount is $71,350,000 for the development of a group of reactors known as breeders. These reactors are being designed to accomplish the rather novel effect of producing in the long run more fuel than they consume in order to generate useful energy. This point was dramatically illustrated by Dr. Glenn T. Seaborg, Chairman of the U.S. Atomic Energy Commission, when he pointed out that the net fuel cost for the breeder reactors of the future will be "zero."

I ask unanimous consent to have printed in the RECORD the table entitled "Near Breeder and Breeder Reactors—Projected Capital and Operating Costs," which Dr. Seaborg presented at the 1966 Annual Lecture of British Nuclear Energy Society in London, England, on October 24, 1966, and also Dr. Seaborg's speech of December 13, 1966, at the National Conference on Air Pollution in which he describes the potential for nuclear power.

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

Near breeder and breeder reactors projected capital and operating costs

[1,000 megawatts electrical stations]

	Near breeders	Breeders	
		Low gain	High gain
Projected capital cost, dollars per kilowatt:			
Plant	120	125	145
Fuel inventory	30–10	45	25
Heavy water inventory	0–20		
Total	150	170	170
Projected operating cost, mills per kilowatt hour:			
Fuel (reflecting credit for bred fissionable material)	0.7	0.5	0
Operation and maintenance	.3–.4	.3	.3
Total	1.0–1.1	.8	.3

Note.—Fuel costs based on $8 per lb. U_3O_8, PU at $10 per fissile gram near breeder reactors include HTGR/DRAGON HWBLW/SGHWR/HWOCR.

NUCLEAR POWER—POLICY AND PROSPECTS

(Remarks by Dr. Glenn T. Seaborg, Chairman, U.S. Atomic Energy Commission, at the National Conference on Air Pollution, Washington, D.C., December 13, 1966)

I am pleased to be sharing this platform with my good friends Stew Udall, Lee White and Phil Sporn in presenting a review of our energy resources and some current thinking on the conversion of these resources to useful forms of heat and electric power.

In today's technologically oriented civilization we have become very conscious of our energy needs and resources. And this energy-consciousness, this awareness that the wise management of expendable energy is a major factor in our current and future development, comes to us none too soon. A few statistics and projections point this out quite dramatically. Our current population in the United States is approaching 200,000,000. It is conservatively estimated that by the end of the century—only 33 years away—we will have over 350,000,000 people in the U.S. While this is not quite a doubling of our population, a projection of our energy needs during the same period indicates we may expect a more than three-fold increase in energy consumption.

Statistics and forecasts in energy resources and consumption become all the more important and impressive when we realize (as many of the general public do not) that, unlike water, minerals and other natural materials which can be recycled and reused over and over again, energy resources are not reusable. Once energy is expended it is lost to us forever. And since we are building a world in which our individual and collective well-being will depend largely on energy, we must plan and work toward making the most appropriate use of all our energy resources.

Let me move on now to the specific form of energy on which I would like to concentrate today—electricity, particularly electricity generated by nuclear power. While our total energy requirement in the United States is increasing at a rate of about 3¼ per cent a year, our demand for electricity is nearly doubling every ten years. The current annual electric generating capacity in the U.S. is about 250,000,000 kilowatts. By 1980 it is expected to be 520,000,000 kilowatts, and it should exceed 1,600,000,000 kilowatts by the year 2000.

With all this as background I think we can be grateful that, historically speaking, nuclear energy arrived on the scene when it did. The nucleus of the atom offers great promise as a major source of electric power and that promise is rapidly being filled today. Before discussing the growth of nuclear power, and the policy associated with its growth, let me point out some of the features which make that growth desirable.

With reference to the primary focus of this conference—air pollution—nuclear power plants offer decided advantages over fossil fueled plants. The main advantage stems from their control of waste. In a nuclear reactor the split atoms, or "fission products" as they are called, remain within the fuel cladding until such time as the reactor is refueled. Then the used fuel elements are removed, stored under water for a cooling off period, after which they are safely shipped to a reprocessing plant where unused fuel and valuable radioisotopes are extracted for future use. The remaining waste products are then safely disposed of in storage tanks at underground burial sites. The extremely minute amount of radioactivity produced auxiliary to the operations can be held and released in such tiny amounts, and under such favorable atmospheric conditions, that it poses no health hazard whatsoever. Or it can be packaged for safe disposal in other ways. In fact, a nuclear plant can be built without any stack at all, and such a plant is under construction today in the Rochester, N.Y., area.

In contrast to this, the stacks of fossil fueled plants must release to the atmosphere effluents which contain amounts of CO_2 (carbon dioxide), which cannot be reduced, and SO_2 (sulphur dioxide), for which no effective removal system has yet been developed.

In addition to the direct reduction of the rate of air pollution by the use of nuclear plants, if nuclear generated electricity could be used as the basis for a predominantly electric-powered transportation system—that is, electric rapid transit conveyances and battery-powered automobiles—a substantial reduction in air pollution could be effected.

Nuclear power is relatively independent of geography because of the extreme compactness and long life of nuclear fuels, and therefore nuclear plants can be operated far from their sources of raw fuel material—uranium and thorium ores—without significant economic penalty.

Finally, nuclear energy lends itself well to use in large nuclear power stations generating large blocks of very economical power. The current realization of this economic factor is the primary cause for the growth of nuclear power today and will influence the major role it will play in the future.

What have been the developments in the history and policy of nuclear power which have led to its current status? What is that current status? And where does nuclear power go from here? Let me try to answer these questions briefly.

I doubt if it is necessary to dwell much on the origins or the heritage of nuclear power before this audience. The arrival of basic nuclear power technology in man's fund of knowledge was accelerated considerably by the pressures of war, by efforts carried out under a cloak of secrecy. The first public exposures to the massive release of nuclear power were strictly in terms of its awesome destructive forces. This history naturally has left lasting impressions—and many erroneous impressions unfortunately detrimental to many of the peaceful applications of nuclear energy. But the latter are impressions which education and time will erode.

While the assets in the development and production capability of the wartime Manhattan Engineer District were transferred to the civilian Atomic Energy Commission in 1946, the principal occupation of the Commission for a number of years continued to be related to military defense purposes. Of course, the dream of peaceful uses of nuclear energy flourished with the first realization of the technical feasibility of the nuclear fission chain reaction as early as 1942. While some civilian nuclear energy development projects, such as the Experimental Breeder Reactor and the Aqueous Homogeneous Reactor Experiment, were initiated prior to the passage of the Atomic Energy Act of 1954, it was not until that legislation permitted broader declassification and broader participation by industry that serious efforts really led to major expansion. Since that time the transition from government monopoly to industrial cooperation and completely privately owned plants has proceeded quickly and, in my opinion, very successfully.

The initial thrust of civilian nuclear power has been in the development of plants using light water cooled reactors. An important contributor to the development of these reactors has been the AEC's naval reactor program. The pioneering of light water reactors—today the mainstay of the nuclear industry—was performed in the development of the nuclear powered submarine. A further key development was the construction of the first large nuclear electric power plant, using a pressurized-water reactor, which began operating in 1957 at Shippingport, Pa.

Within more recent years a broad range of technologies for civilian nuclear power production has been developed. Projects have included the design, construction, and operation of experimental and prototype reactors. The operating experience of prototype reactors on utility systems has been important to our overall nuclear power development. Likewise the maximum assumption of financial responsibility by industry has been, and continues to be, a valid element of providing incentives for the efficiencies and cost reductions essential to the achievement of economically competitive nuclear power. Through this process the industry has now reached a point where large capacity nuclear power plants employing proven light water reactors are being built, and it appears they will prove to be economically attractive in comparison with fossil fueled plants in many sections of the country, including some areas where inexpensive fossil fuels are readily available.

As civilian nuclear power grows it, quite naturally, will be assuming greater responsibilities in fulfilling our overall energy requirements. And, as this happens, private industry's role in nuclear power will grow at an increasing rate. The Commission has been proceeding for a number of years on a course intended to permit the nuclear power industry to flourish with minimum government involvement.

One recent step taken in minimizing governmental involvement with private industry was the passage and implementation of legislation regarding private ownership of special nuclear materials. This legislation now permits, and by the early 1970's will require, private companies to own the nuclear fuel in their power stations. Previously it was required that this material be owned by the government and leased for commercial use. Another important phase of industry's participation in nuclear power was initiated this year—the operation of the first privately-owned nuclear fuel reprocessing plant. As things stand now, the sole remaining operating function for which private nuclear power is dependent upon the government is the enrichment of uranium conducted in our government-owned gaseous diffusion plants. And we have reached the point where the future possibility of private industry's becoming involved in this function is now coming under serious study.

Nuclear power is beginning to pay some returns for the investment of approximately 1½ billion dollars of tax money which has been spent on its development. Based on projected nuclear power growth rates and reductions in cost of power production, the returns will show the investment well justified. However, nuclear power also has certain additional developments which must be pursued if it is to play a major role in supplying our country's and the world's future expanding power requirements.

What are some of the current developments in nuclear power? In what direction is the AEC moving to try to assure that nuclear power fulfills its promises of abundant and economic power?

To answer these questions it might be appropriate to look back for a moment to the Statement of Objectives in the AEC's 1962 Report to the President. Although we have advanced technically since that time, those objectives remain valid and are still serving as a guide for our civilian nuclear power program. The report stated that our overall objective was "to foster and support the growing use of nuclear energy" and to guide it in such directions "as to make possible the exploitation of the vast energy resources latent in the fertile materials, uranium–238 and thorium." Specifically, it called for the following:

1. The demonstration of economic nuclear power by assuring the construction of plants incorporating the presently most competitive reactor types;

2. The early establishment of a self-sufficient and growing nuclear power industry that will assume an increasing share of the development costs;

3. The development of improved converter and, later, breeder reactors to convert the fertile isotopes to fissionable ones, thus making available the full potential of the nuclear fuels; and

4. The maintenance of U.S. technological leadership in the world by means of a vigorous domestic nuclear power program and appropriate cooperation with, and assistance to, our friends abroad.

We believe that, with the excellent cooperation we have had from the country's nuclear industries and electric utilities, we have successfully carried out our commitments to the first two objectives—leading to the demonstration of economically competitive nuclear power and helping to establish a self-sufficient nuclear power industry.

Our country now has in operation and committed for operation the light water reactors which should help demonstrate that nuclear power can safely, efficiently and economically generate civilian electric power.

It is appropriate that the government now concentrate on the next objective. Consequently, there is a shifting of interest and efforts toward developing reactors which will be best suited to "stretch out" the low cost reserves of nuclear fuel, and eventually to utilize the high cost nuclear fuel, through a more efficient utilization of fuel. Of course, no new system—no matter what its importance to the overall fuel economy—will be widely adopted if in itself it is not economic. Cost, therefore, remains an important factor in our reactor development thinking.

With all this in mind, our major efforts now are being directed toward the third specific objective stated in our 1962 report—the development of reactor types known as "advanced converters" and "breeders."

To understand what these reactors can mean in terms of the future development of nuclear energy it is necessary to know some basic facts of nuclear technology. I believe I can convey them to you quickly and painlessly.

When today's light water reactors, fueled with uranium, are operated at their economic optimum, they use only a very small fraction of the latent fission energy contained in their uranium. That is the case because they are using essentially the fissionable isotope uranium–235, of which there is only a very small fraction in their uranium fuel. Should we continue to use only these types of reactors, it would not be long (in view of projected power demands) before even the large supply of economic nuclear fuel resources known in the world today would be exhausted. However, it is possible to convert uranium–238 and the other abundant nuclear source, thorium–232 (both of which we refer to as "fertile" materials), to fissionable fuels. This important conversion can be accomplished by transmuting, within reactors, uranium–238 to plutonium–239, and thorium–232 to uranium–233. Plutonium–239 and uranium–233 *are* fissionable and can be used as reactor fuel. The net effect is to "burn" indirectly the non-fissionable, very abundant, fertile uranium–238 and thorium–232. Most reactors accomplish this extremely productive transmutation to varying degrees and do so during the course of producing power but water cooled reactors do so only to a small extent. (Incidentally, of the new fuel produced some is "burned" in place and some is later extracted and reprocessed for future use.) Those improved converter reactor systems which produce almost as much new fuel as they consume we refer to as "advanced converters" or "near breeders."

It is also possible to develop—and work has already begun on them—reactors that through the conversion process produce *more* fissionable material than they consume while generating electricity. Here again the net effect is to "burn" indirectly, but in this case almost completely, the non-fissionable uranium–238 and thorium–232. These reactors are called "breeders." The significance of the breeder reactor to the future of nuclear power lies in the fact that it is the key to unlocking the tremendous energy stores in the non-fissionable but extremely abundant isotopes uranium–238 and thorium–232. By allowing us to make the most efficient use of our nuclear resources this new technology gives us promise of a vast supply of economic power.

The known worldwide reserves of uranium and thorium are vast, and new reserves of these ores will no doubt be discovered. But it is only through breeder reactors that a large fraction of the energy in these natural resources can be utilized and that an adequate source of energy can be assured for centuries to come.

On a worldwide basis, a few statistics

clearly indicate why this is so. If we make conservative assumptions regarding these resources—for example, assuming that we utilize only the current types of light water reactors, provide for a 30-year fuel supply and limit ourselves to natural uranium resources costing less than $15 per pound—the reserves, both known and estimated, would be sufficient for about 500,000 megawatts of worldwide nuclear power. This is a nuclear electric capacity that will be reached by about 1985. Using natural uranium resources costing less than $30 per pound, the reserves are sufficient for about 1,000,000 megawatts of nuclear electric power, which will be reached by about 1990. However, if high gain breeder reactors are available by this point in time—and I think they will be—then the amount of uranium available at $30 per pound or less is sufficient to operate more than 50,000,000 megawatts of nuclear power for the 30-year lifetime of the reactors. Most importantly, the use of high gain breeder reactors will permit economic utilization of uranium costing far more than $30 per pound, which is available in vast quantities, and this will provide a virtually unlimited source of energy. And the use of thorium with efficient breeder reactors gives rise to a potential source of nuclear fuel sufficient to accommodate an additional nuclear electric capacity comparable to that which will utilize uranium.

Developing new breeder reactors, however, is not a simple matter. There are many scientific and technological hurdles which must be crossed. There are important decisions to be made concerning which reactor types deserve emphasis in our development programs. And there are economic considerations to be taken into account which have international as well as national ramifications. Nevertheless, we have under way a program which we believe will lead to the development of a nuclear power economy based on near breeder and breeder power reactors within the next few decades. Among the reactor types under development are the High Temperature Gas Cooled Reactor, the Heavy Water Moderated Organic Cooled Reactor, the Molten Salt Reactor, and the Light Water Breeder (Seed and Blanket Reactor). The Fast Breeder Reactor is, of course, of major importance, and we have under way a major program to develop this reactor concept.

In the past two years, sales of nuclear power plants have shown remarkable growth. Sales of nuclear plants, which amounted to a combined generating capacity of 2,000,000 kilowatts in 1963–64, rose to over 5,000,000 kilowatts in 1965, and to date in 1966 nuclear plant sales are approaching 20,000,000 kilowatts.

Today, as a result of the current light water reactors being sold, competitive nuclear power is bringing down the cost of electricity in this country. The development of large nuclear reactors and new associated technologies is also making feasible the construction of the large dual-purpose nuclear plant for producing electricity and desalting seawater. Such a plant, the first of its type, is currently being planned to serve the Los Angeles area. As I indicated before, the savings being passed on to the consumer by competitive nuclear power are paying him back for his investment as a taxpayer in developing nuclear technology. This process should continue as new and more economic nuclear plants are built. In the future the procedure may go one step further in bringing us benefits not even hoped for when nuclear power was first introduced. I refer here to the possibility that a very economic and efficient breeder reactor economy could bring the cost of electricity down to a level where abundant, very cheap power would have a major influence on our entire economy.

It is conceivable that the future will see vast, automated industrial complexes built around large nuclear power plants. These nuclear plants, in the multi-million kilowatt range, would be producing electricity and process heat so cheaply that they could be used to separate and recycle enormous quantities of waste of all kinds, reprocessing it together with new raw materials into feed materials to be fed to manufacturing plants in the same complex. They could desalt seawater and recycle sewage to give us fresh water for drinking and for agriculture. They could extract minerals from the same seawater. They could supply the electricity to produce steel by hydrogen reduction, make large quantities of nitrogen and phosphate for much needed fertilizer, and provide the heat, electricity and radiation to process new ceramics, metals, polymers and many new substances. Furthermore, such a nuclear-powered industrial complex would be quiet, clean and compact. Underground arteries, conveyor belts and pipelines might replace the maze of roads and rails usually associated with such operations. Few if any chimneys would rise from this complex in which all potential pollutants would be carefully controlled.

Creating such a nuclear industrial complex is not in our current plans or policy; nevertheless, it can be among our goals for the future.

I have concentrated today mainly on a discussion of nuclear power through nuclear fission. There are two other sources of energy on which I would like to touch briefly. They are sources which are directly related. I am speaking of solar energy and controlled thermonuclear fusion. The fusion of nuclei of hydrogen, of course, produces the energy of the sum which supports all life on earth so that, in a sense, this source of energy is not new to us.

Many advances are being made today in the direct harnessing of solar energy and this form of energy has proved useful in our space program. It is conceivable that increased use will be made of this abundant and low-cost energy source with the development of even more efficient and less expensive solar cells. While solar energy will never be a source of large blocks of power because of the low intensity of sunlight here on earth, it may prove useful in many areas where the energy demands are moderate.

The development of controlled fusion would provide mankind with a virtually limitless supply of energy, as it would mean we could use as a fuel the heavy hydrogen found in common seawater. It has been estimated that the energy from the heavy hydrogen nuclei in the oceans is equivalent to the energy of 500 Pacific Oceans filled with high-grade fuel oil. Such a potential fuel resource cannot be ignored.

The Atomic Energy Commission, in its controlled fusion research program, is attempting to determine whether it is possible to release this energy steadily and under controlled conditions in a new kind of reactor. Our fusion research is concentrated in four AEC laboratories—those at Princeton University in New Jersey; at the Oak Ridge National Laboratory in Tennessee; at the Los Alamos Scientific Laboratory, in New Mexico; and at the Lawrence Radiation Laboratory at Berkeley and Livermore, California. Two private laboratories are also doing extensive work in this field.

Controlled fusion presents many difficult problems which may take decades to solve. However, those involved in this difficult work feel that these problems can eventually be solved and it is our policy to support and further their efforts.

My remarks today would be incomplete if I did not recognize one potential advance in conversion technology which now appears feasible, that is, Magnetohydrodynamic (MHD) conversion. The MHD generator makes use of high-velocity electrically conducting gases to produce electric power directly—without the need of a turbogenerator. If the full promises of this new approach are realized, it can mean increased conversion efficiencies, which will have a significant effect upon our energy requirements. If we are more efficient in conversion, then we will need just that much less heat energy from whatever sources we are dependent upon. The combined use of the heat of nuclear fission and MHD conversion might produce spectacular results some day.

I have spoken only briefly today of our newest energy sources. I hope I have conveyed to you some of their progress and promise as well as some of our general policy in working with them. The job of providing our technological world with ample energy in the decades and centuries to come will be a major responsibility entrusted to those in the fields of energy resources and power technology. We must all work together with foresight and wisdom to make certain that we fulfill this obligation and thereby help man achieve new levels of human progress.

AUTHORIZATION OF FAST FLUX TEST FACILITY

Mr. JACKSON. Mr. President, the AEC authorization bill for fiscal year 1968 contains a very important item for the fast breeder reactor program. The fast breeder program has as its goal the development of power reactors which will make more nuclear fuel than they use. This is theoretically possible. Our objective is to develop practical reactors of this type—reactors which will be economical and still breed at sufficiently high rates to refuel themselves and other reactors which we will need to meet our increasing demands for energy. If we are successful, we will have developed a limitless source of energy. The importance of this objective to an industrial society such as ours is obvious.

One area which has been holding up progress in the breeder reactor program is the lack of facilities to test fuel elements and other components in the environment of fast neutron flux and high temperature liquid metal. These are the conditions under which the various parts of a breeder reactor system must operate. It is very difficult to simulate the temperature and radiation conditions required for performing tests of breeder reactor components. The facilities required are very complex and, therefore, expensive. They also take a long time to build. Realizing these facts and the importance of having such a facility, the joint committee has been calling for the building of such a facility for a number of years. Finally last year the AEC proposed an authorization of $7,500,000 for the start of the design of such a facility. This bill contains the remainder of the authorization for this facility which is called the fast flux test facility or FFTF.

The bill before us adds $80,000,000 to the authorization, giving a total of $87,500,000 for the vitally needed FFTF. The facility will probably take about 5 years to build. Since this is such an important facility, it is unfortunate we did not start its design and construction sooner as called for by the Joint Committee. The late start makes it all the more important that the project be carried out as efficiently and expeditiously as possible.

I am most pleased to note that the AEC has seen fit to give the responsibility for the management of this important project to the Pacific Northwest Laboratory at Richland, Wash. The

AEC on January 23, 1967, also announced the selection of Richland, Wash., as the site of the last flux test facility. As the AEC stated in announcing the selection, the location of the FFTF at Richland will enhance the ability of the Pacific Northwest Laboratory to manage the development, design, construction, and test operation of the facility. The assignment of this responsibility to the Pacific Northwest Laboratory indicates the outstanding competence of the scientists and engineers at this facility.

Since the AEC's January 23 announcement contains a number of important points concerning the vital functions which the FFTF perform, I ask unanimous consent to include it at this point in my remarks.

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

AEC TO LOCATE FAST FLUX TEST FACILITY AT RICHLAND, WASH.

The Atomic Energy Commission has selected Richland, Washington, as the site for the Fast Flux Test Facility (FFTF). The FFTF will be the AEC's major fuels and materials test irradiation facility in the Liquid Metal Fast Breeder Reactor (LMFBR) program, and will contribute as well to other fast flux test programs.

The AEC already has an FFTF project management organization at its Pacific Northwest Laboratory at Richland, operated by the Battelle Memorial Institute. Conceptual design and development efforts for the facility have been proceeding under the direction of this organization.

The location of the test facility at Richland will enhance the ability of the laboratory to manage the development, design, construction and test operation. The laboratory has been using the talents and resources of other AEC laboratories and industry in a concerted effort to develop the best design concept for the facility.

Development of economic fast breeder reactor fuel elements is an integral part of the AEC's high priority objective of demonstrating the capability for economic operation of commercial large size breeder power plants. Such plants will assure the economic use of the nation's nuclear resources for power production. To accomplish this objective, facilities will be needed for irradiation testing under realistic fast reactor operating conditions.

The test facility will provide an adequately controlled and instrumented environment in a fast neutron flux for testing instrumented fuel specimens, fuel rods, fuel subassemblies, fuel claddings and structural materials; and for testing fuel up to and including failure in a dynamic (flowing) sodium coolant.

To carry out this program, the Commission is considering a reactor of about 400 thermal megawatts, with a very high intensity of neutrons (neutron flux of about 10^{16} per square centimeter per second) containing instrumented closed and open loops, and facilities for rapid insertion and removal of test specimens. Facilities for interim fuel examination, including disassembly, reassembly of specimens and reinstrumentation, capsules and rods, will also be provided.

The FFTF is estimated to cost $87,500,000, of which $7,500,000 has been authorized by the Congress for the fiscal year 1967.

Concurrent with the FFTF effort, an intensive program is under way to upgrade and improve the capability of the Experimental Breeder Reactor No. 2 (EBR–2) at the AEC's National Reactor Testing Station in Idaho, the only U.S. fast flux irradiation facility now available.

The LMFBR program will utilize EBR–2 and other fast reactor facilities, including the Zero Power Plutonium Reactor being built in Idaho, as well as other facilities such as those at the AEC's Argonne (Illinois) National Laboratory, and the Southwest Experimental Fast Oxide Reactor under construction in Arkansas. Most other reactors now operate with thermal (slow) neutrons rather than with fast neutrons. Thermal reactor environments cannot be reliably substituted for prototype fast reactor environments because of differences in conditions imposed on the test specimens. However, the thermal reactor test facilities at Idaho are being used to the maximum extent to supplement the use of the EBR–2.

Argonne, which is conducting LMFBR research and development with facilities at Illinois and at Idaho Falls, Idaho, and the Los Alamos (New Mexico) Scientific Laboratory are currently assisting in conceptual design and development activities for the FFTF. In addition, the LMFBR program office at Argonne is assisting AEC in the development of overall and detailed plans for, and coordination of, the total LMFBR effort.

Major industrial firms participating directly in the FFTF program include Atomics International, Canoga Park, California; Atomic Power Development Associates, Detroit; General Electric Co., San Jose, California; Idaho Nuclear Corporation, Idaho Falls, Idaho; and Westinghouse Electric Corporation, Pittsburgh.

The continued use of industrial contractors to perform for AEC facilities the functions similar to those that will be required for future LMFBR power reactors will strengthen the base of national industrial reactor capability. Continued maximum use of these contractors plus other laboratories and industrial organizations will be required throughout the project. These capabilities are being identified and organized to work directly under the FFTF project management organization at Pacific Northwest Laboratory.

THE NAVAL NUCLEAR PROPULSION PROGRAM

Mr. JACKSON. Mr. President, the Atomic Energy Commission authorization request submitted to the Congress for fiscal 1968 contained a request for $106,700,000 for research and development on advanced nuclear propulsion plants for submarine and surface warships of the Navy. The Joint Committee has recommended authorization of the full amount requested, which is about 10 percent more than was authorized last year. I heartily endorse the committee's action in this regard.

The naval nuclear propulsion program, under the able direction of Adm. H. G. Rickover, has been one of this Nation's most successful research and development efforts. It is exceedingly fortunate that we have been so successful in a program on which one of our first lines of defense is now based. I refer, of course, to the missile-launching Polaris submarine fleet. Two aspects of the Polaris submarine—the nuclear propulsion plant and the intercontinental ballistic missile which can be fired underwater—are as complex as any development program we have ever undertaken. Nothing speaks more fully for the degree of success we have attained than the unprecedented degree of reliability of this weapon system.

No history of the naval nuclear propulsion program can be compiled without recognizing the leadership which the Congress has provided. The record will show that the Congress played a critical role in getting the Navy to use nuclear propulsion in submarines; and I am happy to report, Congress' efforts to get nuclear propulsion in aircraft carriers is finally bearing fruit. More than 10 years elapsed between the time the *Enterprise*, our first nuclear-propelled aircraft carrier, was authorized, and the time when the Department of Defense finally requested authorization for the construction of a second nuclear carrier.

The Department of Defense request this year for the advanced funding of a third nuclear carrier would seem to indicate that the Defense Department has finally recognized—at least insofar as aircraft carriers are concerned—the superiority of this incomparable energy source. With respect to the last bastion of the Defense Department opposition to nuclear power—regarding first line warships which escort our carriers—Congress again this year did what it has been forced to do in the past; namely, to eliminate some conventionally fueled warships from the Department of Defense budget and to substitute nuclear-powered ships therefor.

The fully documented record developed by the Congress, including the Joint Committee on Atomic Energy and the House and Senate Armed Services and Appropriations Committees, clearly shows that nuclear propulsion is a must for any firstline warship. I am certain that this fact will eventually be appreciated by all of our leaders in the Department of Defense, and that then all of our warships will be fitted with nuclear propulsion. Great effort has been expended to overcome the inertia which has prevented this inevitable step.

There should be no letting up on the part of Congress now, however. We should be satisfied with nothing less than the most modern of equipment and ships for the men of the U.S. Navy. Therefore, I urge my colleagues to support the authorization of $106,700,000 contained in this bill for the development of even more advanced nuclear propulsion plants for submarines and surface warships.

SOUTHERN INTERSTATE NUCLEAR BOARD SUPPORT OF ATOMIC ENERGY PROGRAM

Mr. RUSSELL. Mr. President, the Southern Interstate Nuclear Board in its annual meeting in April of this year adopted a resolution commending the Joint Committee on Atomic Energy, the Congress of the United States, and the Atomic Energy Commission for their support of and leadership in developing the breeder reactor. The breeder reactor is a nuclear reactor which, if successful, would, while it is generating power, be making enough nuclear fuel to refuel itself and, in addition, enough fuel to fuel new reactors which will be required to meet our growing needs for electricity.

This resolution was passed at the sixth annual meeting of the Southern Interstate Nuclear Board which was held in Wheeling, W. Va. The resolution recognizes the need for developing reactors which have the goal of making as much nuclear fuel as they use. Such reactors, which are commonly referred to as breeder reactors, would provide

what for all practical purposes will be an infinite supply of energy.

As you know, Mr. President, the Southern Interstate Nuclear Board is the agency created to act for the Southern Nuclear Interstate Compact in dealing with the Federal Government and with the member States, either individually or collectively, on nuclear and space matters. The compact membership is comprised of the 17 States in the Southern Governors' Conference and was set up in 1962 under Public Law 85–563.

Mr. President, I ask unanimous consent that a copy of this resolution be included in the RECORD, since the AEC authorization bill now before us gives special emphasis to the next phase of the civilian nuclear power program, the development of breeder reactors.

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

RESOLUTION OF THE SOUTHERN INTERSTATE NUCLEAR BOARD

Whereas, breeder reactors produce more fissionable material than they consume and thus promise a highly improved source of energy for generations to come;

Whereas, while we are now experiencing the economic success of light water reactors, the Southern Interstate Nuclear Board recognizes that the long-term application of nuclear power for the generation of electricity will require the development of economic self-sustaining breeder reactors;

Whereas, current commercial types of nuclear reactors are capable of utilizing only about 1.5% of the fission energy contained in uranium and this fraction can be vastly increased, when breeder reactors are developed;

Whereas, such a potential improvement in efficiency and cost constitutes a strong incentive for research and development; and

Whereas, there are many scientific and technological problems which must be solved before the breeder reactor becomes a commercial reality;

Now, therefore, be it resolved that the Southern Interstate Nuclear Board assembled at Wheeling, West Virginia, for its Sixth Annual Meeting on April 27–28, 1967 commends the Joint Committee on Atomic Energy, the Congress of the United States and the Atomic Energy Commission for its support of and leadership in developing the breeder reactor program;

Be it further resolved that the Southern Interstate Nuclear Board urges Congress to continue to support this program in fiscal 1968 and subsequent years in the near term future;

And, be it further resolved that this resolution be transmitted to the Joint Committee on Atomic Energy, the Speaker of the House of Representatives, and the President of the Senate and to the Atomic Energy Commissioners.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Rhode Island. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. PROUTY (after having voted in the affirmative). On this vote I have a pair with the junior Senator from Tennessee [Mr. BAKER]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Maryland [Mr. BREWSTER], the Senator from Connecticut [Mr. DODD], the Senator from Mississippi [Mr. EASTLAND], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Ohio [Mr. LAUSCHE], the Senator from Louisiana [Mr. LONG], the Senator from Montana [Mr. METCALF], and the Senator from Maine [Mr. MUSKIE] are necessarily absent.

I also announce that the Senator from Alabama [Mr. SPARKMAN] is absent because of a death in the family.

I further announce that the Senator from North Dakota [Mr. BURDICK] and the Senator from Maryland [Mr. TYDINGS] are necessarily absent.

On this vote, the Senator from Connecticut [Mr. DODD] is paired with the Senator from South Carolina [Mr. HOLLINGS]. If present and voting, the Senator from Connecticut would vote "yea" and the Senator from South Carolina would vote "nay."

I further announce that, if present and voting, the Senator from Ohio [Mr. LAUSCHE], and the Senator from Louisiana [Mr. LONG] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Tennessee [Mr. BAKER] is necessarily absent, and his pair has been previously announced.

The Senator from South Carolina [Mr. THURMOND] is absent because of the death of a friend.

The Senator from Colorado [Mr. ALLOTT], is detained on official business.

On this vote, the Senator from Colorado [Mr. ALLOTT] is paired with the Senator from South Carolina [Mr. THURMOND]. If present and voting, the Senator from Colorado would vote "yea" and the Senator from South Carolina would vote "nay."

The result was announced—yeas 37, nays 47, as follows:

[No. 183 Leg.]

YEAS—37

Aiken	Inouye	Morse
Bayh	Jackson	Moss
Brooke	Javits	Nelson
Cannon	Kennedy, Mass.	Pastore
Case	Kennedy, N.Y.	Pell
Church	Long, Mo.	Proxmire
Clark	Magnuson	Randolph
Dominick	McCarthy	Ribicoff
Fong	McGee	Symington
Gruening	McGovern	Williams, N.J.
Harris	Mondale	Young, Ohio
Hart	Monroney	
Hartke	Montoya	

NAYS—47

Bartlett	Griffin	Mundt
Bennett	Hansen	Murphy
Bible	Hatfield	Pearson
Boggs	Hayden	Percy
Byrd, Va.	Hickenlooper	Russell
Byrd, W. Va.	Hill	Scott
Carlson	Holland	Smathers
Cooper	Hruska	Smith
Cotton	Jordan, N.C.	Spong
Curtis	Jordan, Idaho	Stennis
Dirksen	Kuchel	Talmadge
Ellender	Mansfield	Tower
Ervin	McClellan	Williams, Del.
Fannin	McIntyre	Yarborough
Fulbright	Miller	Young, N. Dak.
Gore	Morton	

NOT VOTING—16

Allott	Eastland	Prouty
Anderson	Hollings	Sparkman
Baker	Lausche	Thurmond
Brewster	Long, La.	Tydings
Burdick	Metcalf	
Dodd	Muskie	

So Mr. PASTORE's amendment was rejected.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. MUNDT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PASTORE. Mr. President, I ask for the third reading of the bill.

The VICE PRESIDENT. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

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

The bill was read the third time.

The VICE PRESIDENT. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 10918) was passed.

Mr. PASTORE. Mr. President, I move to reconsider the vote by which the bill 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, I ask unanimous consent that S. 1963 be indefinitely postponed.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, the chairmanship of the Joint Committee on Atomic Energy this year has again been assigned to the senior Senator from Rhode Island [Mr. PASTORE]. No individual could perform the task with more devotion, greater wisdom, or deeper understanding of the many intricate issues involved in this Nation's atomic energy program. So again Senator PASTORE has exhibited his immense ability as chairman of this vitally important committee. Again he has proven himself as an outstanding leader of our vast atomic energy program.

His flawless handling of the AEC authorization measure just adopted by the Senate showed once more his keen appreciation of the program, his broad knowledge of its application. Its passage was marked with the same articulate advocacy, the same clear and convincing arguments that have characterized all of his countless achievements. The success of the measure may be attributed in large measure to his long and hard efforts, bringing to the Chamber the best measure possible and assuring its swift acceptance. The Senate is deeply grateful.

The ranking minority Senate member of the committee, the distinguished senior Senator from Iowa [Mr. HICKENLOOPER], similarly is to be commended. He supported this measure with such strong advocacy—so characteristic—that overwhelming Senate approval was assured. The Senate always welcomes the clear, thoughtful appraisals of Senator HICKENLOOPER, and appreciates his splendid cooperative efforts on all legislative proposals which obtain his backing.

A most provocative issue was raised regarding that part of the authorization which provides for the establishment of the 200-Bevatron accelerator at Weston,

Ill. All Senators joining the discussion are to be commended for the sincerity of the views expressed, regardless of the varying positions taken.

So the Senate appreciated the strong, clear, and provocative views of the able and articulate minority leader, the distinguished Senator from Illinois [Mr. DIRKSEN]. His wisdom and clarity of thought add a great deal to any discussion; today's was no exception. We are most grateful.

We are grateful also to the other Senators who joined the discussion. The senior Senator from New York [Mr. JAVITS], the senior Senator from Washington [Mr. MAGNUSON], the junior Senator from Illinois [Mr. PERCY], all are to be praised for offering their thoughtful and sharp analysis. The junior Senator from Colorado [Mr. DOMINICK], the junior Senator from Massachusetts [Mr. BROOKE], the Senators from Tennessee [Mr. GORE] and Kentucky [Mr. COOPER] also deserve high praise.

To the Senate as a whole go the thanks of the leadership for acting on this measure with dispatch, with efficiency, and with consideration for the views of each Senator. All of us may be proud of another fine achievement.

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 of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 650. An act for the relief of T. Sgt. Anthony J. Corso, U.S. Air Force (retired);

S. 906. An act for the relief of Luis Tapia Davila;

S. 985. An act for the relief of Warren F. Coleman, Jr.; and

S. 1320. An act to provide for the acquisition of career status by certain temporary employees of the Federal Government, and for other purposes.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1537. An act for the relief of Thomas M. Scanlon;

H.R. 1564. An act for the relief of Antonina Rondinelli Asci;

H.R. 1653. An act for the relief of Omer Penner;

H.R. 1820. An act for the relief of Mrs. Demetria Messana Barone;

H.R. 1894. An act for the relief of Our Lady of Pillar Catholic Church in Santa Ana, Calif.;

H.R. 5967. An act for the relief of Albert P. Morell;

H.R. 6324. An act for the relief of John A. Danisch;

H.R. 6452. An act for the relief of John E. Coplin;

H.R. 6663. An act for the relief of Jesse W. Stutts, Jr.;

H.R. 6862. An act for the relief of Slator C. Blackiston, Jr.;

H.R. 7811. An act for the relief of Richard Alan White;

H.R. 8485. An act for the relief of Eddie Garman;

H.R. 10414. An act for the relief of Victor L. Ashley;

H.R. 10482. An act to amend section 2733 of title 10, United States Code, to authorize the application of local law in determining the effect of claimant's contributory negligence, and to clarify the procedure for appeal from certain claims determinations;

H.R. 10805. An act to extend the life of the Civil Rights Commission; and

H.R. 11089. An act to amend title 5, United States Code, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees, and to strengthen the financial condition of the employees' life insurance fund.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on the Judiciary:

H.R. 1537. An act for the relief of Thomas M. Scanlon;

H.R. 1564. An act for the relief of Antonina Rondinelli Asci;

H.R. 1653. An act for the relief of Omer Penner;

H.R. 1820. An act for the relief of Mrs. Demetria Messana Barone;

H.R. 1894. An act for the relief of Our Lady of Pillar Catholic Church in Santa Ana, Calif.;

H.R. 5967. An act for the relief of Albert P. Morell;

H.R. 6324. An act for the relief of John A. Danisch;

H.R. 6452. An act for the relief of John E. Coplin;

H.R. 6663. An act for the relief of Jesse W. Stutts, Jr.;

H.R. 6862. An act for the relief of Slator C. Blackiston, Jr.;

H.R. 7811. An act for the relief of Richard Alan White;

H.R. 8485. An act for the relief of Eddie Garman;

H.R. 10414. An act for the relief of Victor L. Ashley;

H.R. 10482. An act to amend section 2733 of title 10, United States Code, to authorize the application of local law in determining the effect of claimant's contributory negligence, and to clarify the procedure for appeal from certain claims determinations; and

H.R. 10805. An act to extend the life of the Civil Rights Commission.

FEDERAL EMPLOYEES' LIFE INSURANCE

Mr. MANSFIELD. Mr. President, on yesterday, the Senate passed S. 271, the companion bill of H.R. 11089, which passed the House yesterday. H.R. 11089 is presently at the desk, and I ask unanimous consent for its immediate consideration, and that the text of S. 271 be substituted therefor.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The Chair lays before the Senate a message from the House, and directs the clerk to read it by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 11089) to amend title 5, United States Code, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees, and to strengthen the financial condition of the employees' life insurance fund, which was read twice by its title.

The VICE PRESIDENT. Without objection, the Senate will proceed to the consideration of H.R. 11089.

Mr. MANSFIELD. I move to strike out all after the enacting clause of H.R. 11089, and insert in lieu thereof the text of S. 271 as passed by the Senate yesterday.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The VICE PRESIDENT. The question is on the engrossment of the amendment and the third reading of the bill.

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

The bill was read the third time and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the passage of S. 271 be reconsidered and that the bill be indefinitely postponed.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 60. An act for the relief of Dr. Oton Socarraz;

S. 67. An act for the relief of Dr. Juan Ramon Diaz Zayas Bazan;

S. 118. An act for the relief of Dr. Amparo Castro;

S. 132. An act for the relief of Dr. Alberto Fernandez-Bravo y Amat;

S. 164. An act for the relief of Dr. Cesar A. Mena;

S. 168. An act for the relief of Maria Jordan Fernando;

S. 327. An act for the relief of Dr. Carlos Victor De La Concepcion Garcia;

S. 371. An act for the relief of Mrs. Mary T. Brooks;

S. 462. An act for the relief of Dr. Jesus L. Lastra;

S. 464. An act for the relief of Dr. Guillermo N. Hernandez, Jr.;

S. 465. An act for the relief of Dr. Mario Guillermo Martinez;

S. 499. An act for the relief of Dr. Manuel A. Zuniga;

S. 652. An act for the relief of certain employees of the Puget Sound Naval Shipyard;

S. 819. An act for the relief of Charles H. Thurston;

S. 853. An act to extend the life of the Commission of Political Activity of Government Personnel;

S. 904. An act for the relief of Doreen Delmege Willis;

S. 996. An act for the relief of Dr. Esther Yolanda Luazardo;

S. 1045. An act for the relief of Alton R. Conner; and

S. 1278. An act for the relief of Dr. Floriberto S. Puente.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, if I may have the attention of the Senate, following the disposition of the agricultural appropriation bill, it is anticipated that on tomorrow or Friday we will take up the Great Salt Lake National Monument bill, the Vienna Convention, and possibly—though I cannot be sure—start on the Virgin Islands bill.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATION BILL, 1968

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn

to the consideration of Calendar 380, H.R. 10509. Before it is laid before the Senate, may I say to the Senate that it is the intention tonight for the opening statement to be made by the distinguished chairman of the committee, the Senator from Florida [Mr. HOLLAND], and the ranking minority member, the Senator from Nebraska [Mr. HRUSKA], and that is all that will be done on the bill tonight.

The VICE PRESIDENT. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 10509) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1968, and for other purposes.

The VICE PRESIDENT. 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 Appropriations with amendments.

ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW—ORDER FOR RECOGNITION OF SENATOR JAVITS

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, instead of 11 o'clock a.m.; that the period between 10 a.m. and 11 a.m. be under the control of the distinguished senior Senator from New York [Mr. JAVITS].

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

AGRICULTURAL APPROPRIATIONS AND RELATED AGENCIES APPROPRIATION BILL, 1968

The Senate resumed the consideration of the bill (H.R. 10509) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1968, and for other purposes.

Mr. HOLLAND. Mr. President, I understand that there will be at least two amendments to the agricultural appropriations bill. The motion I am about to make is not intended to cut them off nor to cut off any other amendments that anybody wishes to offer. But in such a complicated measure as this, I believe it will be better practice if we adopt the committee amendments en bloc without prejudice, so that the bill as amended be considered as original text, and that no points of order shall be considered as having been waived by this action. I make that unanimous-consent request at this time.

The PRESIDING OFFICER (Mr. SPONG in the chair). Is there objection to the request of the Senator from Florida? The Chair hears none, and it is so ordered.

The amendments, agreed to en bloc, are as follows:

On page 3, line 15, after "$100", to strike out "$135,587,500" and insert "$143,354,800"; in line 19, after the word "which", to strike out "$2,800,000" and insert "$5,941,800"; in line 25, after "(21 U.S.C. 113a)", to insert a colon and *"Provided further,* That none of the funds appropriated in this Act shall be used to formulate a budget estimate for fiscal 1969 of more than $15,000,000 for research to be financed by transfer from funds available under section 32 of the Act of August 24, 1935, and pursuant to Public Law 88–25;"; on page 4, line 12, after "(21 U.S.C. 114b–c)", to strike out "$84,028,000" and insert "$90,835,400"; in line 20, after the word "further", to insert a colon and "That not to exceed $1,150,000 shall remain available until expended for construction of facilities without regard to limitations contained herein:".

On page 6, line 5, after the word "expended", to strike out "$7,500,000" and insert "$15,400,000".

On page 6, line 21, after the word "including", to strike out "$54,465,000" and insert "$56,039,000"; on page 7, line 5, after "(7 U.S.C. 450b)", to insert "of which $1,000,000 shall be for the special cotton research program and $400,000 for soybean research"; in line 7, after the amendment just above stated, to strike out "$2,500,000" and insert "$4,000,000"; in line 11, after the word "and", to strike out "$353,000" and insert "$380,000"; and, in line 17, after the word "all", to strike out "$63,113,000" and insert "$66,214,000".

On page 8, line 2, after the word "Act", to strike out "$80,347,500" and insert "$82,347,500"; and, in line 5, after the word "all", to strike out "$81,917,500" and insert "$83,917,500".

On page 9, line 7, after "(7 U.S.C. 1621–1627)", to strike out "$1,204,000" and insert "$1,404,000".

On page 9, line 20, after the word "aircraft", to strike out "$113,053,000" and insert "$113,995,000".

On page 11, line 1, after the word "expended", to strike out "$6,377,000" and insert "$6,000,000"; and, in line 8, after "5 U.S.C. 3109", to insert a colon and *"Provided further,* That no funds appropriated in this Act shall be available to plan or formulate a watershed planning program in fiscal 1968 in excess of eighty new planning starts."

On page 12, line 4, after "5 U.S.C. 3109", to strike out *"Provided further,* That not to exceed $5,000,000, together with the unobligated balance of funds previously appropriated for loans and related expense, shall be available for such purposes" and insert *"Provided further,* That $5,000,000 of the funds in the direct loan account of the Farmers Home Administration shall be available until expended for loans: *Provided further,* That no funds appropriated in this Act shall be available to plan or formulate a watershed protection program in fiscal 1968 in excess of eighty new construction starts."

On page 13, line 1, after the word "purposes", to strike out *"Provided,* That not to exceed $200,000, together with the unobligated balance of funds previously appropriated for loans and related expense, shall be available for such purposes" and insert *"Provided,* That $1,000,000 of funds in the direct loan account of the Farmers Home Administration shall be available until expended for loans."

On page 13, line 13, after "(16 U.S.C. 590p)", to strike out "$16,336,000" and insert "$18,504,300".

On page 13, line 21, after "(16 U.S.C. 590 a–f)", to strike out "$6,000,000" and insert "$7,629,000"; in line 23, after the word "That", to strike out "not to exceed $1,000,000 of such amount" and insert "$1,500,000 of the funds available in the direct loan account of the Farmers Home Administration"; on page 14, at the beginning of line 1, to strike out "and related expenses"; and, in line 2, after the word "amended", to insert "to remain available until expended".

On page 14, line 25, after the word "products", to strike out "$12,421,000" and insert "$13,021,000".

On page 15, line 21, after the word "laws", to strike out "$13,821,750" and insert "$13,864,000".

On page 16, at the beginning of line 19, to strike out "$89,010,000" and insert "$89,522,000".

On page 17, line 5, after "(7 U.S.C. 1623 (b))", to strike out "$1,750,000" and insert "$1,900,000".

On page 17, line 10, after "$104,000,000", to strike out the comma and "to be transferred from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c)".

On page 17, line 17, after "(80 Stat. 885–890)", to strike out "$198,735,000" and insert "$190,825,000, of which not less than $14,325,000 shall be used for the purposes of section 6 of the National School Lunch Act"; in line 20, after the word "including", to strike out "$5,000,000" and insert "$8,000,000"; in line 21, after the word "schools", to strike out "$2,000,000" and insert "$5,000,000"; in line 22, after the word "program", to strike out "$750,000" and insert "$3,000,000"; and, in line 23, after the word "program", to insert a semicolon and "and $1,250,000 for State Administrative expenses:".

On page 18, after line 7, to insert:

FOOD STAMP PROGRAM

For necessary expenses of the food stamp program pursuant to the Food Stamp Act of 1964, as amended, $172,500,000, and in addition $22,500,000 appropriated under this head in Public Law 89–556, approved September 7, 1966, shall be merged with this appropriation.

On page 19, line 13, after "(7 U.S.C. 1766)", to strike out "$21,441,500" and insert "$22,612,000".

On page 20, line 20, after the word "Corporation", to strike out "$137,935,400" and insert "$144,285,400"; and, at the beginning of line 22, to strike out "$64,728,600" and insert "$58,608,600".

On page 21, at the beginning of line 18, to strike out "$80,000,000" and insert "$81,500,000".

On page 24, line 24, after the word "Corporation", to strike out "$80,000,000" and insert "$84,500,000"; and, in the same line, after the amendment just above stated, to insert a colon and *"Provided,* That agreements entered into during the fiscal year 1968 shall not require payments during the calendar year 1968 exceeding $52,200,000.".

On page 26, line 15, after "5 U.S.C. 3109", to strike out "$11,693,000" and insert "$11,993,000".

On page 26, line 20, after "(58 Stat. 742)", to strike out "$2,569,300" and insert "$2,789,000".

On page 26, line 25, after the word "service", to strike out "$4,325,000" and insert "$4,525,000".

On page 28, line 4, after the word "Library", to strike out "$2,458,500" and insert "$2,758,500".

On page 28, line 14, after the word "Agriculture", to strike out "$2,667,000" and insert "$2,707,000".

On page 28, line 22, after the word "exceed", to strike out "$5,000" and insert "$10,000"; and, in line 23, after "5 U.S.C. 3109", to strike out "$4,457,000" and insert "$4,487,000".

On page 29, at the beginning of line 18, to strike out "$314,000,000" and insert "$324,000,000"; in the same line, after the amendment just above stated, to strike out "of which $50,000,000 shall be placed in reserve to be borrowed under the same terms and conditions to the extent that such amount is required during the current fiscal year under the then existing conditions for the expeditious and orderly development of the rural electrification program;"; at the beginning of line 24, to strike out "$120,600,000" and insert "$135,000,000"; and, in the same

line, after the amendment just above stated, to strike out "of which $25,000,000 shall be placed in reserve to be borrowed under the same terms and conditions to the extent that such amount is required during the current fiscal year under the then existing conditions for the expeditious and orderly development of the rural telephone program".

On page 31, at the beginning of line 1, to strike out "$800,000,000" and insert "$700,000,000".

On page 31, line 18, after the word "loans", where it appears the second time, to strike out "$300,000,000" and insert "$325,000,000".

On page 32, line 4, after "(7 U.S.C. 1926)", to strike out "$30,000,000" and insert "$40,000,000".

On page 32, line 10, after "(7 U.S.C. 1010, 1011 (e))", to strike out "$1,200,000" and insert "$2,000,000".

On page 32, at the beginning of line 16, to strike out "$3,000,000" and insert "$4,000,000".

On page 32, line 25, after "(40 U.S.C. 440–444)", to strike out "$54,988,000" and insert "$56,988,000".

On page 34, line 5, after the word "expenses", to strike out "$8,883,000" and insert "$11,533,000".

On page 34, line 8, after the word "exceed", to strike out "$4,100,000" and insert "$1,600,000".

On page 34, line 15, after "(15 U.S.C. 713a–11, 713a–12)", to strike out "$1,400,000,000" and insert "$2,984,856,389"; and, in line 23, after the word "regime", to strike out the colon and *"Provided further,* That $275,000 of this amount shall be transferred to and merged with the appropriation "Agricultural Research Service, salaries and expenses, research" for research on short staple cotton and mechanical classing methods for cotton".

On page 36, at the beginning of line 9, to strike out "surplus"; and, in line 14, after the word "Act", to strike out "$300,000,000" and insert "$370,000,000".

On page 36, after line 15, to insert:

BARTERED MATERIALS FOR SUPPLEMENTAL STOCKPILE

For the expenses during fiscal year 1968 and unrecovered prior years' costs related to strategic and other materials acquired as a result of barter or exchange of agricultural commodities or products and transferred to the supplemental stockpile pursuant to the Act of May 28, 1956, as amended (7 U.S.C. 1856), $24,000,000, to remain available until expended.

On page 37, line 19, after the word "and", to strike out "thirty-seven (537)" and insert "sixty (560)".

Mr. HOLLAND. Mr. President, my understanding is that the majority leader wishes me to simply complete my statement—that is, so that it will be in the RECORD—but that there will be no votes. We have already adopted all committee amendments, so that the original text presented by those committee amendments is subject to amendment.

My understanding is that the distinguished Senator from Delaware [Mr. WILLIAMS] has an amendment and that the distinguished Senator from Wisconsin [Mr. PROXMIRE] has an amendment. There may be other amendments of which I have no knowledge. I am not trying to shut out any amendments, but I would like to continue my original statement, except for yielding. If the distinguished ranking minority member of the committee thinks that something needs to be said to bolster some part of the statement as we go along, I will be glad to yield to him. Then we will have my statement, to be followed by his statement in the RECORD, for the examination of all Senators, before we take up the bill again at 11 o'clock tomorrow morning, as I understand.

Mr. MANSFIELD. The Senator is correct.

AUTHORIZATION FOR COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

Mr. MANSFIELD. Mr. President, if the Senator from Florida will yield, I ask unanimous consent that all committees may meet until the conclusion of the morning hour tomorrow.

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

Mr. HOLLAND. That is, until 11 o'clock?

Mr. MANSFIELD. No. We will have speeches from 10 to 12, and then there will be the morning hour.

Mr. HOLLAND. If the distinguished majority leader will give me some indication as to when, under his plan, we will be back on this bill, I shall appreciate it, because I am sure I will have requests from Senators who wish to be heard. When does the majority leader believe that we will get back on the bill tomorrow?

Mr. MANSFIELD. I would guess somewhere between 12:15 and 12:30.

If the Senator will yield further, I ask unanimous consent that there be 1 hour on the amendment to be offered by the distinguished Senator from Wisconsin [Mr. PROXMIRE], the time to be equally divided between the Senator from Wisconsin and the distinguished chairman of the committee, the Senator from Florida; that on the amendment to be offered by the distinguished Senator from Delaware [Mr. WILLIAMS] there be a 2-hour limitation, the time to be equally divided between the sponsor of the amendment and the manager of the bill; and that on all other amendments there be a time limitation of 1 hour, the time to be equally divided between the manager of the bill and the sponsor of the bill, and 1 hour on the bill.

The PRESIDING OFFICER. Is there objection?

Mr. HOLLAND. I have no objection.

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

The unanimous-consent request, subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That effective on Thursday, July 13, during the further consideration of the bill (H.R. 10509), making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1968, and for other purposes, debate on any amendment except an amendment to be offered by the Senator from Wisconsin [Mr. PROXMIRE] which shall be limited to 1 hour to be equally divided and controlled by the Senator from Wisconsin and the Senator from Florida [Mr. HOLLAND], and an amendment to be offered by the Senator from Delaware [Mr. WILLIAMS] to be limited to 2 hours, to be equally divided and controlled by the Senator from Delaware and the Senator from Florida, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. HOLLAND. Mr. President, we now have under consideration H.R. 10509, the Department of Agriculture and related agencies appropriation bill for 1968. The amount of the bill, as recommended by the committee, is $6,782,529,789, an increase of $2,011,948,839 over the House bill. The bill is $1,761,432,389 over the budget estimates and $240,041,661 under the appropriations for fiscal 1967.

The principal increase over the budget estimates and the House bill is due to one item—the reimbursement appropriation for the Commodity Credit Corporation for net realized losses incurred in fiscal 1966. The committee has recommended for this item an appropriation of $2,984,856,389 to reimburse the Commodity Credit Corporation for the full amount of net realized losses incurred in fiscal 1966, in the conduct of mandatory price support, export, supply, crop diversion, and other authorized farm programs covered by existing legislation. The budget request was in the amount of $1,400,000,000 which was $1,584,856,389 below the actual realized losses for fiscal 1966. The House-passed bill included only the amount of the budget estimate. I will deal with this item in some detail later in my statement.

However, I did want it understood in the beginning that the principal item of apparent increase is due to the fact that the Senate committee insists upon standing by the requirement of the law, and the committee recommendations which have been adopted by the Senate for some years. The committee is continuing to recommend full restoration of the deficit for the preceding year as shown by the Commodity Credit Corporation in its annual report.

I emphasize that in no sense am I blaming the Commodity Credit Corporation because its report simply reflects the outcome of administering activities imposed upon it by law; those which have been passed by Congress and are on the statute books. I am calling attention to the fact that the committee report recommends that the Senate now follow the policy it has been following for some 4 or 5 years and that we restore the full amount of the deficit this year as we have in previous years. Before recurring to this matter I wish to discuss briefly some items of general interest.

RESEARCH AND EXTENSION ACTIVITIES

The bill, as reported by the committee, recommends a total of $249,500,200 for the research and regulatory activities administered by the Agricultural Research Service. This is a net increase of $36,426,800 over 1967, and represents an increase of $11,355,200 over the budget request and $22,474,200 over the House bill.

The largest increase over the House is for the overseas agricultural research program financed by foreign currencies generated under title I of Public Law 480. The committee recommends the amount requested in the budget for this purpose of $15,400,000, an increase of $7,900,000 over the House bill.

Mr. President, I want it understood that our committee feels the best possible use that can be made of the soft currencies which are accruing to agriculture's use under Public Law 480 is for research in the countries affected on problems which are also of great interest to us. We feel it is useless and wasteful to let a large amount of these soft currencies continue to accumulate without being put to good use.

The committee has recommended the full amount of the budget increase over 1967 to staff and equip new research laboratories and research centers. The increase over 1967 is $5,130,500, of which $3,235,600 is for equipment. The House had provided $4 million of the increase requested.

There were several other items of increase in the budget request for strengthening research. These items totaled $5,786,600 and the committee has recommended $4,948,600, an increase of $1,190,000 over the House and $838,000 under the estimate.

The full details concerning every research project and facility appear in detail in the committee report beginning on page 4.

The committee has endorsed the action taken in the other body to provide $3 million over the estimates to meet urgent research needs over the amounts requested in the budget. The committee accepted the full list of projects shown on pages 20 and 21 of the House committee report.

The committee has recommended a total increase of $4,230,000 by adding $1,230,000 over the House bill for these several projects. The complete listing appears on pages 13 to 17 of the committee report.

The committee also acted on a number of additional projects not covered in the House report. The detailed listing appears on pages 19 to 21 of the report. A total increase of $2,979,800 over the House bill and the budget has been recommended for these several items. Of this amount $2,184,800 is recommended to complete the construction of previously authorized research facilities on the scale planned to conduct the enlarged research program when funds were originally appropriated.

In summary, the committee recommendations for research reflect a net increase of $6,371,800 over the budget estimate, $7,767,300 over the House bill and $7,357,300 over funds available for 1967.

SOIL AND WATER RESEARCH

For a number of years the committee has generally adhered to acceleration of soil and water research in accordance with the priority listing furnished to the committee by the Department several years ago, pursuant to Senate Document 59. In the pending bill the committee has recommended that planning funds for two additional stations be provided. These are priority Nos. 26 and 27, as shown in the complete listing printed in the committee hearings on pages 227 to 237. Those listings reflect the priority fixed by Senate Document No. 59.

The facilities and amounts referred to are $45,000 recommended for planning an addition to the facility at Orono, Maine, estimated to cost $450,000 and $50,000 for planning an addition to the facility at Riverside, Calif., estimated to cost $500,000.

Each year the committee has been petitioned by Members of the Senate and by others to add funds for these various facilities. In the absence of the budget estimates from the Department to proceed with this program in a more concerted fashion, the committee has seen fit to add one or two projects each year or so. I want to express my appreciation to the Members who are interested in these projects in their patience in the procedure which the committee has been forced to follow in the absence of a budget request to proceed in an orderly fashion on this very important type of research activity.

I might add there were three Senators in particular who had very meritorious projects which we would like to have granted and which are ready for advanced planning or construction, but they did not come within the top priorities we are following. We will have to reach them at a later date. The Senators affected were gracious enough to understand the situation and approve it.

PAYMENTS TO STATES FOR COOPERATIVE RESEARCH AND EXTENSION

The committee has included the full budget estimate of funds requested for payments to States for cooperative research under the Hatch Act formula, and for the cooperative extension work under the Smith-Lever formula.

The committee has recommended $56,039,000 for payments to States under the Hatch Act, an increase of $1,101,000 over the estimate for pay adjustment and $4,926,000 over 1967.

An appropriation of $83,917,500 is recommended for payments to States for cooperative extension work under the Smith-Lever formula. This is an increase of $2,000,000 over the House for pay comparability adjustment and the estimate and an increase of $5,265,000 over 1967.

I am pleased to note that the 1968 budget request did not repeat the efforts of a year ago to reduce the amounts available for these important cooperative programs so vital to the welfare of our Nation. For several years the committee has been obliged to provide an increment of increase over the budget and over the amount provided in the other body to be directed toward pay comparability adjustments for the Federal share of compensation received by workers paid in the past from Hatch funds and Smith-Lever funds.

The committee believes that Federal budgetary officials should recognize this to be a Federal responsibility and include in the budget estimate an increment for pay comparability adjustments for these two programs in the year following the enactment of pay increases for Federal workers.

CONSUMER AND WELFARE PROGRAMS

I will now deal briefly with one segment of the bill which deals almost entirely with consumer protective and welfare programs administered by the Consumer and Marketing Service. These programs include the meat and poultry inspection, the special milk program, school lunch program, and the food stamp program. The committee has recommended the full budget estimate for the consumer protective programs in the amount of $89,522,000, an increase of $512,000 over the House and $3,450,000 over 1967. The principal increase is for accelerated work in connection with meat and poultry inspection which is required by the increased size of both the meat and poultry industries.

SCHOOL LUNCH PROGRAM

In dealing with the school lunch program the committee has recommended a total of $235,825,000 for 1968 and this total does include $45,000,000 by transfer from section 32 funds for the purchase of foods pursuant to section 6 of the School Lunch Act, as amended. The Congress in recent years has authorized modifications and additions to school lunch and feeding programs. For the regular school lunch program the committee has recommended a total available of $218,575,000 for 1968. This includes an increase of $9,705,000 over 1967 for cash payments to States under the regular formula and reinstates $12,440,000 denied in the House bill for commodity procurement for fruits and vegetables. The increase of $9,705,000 over 1967 continues an average Federal contribution of 5 cents per lunch to meet the estimated increase in lunches estimated to be served next year. The country is fortunate in the fact that the number of schoolchildren increases each year and we have to take that into account in this important program.

The House bill provided $187,000,000, which would have raised the Federal contribution to an estimated 5½ cents per lunch. While the committee was sympathetic to this objective, it felt also it owed some responsibility to finance the new school programs which had been authorized in recent years as described in detail in the Committee Report No. 395 on pages 38 and 39.

It should be noted that the recommended total for these new programs is $17,250,000, as compared to $7,750,000 included in the House approved bill. This represents an increase of $9,500,000 over the House bill, but is still $7,550,000 under the budget estimate for these new special assistance feeding programs designed to provide a breakfast and other feeding assistance to children not now reached in the regular school lunch program.

The committee handling of the school lunch programs is designed to maintain the regular program and make a modest start on the new special assistance feeding programs, which are designed to take care of the needs of children who do not get adequate food at home.

SPECIAL MILK PROGRAM

The committee has recommended the full budget estimate of $104,000,000 for the payments under the special milk program which is the amount carried in the House bill. The committee has funded this amount by direct appropriations from the general revenue fund rather than to derive the $104,000,000 from section 32 permanent authorization. Authorization for the special milk program specifies that appropriations be from the general revenue fund. The committee action is taken for the purpose of curbing what it considers to be a misuse of section 32 funds which are designed primarily for surplus removal, and with special application to perishable commodities which are not price supported.

FOR THE FOOD STAMP PROGRAM

In this same connection, namely the misuse of section 32 funds—and I call particular attention to this—the budget request proposed that $195,000,000 be made available for fiscal 1968, all of which was to be derived from section 32. This program is clearly classified in the authorizing legislation as a welfare program and should be financed by regular and direct appropriation from the general revenue fund, rather than as proposed in the budget from section 32.

As the bill came from the other body, no funds were included for the food stamp program. The House recommendation of $175,000,000 to be derived from section 32 permanent authorization plus $20,000,000 reappropriation was stricken on a point of order.

The action recommended by the committee provides $172,500,000 by direct appropriation and $22,500,000 by reappropriation, thus providing the budget estimate of $195,000,000.

The two recommendations of the committee for the special milk program and for the food stamp program provide appropriated funds in lieu of transfers from section 32 funds, and although they increase the bill by $276,500,000 over the estimate, this does not change at all the rate of spending proposed in the budget estimates.

In other words, the budget proposes that these important needs be met out of the special agricultural fund so that they will not be reflected in the budget. The committee feels that the special agricultural fund should be used as provided by the law creating it, and that the general revenue fund should meet these very important needs as required by legislation passed to authorize those programs.

COMMODITY CREDIT CORPORATION REIMBURSEMENT APPROPRIATIONS

As I stated earlier, the principal increase over the estimates recommended by the committee results from the recommendation to appropriate the full amount of realized losses for the Commodity Credit Corporation for fiscal 1966. Thus, the committee has recommended a reimbursement appropriation of $2,984,856,389, an increase of $1,584,856,389 over the $1,400,000,000 requested in the budget estimate and approved by the House.

Senators will recall the efforts I have made since becoming chairman of the subcommittee to bring up to date the reimbursement appropriations for the Commodity Credit Corporation as intended by law going back to Public Law 312, approved March 20, 1954. This act, which increased the borrowing authority of the Corporation, also embodied the so-called Williams amendment requiring that the impaired capital structure of the Corporation be restored in the future by appropriations rather than through cancellation of notes. This act was subsequently amended by Public Law 87–155, approved April 17, 1961, which simply provided for reimbursement of net realized losses with appropriated funds rather than through cancellation of notes. It was an updating of Public Law 312.

After the handling of the supplemental appropriation in fiscal 1965, I insisted that every effort be made to restore the capital structure of the Corporation on a regular basis, as intended by the Williams amendment incorporated in Public Law 312, as amended by Public Law 87–155.

Thus, in reporting the appropriations bill for fiscal 1966 on my motion in the committee, the full amount of the loss for fiscal 1965 totaling $3,226,800,000 was included in the bill. This represented an increase of $926,800,000 over the budget estimate. While the bill was in conference, a supplemental estimate was received from the President in the amount of $500 million and the conference committee then agreed to the revised estimate and appropriated $2,800 million in fiscal 1966 for the losses of fiscal 1965.

Mr. President, later, I will show what has happened each year following since that time. We have made a little progress each year. We have put the Corporation on a sound and current fiscal basis, provided the appropriation this year can be passed covering the nonreimbursed loss for 1966, with the exception of an unreimbursed item of $1,057 million for the year 1961. We have not reimbursed the CCC for that loss as yet. It is the opinion of the vast majority of our committee that it is only fair to the public that this item be shown in full each year. There is no blame to affix to the Commodity Credit Corporation for having this large deficit. It is simply carrying out the laws which we have passed. Without restoration of the borrowing power of the Commodity Credit Corporation each year, we do not have the full borrowing power available; we do not have a clear statement of what the deficit has been and what was the full amount of business transacted for the year before; and we do not follow existing law. Our committee has felt that it is fair to all concerned, especially to the farming community, that existing law be fully carried out in this regard.

The conference report No. 1186, dated October 20, 1965, accompanying H.R. 8370, the Agricultural Appropriation Act for 1966, on page 11, states as follows:

> The conferees are of the opinion that future budget estimates for reimbursement appropriations for net realized losses of the Commodity Credit Corporation should include the full amount of the realized losses for any fiscal year as reflected in the accounts and shown in the report of the financial condition of such corporation as of the close of business of such fiscal year.

At that point, I thought that there was general agreement in Congress and, hopefully, with the executive branch, that future budget estimates for this important item would be submitted in the full amount as intended by law and as promptly after the end of the fiscal year in which such losses were realized as is possible under our Federal budgeting and appropriating process. A year ago I was pleased to note that the budget estimate for fiscal 1967 requesting the large sum of $3,555,855,000 included the full amount of the realized loss for fiscal 1965 in the amount of $3,048,020,744 plus the balance of the 1964 loss in the amount of $507,834,256. Thus, upon the processing of the appropriations bill a year ago, the arrears in the losses of the corporation were all cleaned up except for the balance of $1,057,000,000 of unreimbursed loss incurred during fiscal 1961. I was pleased to note this improved situation a year ago when I presented the committee's recommendation to the Senate as floor manager of the agricultural appropriation bill for fiscal 1967.

I must say, that the Department of Agriculture has sought to carry out its agreement with us by recommending that the full amount of the deficit for 1966 be included in the budget for fiscal year 1968. The responsibility for the reduction to $1.4 billion for this item, as shown in the budget, is in no sense chargeable to the Department of Agriculture but reflects instead what I think is a mistaken effort on the part of the Budget Bureau to make the budget look smaller than it is. As a matter of fact, the restorations of this loss for 1966 will not mean the expenditure of a single nickel because the money has already been spent in 1966. It is simply a restoration as required by law of the full amount of the deficit shown for the last completed year.

When the Secretary of Agriculture appeared before the committee at the beginning of the hearings, I examined him very closely on this and pointed out to him that I was disappointed to find that the appropriations request of the Department had been cut by approximately $2 billion in the budget submitted to Congress, but the spending budget of the Department was moving slightly upward so the public could gain a false impression of the fiscal picture in the Department of Agriculture. During this hearing, I elicited from the Secretary of Agriculture, Mr. Freeman, the fact that as head of that executive department he had requested the Bureau of the Budget for authority to include in the budget estimate for 1968 the full amount of the 1966 loss to which I have referred earlier, as well as the balance of the 1961 loss of $1,057,000,000. It is evident, therefore, that the committee has received cooperation from the Secretary of Agriculture and officials of that Department in its efforts to bring the reimbursement appropriation for the Commodity Credit Corporation to a current basis as intended by law.

Now, Mr. President, there are other things which we will be able to say to-

morrow, but I want to yield now to my distinguished friend the ranking minority member of the subcommittee, who, I must say for the RECORD, has been of enormous help on this bill, not only in attending the hearings, which have been long and exhaustive and are reflected by the very comprehensive hearings, which are on the desk of every Senator, but also in the preliminaries to the markup in subcommittee, in the markup in subcommittee, and in the markup in full committee he has been highly cooperative. I want that statement to appear in the RECORD, and also this statement: Since I have served on this subcommittee, there has never been any partisanship or politics in this particular subcommittee. I think there are just as many friends of agriculture on one side of the aisle in this committee as there are on the other side, and we have all worked together to see that the Department of Agriculture was properly funded.

There are many, many items in this lengthy bill. The printed report is some 67 pages, which I commend to the examination of every Senator as to any item which may be of special interest to him. The hearings are over 2,000 pages in length.

I just want it to appear in the RECORD that both the chairman of the subcommittee and the ranking minority member of the subcommittee, and other members of the subcommittee and full committee, will be glad to be interrogated as to any item in the bill, because there are matters in this bill affecting every State in the Union and affecting not only agriculture but many foreign activities, such as those covered by Public Law 480, and many social and welfare activities such as those I mentioned earlier in my statement.

The bill is a very complex one. It is easily understandable that many Members of the Senate will want to have explanations of certain portions of the bill, and we stand ready and willing to provide them.

I am glad to relinquish the floor now to the distinguished ranking minority member of the subcommittee.

Mr. HRUSKA. I thank the Senator from Florida.

Mr. President, the Senator from Nebraska has been a member of the Appropriations Committee and its Agriculture and Related Agencies Subcommittee for approximately 9 years. I thought, through those years, I had achieved some familiarity with the scope, complexity and extent of a bill covering such a large part of our total appropriations. But then, early this year, for the first time I became ranking minority member on my side of the aisle of this subcommittee. I tried to attend as many meetings as I could and I attended most of them, I believe. This experience impressed me even more as to the nature and coverage of the bill and its tremendous importance to the continued well-being of the United States.

I was also impressed, all over again, with the capability and the competence and the unfailing courtesy of the present chairman of the subcommittee. I know, from firsthand observation, of his dedication and complete fairness in serving the best interests of the Nation's farmers. Many times there are conflicting claims as to priorities among different geographical areas or as among groups that have to do with one crop or another or one activity or another in this great field. Certainly the devotion of the Senator from Florida to this difficult task of conducting such a comprehensive review and examination of the administration's budget requests is a tremendous contribution to congressional responsibility. I want to pay him a tribute which I truly and sincerely feel.

The members of the subcommittee are tremendous people to work with—all of them—but I want to especially comment on another member, the senior Senator from North Dakota [Mr. YOUNG], who for years was ranking minority member of the subcommittee. He stepped down earlier this year to assume the heavy responsibilities as ranking minority member on the Defense Appropriations Subcommittee.

The bill now under consideration represents the product of this painstaking review and it represents also the best judgment of the chairman and other members of the Appropriations Committee.

The amount of the bill is $6,782,000,000, in round numbers. This is an increase of a little over $2 billion over the House-passed bill, and is $1,761,000,000 over the budget requests, but it is also $240 million under the appropriations for fiscal 1967.

Mr. President, I indicated a moment ago that the action taken by the Senate committee was responsible and that it represented our best judgment. Notwithstanding the fact that the budget from this body will be a little over $2 billion more than what the House had approved, we are not budget busters. We have acted responsibily in the face of mounting expenditures brought about for a number of reasons.

The principal item in the Senate increase is $1,584,000,000, to reimburse the Commodity Credit Corporation fully for its net realized losses, or the cost of the Nation's farm programs, for fiscal year 1966.

The actual losses were $2,984,000,000. The budget request was $1,400,000,000 to apply on those 1966 losses. The other body allowed that amount. The committee saw fit to add enough to the $1,400,000,000 to make up the entire amount of the net realized losses. The actual losses were $2,984,000,000.

It should be pointed out that whether we allow the $1.4 billion or $2.984 billion or nothing at all, it would not affect the expenditures which have already been incurred in this item. This is a bookkeeping transfer from one account to another for which we ask the addition of $1,585,000,000.

Not only does this item not represent any actual expenditure—I refer to the addition—but, more importantly, it is in accordance with the clear provisions of Public Law 87–155.

Mr. President, I ask unanimous consent that the text of that law be set forth in the RECORD at this point for the use of our colleagues.

There being no objection, Public Law 87–155 was ordered to be printed in the RECORD, as follows:

PUBLIC LAW 87–155

An act to authorize annual appropriation to reimburse Commodity Credit Corporation for net realized losses sustained during any fiscal year in lieu of annual appropriations to restore capital impairment based on annual Treasury appraisals, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 1 and 2 of the Act of March 8, 1938, as amended (15 U.S.C. 713a–1, 2), are hereby repealed.

SEC. 2. There is hereby authorized to be appropriated annually for each fiscal year, commencing with the fiscal year ending June 30, 1961, out of any money in the Treasury not otherwise appropriated, an amount sufficient to reimburse Commodity Credit Corporation for its net realized loss incurred during such fiscal year, as reflected in its accounts and shown in its report of its financial condition as of the close of such fiscal year. Reimbursement of net realized loss shall be with appropriated funds, as provided herein, rather than through the cancellation of notes.

SEC. 3. In the event the accounts of the Commodity Credit Corporation reflect a net realized gain for any such fiscal year, the amount of such net realized gain shall be deposited in the Treasury by the Commodity Credit Corporation and shall be credited to miscellaneous receipts.

Approved August 17, 1961.

Mr. HRUSKA. Mr. President, when we debate the bill further tomorrow, we expect that an amendment will be presented, and it will be debated.

It is in compliance with the law, but also in keeping with one of the steps the Senate took when it passed yesterday, by a vote of 92 to 0, a truth-in-lending bill. It seems to us that we could call this a truth-in-budgeting bill, by which we could face the people of America and say, "This is bad news, in a way, financially, but it is news to which you are entitled, and it follows from a law which was passed in 1961," to which I referred a while ago.

The chairman of the subcommittee, and I discussed thoroughly the philosophy of the so-called Williams amendment. We went into the matter in depth, from a historical point of view as well as from the standpoint of proper budgeting and appropriations procedures. We came to the conclusion he has stated. He had formed that conclusion in his mind, and had acted upon it for the last 5 or 6 years, as a member of the subcommittee. My recollection is that I have joined him in every one of those conclusions in previous years. I certainly want to support his position in that regard now.

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

Mr. HRUSKA. I am happy to yield to the Senator from Florida.

Mr. HOLLAND. The Senator from Nebraska has, indeed, not only joined the Senator from Florida, but joined the full membership of the Appropriations Committee in previous years, as he has this

year, in insisting, first, that the law be obeyed; second, that fair and decent budgeting be followed; third, that the public be apprised of the actual amount of the deficit, because that is information to which it is entitled; and fourth, that the capital structure of the Commodity Credit Corporation be restored, so that it will be strong again, with full borrowing power.

It receives its funds from the Treasury by borrowing; and without restoration, it does not have the same borrowing power. The Senator from Florida has been through three experiences in the past in which we have had to increase the total borrowing power of the Commodity Credit Corporation, due largely to poor bookkeeping and poor budgeting procedure prior to that time. We are endeavoring to keep the corporation in good financial shape and on a current basis.

Before I take my seat, I express my very deep gratitude for the kind remarks the Senator has made about me.

Mr. HRUSKA. I ask the Senator from Florida for verification of this fact: When the $2,985 million is provided—if it is provided, as I hope it will be—will the slate then be clean, with the exception of the year 1961, when there were net realized losses of $1,057 million?

Mr. HOLLAND. The Senator is correct, except in one small particular. There were more net realized losses than that amount in fiscal 1961, but the excess over $1,057 million was restored.

Mr. HRUSKA. Oh, yes.

Mr. HOLLAND. And the balance, or the deficit which was not restored, was $1,057 million.

Mr. HRUSKA. There was a partial restoration.

Mr. HOLLAND. If we pass this bill as reported, the capital structure of the Commodity Credit Corporation, which under existing law is $14,500 million, will be fully restored, except for the $1,057 million not yet restored out of the 1961 budget. The Senator is correct.

I also want to call attention, for the record, so as to advise other Senators to the fact that the complete accounting covering the operations of the Commodity Credit Corporation for 1966, and showing the source of the deficits which we are trying to restore in full, will appear on pages 676 and 677 of the printed hearing record of our committee, so that any Senator who is interested may advise himself there as to the source of the deficit.

Mr. HRUSKA. That will be a valuable reference. I thank the Senator for providing it.

The second increase of size made by the committee has to do with the use of the so-called section 32 funds. The chairman has already referred to the matter briefly, but for the sake of emphasis, I wish to repeat the salient facts on it.

For two programs, the special milk and food stamp programs, we have recommended that the full amount of the budget request—$104 million for the milk and $195 million for the food stamps—be provided by regular and direct appropriations, except that in the case of food stamps, $22,500,000 is provided for by a reappropriation of previously appropriated funds which were not expended by the Department.

In all, these increases added to the bill $276,500,000 over the estimate, but this does not change the rate of spending proposed in the budget by 1 cent.

The committee action merely indicated that we do not condone the misuse of section 32 funds for activities which Congress did not authorize. Resort was had, of course, to general funds for that purpose, as should properly be done.

Mr. President, a substantial amount of time is always taken in our subcommittee on agricultural research. All of us are convinced that it is essential this vital research program have continuity and that we follow it up with diligence. We know future prospects are for a world that will be short of food. All of us are also aware that agricultural research does not lend itself and is not susceptible to being a crash program. We cannot wait until the evil day arrives. Mother Nature does not work like that. We might be able to institute a crash program to make missiles, projectiles, or computers; but Mother Nature has a very unrelenting timetable. So, therefore, we have spent considerable time to see that there is a proper allocation of the funds within an acceptable total for these research projects.

Wisely, years ago—and the present chairman of the subcommittee was a part of it—there was established a sort of priority in many of these areas. Such as soil and water research which we felt was a good priority. That was under the chairmanship, I believe, of the senior Senator from Georgia [Mr. RUSSELL]. We have adhered to that schedule, and it has been well that we have had that schedule to follow. It sometimes requires the fortitude of a Horatio at the Bridge for the chairman to stand guard and see that it is held inviolate, but I must say that while he is firm, he is always courteous and fair. I do believe that policy has paid tremendous dividends toward an intelligent and logical pursual of this agricultural research program, which is many faceted and complicated.

In further pursuit of this objective of truth in budgeting, Mr. President, I should like to comment on a subject which for years has been very close to the heart and the declarations of our esteemed fellow Senator, the senior Senator from North Dakota [Mr. YOUNG]. Each year, he forcefully points out that the farmer gets the dickens, sometimes from the press, sometimes from others, for having the benefit of these tremendous agricultural appropriations. But the facts are, and it should be widely circulated, that there are many parts of this appropriation which go to programs other than for the farmer.

The subcommittee staff has prepared an analysis of the expenditures which are charged to the Department of Agriculture, but which clearly provide benefits to commerce, to businessmen, and to the general public. They total a tremendous sum.

There are other programs which are predominately for the stabilization of farm income, but which also benefit other purposes. The breakdown, which I believe the highly competent clerk of the subcommittee, Mr. Raymond Schafer, prepared—and I must say it is very well done—does enable an analysis of the budget with the idea of ascertaining just how many of these billions go to the farmers and how many of these billions go to other parts of the population and other Government activities

I ask unanimous consent that this tabulation be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. HRUSKA. Mr. President, there is one other item in which a reduction was made by the committee. That has to do with the authority extended to the Department for the sale of participation certificates.

The budget had provided for $800 million as a top authorization. The other body approved that sum.

I tried to get it reduced to $600 million, but was not successful. However, we did reduce the amount in committee to $700 million.

My interest in this matter stems from the fact that when the enabling legislation, Public Law 89–429, was passed in May of 1966, it was amended at my insistence to require each department to come to the Appropriations Committees at least every 2 years to seek authorization to participate in the program.

The first time this authority was utilized was for fiscal year 1967. This is the second time that the Department of Agriculture has come to us saying: "We want authority under this act to sell up to $800 million worth of these certificates."

Of course, any such authorization shall remain available only for the fiscal year for which it is granted and for the succeeding fiscal year.

There has been the necessity to come back to the Appropriations Committee.

I did not vote for that act in the first place. I do not think it is a proper act, but it is a part of our statute law. It does seem to me that if it were a part of our statute law it should be brought as clearly within our appropriation procedures as possible so that Congress would be authorizing the sale of these certificates.

I am pleased to report that that procedure is being followed, and while I would have been more pleased if they had lowered the amount still further, I am grateful that, although it was not a half a loaf, at least a slice of that bread came my way.

Thus, the Senate Committee has authorized a $700 million authorization for these participation sales. This is $100 million less than the action of the other body and the budget estimate, but $100 million more than was available and subscribed in fiscal year 1967.

I again express my congratulations to the chairman of the committee for another job well done, and I hope as we

proceed to the consideration and approval of the bill that we will listen well to his wise counsel because every one of the decisions made in the final text of the pending bill is the result of his close examination, careful discussion, and sober judgment.

I yield the floor.

EXHIBIT 1

Budget expenditures for programs in Department of Agriculture but which clearly provide benefits to consumers, businessmen, and the general public

[In millions of dollars]

	1966	1967 estimated	1968 estimated
Programs having foreign relations and defense aspects:			
Sales of agricultural commodities for foreign currencies (title I, Public Law 480)	1,138	984	906
Sales of agricultural commodities for dollars on credit term (title I, Public Law 480)	233	315	399
Commodities and other costs in connection with donations abroad (title II, Public Law 480)	413	410	494
Transfer of bartered materials to supplemental stockpile	26	33	27
Donations of dairy products to armed services and others	9		
Total	1,819	1,742	1,826
Food distribution programs (domestic):			
Commodities distributed to the needy and others	233	328	365
Food stamp program	69	138	193
School lunch program	197	213	243
Special milk program	97	104	104
Total	596	783	905
REA and FHA repayable loans:			
REA loans	361	440	508
Proposed legislation for credit of receipts to programs and for supplemental financing		−193	−201
FHA loans	125	−66	−6
Sale of participation certificates in FHA direct loans		−548	−651
Salaries and expenses for above programs	60	65	77
Total	546	−302	−285
Long-range programs for the improvement of agricultural and natural resources:			
Forestry	351	401	338
Agricultural and forestry research	221	253	274
Plant and animal disease and pest control	73	80	85
Soil and water resource protection and development:			
Agricultural conservation program	252	279	275
All other	224	277	279
Cooperative agricultural extension work	90	93	97
Inspection of commodities and other marketing services	79	91	84
Other	93	101	108
Total	1,383	1,575	1,585
Total	4,344	3,798	4,031
Other Programs Which Are Predominantly for Stabilization of Farm Income, but Which Also Benefit Others			
CCC price-support and related programs:			
CCC loan, purchase, export, and related programs	−1,157	−1,660	−705
Storage, handling, and transportation expenses	398	213	114
Interest expense (net)	278	336	309
Acreage diversion payments:			
Feed grains	842	564	245
Wheat	38	27	
Cotton	116	283	303
Price-support payments:			
Feed grains	431	915	310
Cotton	57	494	613
Wheat certificate program	−160	274	312
CCC price-support and related programs—Continued			
Cotton equalization payments	332	25	
National Wool Act program	36	37	42
Total	1,211	1,508	1,543
Cropland adjustment program (adjustment payments)		49	82
Conservation reserve program	151	141	125
Sugar Act program	88	88	90
Salaries and expenses for above programs	155	167	176
Total	1,605	1,953	2,016
Grand total	5,949	5,751	6,047

Budget expenditures for programs in Department of Agriculture but which clearly provide benefits to consumers, businessmen, and the general public—Continued

[In millions of dollars]

Mr. HOLLAND. Mr. President, I again thank my distinguished friend, the Senator from Nebraska. No one could have been more helpful or cooperative, and certainly no one could have been more complimentary than he has just been.

He and I do not always agree on this question of the sale of participation certificates.

I voted for that bill. I felt it would be similar to the marshaling of assets by a private business when it got in rough going if the Government were to sell some of its good paper, but always under the direction and control of Congress. We are certainly exercising that direction and control and, as my distinguished friend has said, we are now dealing with the law and not with the question of whether the law should have been passed.

We were very glad to arrive at an agreeable sum of $700 million which fixed the amount of sale of participation certificates which the Department of Agriculture could make in this fiscal year 1968.

I think there is no argument of any sort about it.

Mr. President, I think the record will reflect at least many of the items in the bill that our colleagues will be interested in.

I yield the floor.

ADJOURNMENT TO 10 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 previous order, that the Senate stand adjourned until 10 o'clock a.m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 55 minutes p.m.) the Senate adjourned until tomorrow, Thursday July 13, 1967, at 10 a.m.

NOMINATION

Executive nomination received by the Senate July 12, 1967:

INTERIOR

David Statler Black, of Washington, to be Under Secretary of the Interior, vice Charles F. Luce.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JULY 12, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Behold, the Lord our God has shown us His glory and His greatness, and we have heard His voice out of the midst of the fire; we have seen this day that God does talk with man and that He lives.—Deuteronomy 5: 24.

O God, our Father, we thank Thee for the gift of a new day fresh from Thy hand. Help us to use these hours to live cleanly, to labor industriously, to love wisely, and to keep our spirits elevated to high levels of thought. May we have the strength to overcome our difficulties and the courage to carry our responsibilities with honor and with uplifted hearts.

Sustain us in every effort to make a better world and to bring good will to all the children of men. In the midst of this day's work assure us of Thy presence and let the light of Thy wisdom fall upon our pathway. In Jesus' 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 a bill of the following title, in which the concurrence of the House is requested:

S. 5. An act to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extension of credit.

AMERICAN FARM BUREAU FEDERATION

Mr. RESNICK. 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 the request of the gentleman from New York?

There was no objection.

Mr. RESNICK. Mr. Speaker, today, July 12, is going to go down in the annals of congressional history, for today for the first time the House Committee on Agriculture passed a resolution disassociating itself from my remarks about the American Farm Bureau Federation.

Mr. Speaker, you have been here many years, and you know what an unprecedented action this is. Now, my charges that I have made will be fully aired. I do not want to take the time now to discuss them, but I will in a special order when this session is over. I would point out at this time that this resolution was passed, and the majority of the members of that committee are members of the American Farm Bureau Federation, so the question which must be raised is: Is this a committee of the House, or is