

but Peking has done little else to aggravate the disorder. At the same time, violence, which has been more evident in this series of riots—though still on a minor scale—has been met by greater activity on the part of the Hong Kong authorities. Many more arrests and other precautionary measures have been taken and the Government does not intend to relent. These two factors afford observ-

ers of the situation confidence that Hong Kong will remain in British control—that stability will be maintained.

The rioting, now subsiding in Hong Kong, gives members of the Pacific community no reason for panic. The British plan to stand firmly behind their colony. Neither the citizens of Hong Kong, nor Peking are willing to support a revolutionary movement. Demonstrations may

continue sporadically, designed for the inconvenience of the British authorities, and reflecting desires of the people for certain social reforms, but Hong Kong still represents one of Peking's major sources for hard currency exchange, and as long as Hong Kong remains profitable it is doubtful that the CPR will make a more concerted effort than the one reflected by the recent riots.

SENATE

FRIDAY, AUGUST 11, 1967

The Senate met at 9:30 o'clock a.m., and was called to order by the President pro tempore.

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

Let us pray.

Eternal God, our Father, Thou hast ordained that not in cushioned seats of comfort, but in danger and stern conflict shall we find our strength and our triumph.

In our hearts, O Lord, we cherish the golden heritage that has been given us through the virtue and valor of those whose records within these Legislative Halls have helped to make the greatness of our free land.

Inspire us, we pray, so to follow their shining example that we, the children of their faith, may hold our inheritance as a precious trust. Lead us, in the stress and strain of this new day, to the sources of strength and victory, to the green pastures and still waters of Thine enabling grace.

For Thy name's sake. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, August 10, 1967, be dispensed with.

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

ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a period for the transaction of routine morning business for not to exceed 15 minutes, following the conclusion of the remarks of the distinguished Senator from New Jersey [Mr. CASE], and that statements made therein be limited to 3 minutes.

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

EXECUTIVE SESSION

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

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

EXECUTIVE REPORTS OF A COMMITTEE

Mr. MAGNUSON. Mr. President, from the Committee on Commerce, I report favorably sundry nominations in the Coast Guard and Environmental Science Services Administration. Since these names have previously appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the table for the information of any Senator.

The PRESIDING OFFICER. The reports will be received and the nominations will lie on the desk as requested by the Senator from Washington.

The nominations are as follows:

Michael Baron, Jr., and sundry other officers for appointment and promotion in the Coast Guard;

John McDonald and sundry other officers for promotion in the Coast Guard; and

John R. Plaggmiller and sundry other persons for appointment in the Environmental Science Services Administration.

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

DEPARTMENT OF COMMERCE

The legislative clerk read the nomination of Lawrence C. McQuade, of Arizona, to be an Assistant Secretary of Commerce.

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

FEDERAL COMMUNICATIONS COMMISSION

The legislative clerk read the nomination of Robert E. Lee, of the District of Columbia, to be a member of the Federal Communications Commission.

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

NATIONAL HIGHWAY SAFETY BUREAU

The legislative clerk read the nomination of William Haddon, Jr., of New York, to be Director of the National Highway Safety Bureau.

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

DEPARTMENT OF STATE

The legislative clerk read the nominations of Leonard Unger, of Maryland, to

be Ambassador Extraordinary and Plenipotentiary of the United States of America to Thailand, and the nomination of Sheldon B. Vance, of Minnesota, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Chad.

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

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

Mr. MANSFIELD. Mr. President, I am delighted with the selection of Mr. Leonard Unger as Ambassador-designate to Thailand. He has served with distinction in that country and has performed outstandingly as our Ambassador to Laos. I believe the President, in this particular instance and for that particular part of the world, has made an outstanding choice.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed.

Mr. MANSFIELD. Mr. President, I ask that the President be notified immediately of the confirmation of the nominations today.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. I ask unanimous consent that the Senate return to legislative session.

There being no objection, the Senate resumed the consideration of legislative business.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees of the Senate be permitted to meet during the session of the Senate today.

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

ORDER OF BUSINESS

The PRESIDENT pro tempore. Under the order of yesterday, the Chair recognizes the Senator from New York [Mr. JAVITS].

THE BEGINNING OF AN END IN VIETNAM

Mr. JAVITS. Mr. President, a confluence of recent events has dramatized, as never before, the imperative need to reassess our commitment in Vietnam. The country is deeply troubled and highly

dubious about this war. The President's decision to deploy an additional 45,000 troops, continuing reports of military stalemate and lack of progress in pacification, and the budgetary impact of the Vietnam war in competition with the urgent national call to respond to the agony of our cities—all combine to project Vietnam as the prime issue before the country.

Recent reports show that many observers consider the military situation to be stalemated—and for reasons which are political rather than military; and that our side is falling in the political arena. Despite the expenditure of so much blood and treasure, the troop strength of the Communist regular and guerrilla forces is at an alltime high and the relative strength of the Communist forces as opposed to ours is at least sufficient apparently to attain a military stalemate. It is difficult to understand how this paradox is possible when we have in place against a small undeveloped state, North Vietnam, and local guerrilla forces, the greatest fighting force, armed with incredible firepower, ever deployed in Southeast Asia.

Yet, security in the Vietnamese countryside is as bad as ever. There has been no meaningful progress in pacification. About a year ago our strategists decided on a division of labor between ourselves and the South Vietnamese forces. Our troops took over the job of fighting the Communist "regular force" units while the Army of the Republic of Vietnam was freed to concentrate on pacification and antiguerrilla operations. Now, let us be blunt about it: the Army of the Republic of Vietnam has not been successful at this job; and this is the Achilles heel of our effort.

A recent report in the New York Times deservedly has received a great deal of attention, and I shall quote a brief portion of it:

American officials concede that pacification is at best creeping ahead in three-quarters of the country and stopped cold in the northern part. . . . But nothing better than this can be hoped for, in the opinion of many observers, without a thorough overhaul of South Vietnamese society—without a second revolution to counter the revolution, however, bogus, that the Vietcong have promised for more than a decade . . . and from the same report: "So now the Americans, implicitly admitting that they despair of results from the South Vietnamese themselves, are moving into action against the guerrillas . . . 'We are on the way to a policy of occupation in this country,' a Washington official said not long ago. 'We have found that unless we put enormous numbers of our own troops into a very small area the thing doesn't go.'" (N.Y. Times: R. W. Apple, August 7, 1967).

Now is the time when we as a nation must stop and think very carefully for we have arrived at this new watershed.

Notwithstanding stalemate, the momentum of the past decade in Vietnam is threatening to push us into a new and disastrous commitment. In my judgment, we absolutely must not embark on a colonial enterprise in Vietnam. There is a great danger that piecemeal decisions will be taken in the near future, in response to the present impasse brought on by the inability of the South

Vietnamese to help themselves, which will plunge us irrevocably—though over a period of time—into a full-blown colonial venture, where we will be fighting both North Vietnamese and the guerrillas.

Looking at our Nation philosophically, I believe that there are two fears haunting the American people and they have an important connection. One is the fear of appeasing the rioters in the ghettos; the other is the fear of losing what is alleged to be our Vietnam war. Neither fear is justified or valid or good policy. Indeed, the hallmark of the maturity of the American people will be to reject both fears. To do long overdue justice in the ghettos of our cities is but to make up for the deep sociological changes, and the deprivations, the discrimination of a century. To do what must be done in Vietnam is to recognize the limitation of our commitment there, as we have ourselves expressed it, and to reject the view that it is our war, which it is not. We must accept the fact that a commitment to help a people to defend themselves and govern themselves must be limited by their will, disposition, and capability to do so. We can only give them the opportunity—they must make it good. When we have given them the opportunity, we have performed on our commitment. This is the point we are shortly reaching in Vietnam.

There is no war to lose as there was no war to win; it is not our war, it is theirs—unless we decide, now, to go all out to make it our own, in which case the Vietnamese people would become incidental to it and we would be the colonialists.

What is called for now in Vietnam is an examination of our commitment. I shall do that briefly now. I ask any skeptics to review the process which has led us from President Eisenhower's limited offer of assistance and advice in 1954 to our present situation—500,000 American troops tied down in a military stalemate on the mainland of Asia.

An appropriate starting point for the examination of our commitment is President Eisenhower's letter to President Diem of October 1, 1954. That was 13 years ago. This was the first formal offer of United States assistance to South Vietnam following the division of Vietnam by the Geneva accords and the departure of French colonial power.

I interject to say to those who tell us this is going to be a long war that it is already a long war.

The operative paragraphs of President Eisenhower's letter read as follows:

We have been exploring ways and means to permit our aid to Vietnam to be more effective and to make a greater contribution to the welfare and stability of the Government of Vietnam.

I am, accordingly, instructing the American Ambassador to Vietnam to examine with you in your capacity as Chief of Government, how an intelligent program of American aid given directly to your government can serve to assist Vietnam in its present hour of trial, provided that your government is prepared to give assurances as to the standards of performance it would be able to maintain in the event such aid were supplied.

The purpose of this offer is to assist the Government of Vietnam in developing and

maintaining a strong, viable state, capable of resisting attempted subversion or aggression through military means. The Government of the United States expects that this aid will be met by performance on the part of the Government of Vietnam in undertaking needed reforms. It hopes that such aid, combined with your own continuing efforts, will contribute effectively toward an independent Vietnam endowed with a strong government. Such a government would, I hope, be so responsive to the nationalist aspirations of its people, so enlightened in purpose and effective in performance, that it will be respected both at home and abroad and discourage any who might wish to impose a foreign ideology on your free people.

Mr. President, as I read it and as I think the country will read it, it would be wise, indeed, for President Johnson to address a letter with identical language to the new Government of Vietnam established after the September elections.

In retrospect, it is all too obvious that we made a great mistake in not insisting that Diem live up to his half of the commitment. Instead, we permitted his regime to become the very antithesis of a government of the people, by the people, and for the people of Vietnam. It is pertinent at this point to recall Mao Tse-tung's famous aphorism:

Guerrillas are fish, and the people are the water in which they swim. If the temperature of the water is right, the fish will thrive and multiply.

Diem certainly raised the temperature of the water to the optimum degree in Vietnam, and that temperature has not been changed significantly by any of the succeeding regimes.

Our commitment in Vietnam has been extended since President Eisenhower's original letter. Under President Kennedy we assumed a commitment to defend the right of the people of South Vietnam to choose their own government and determine their own future free from armed coercion by Hanoi and the Vietcong. This is an honorable commitment. But, we have fulfilled this commitment at much greater cost and sacrifice than anyone expected to be required.

The policy of deploying major U.S. troop strength in Vietnam is generally considered to date from President Johnson's New Year's message of December 1963, but even this message made it clear that our policy was one of aid to the Government and people of Vietnam, and that we were free to phase out the forces deployed as the Vietnamese became increasingly capable of dealing with the aggression against them.

None of this represents a commitment to make it our war—not President Eisenhower's, not President Kennedy's, not President Johnson's.

We have by now fully discharged our commitment by giving every opportunity to the forces of Vietnam to be trained, supplied, and built up so that they are capable of the defense of their own country. So, too, we have helped to afford the framework in which a freely elected Government of Vietnam may come about based on a freely adopted national constitution. We are all fully aware of the gyrations which have been gone through in this latter respect, including the declaration of Premier Ky that if dissatisfied with the result of the election, he

would not hesitate to use force to maintain the authority of the military regime. Marshal Ky, as spokesman for the military government, has expressed contempt for civilian rule and has threatened to replace by force even a freely elected civilian government, which might make peace overtures of which he disapproved. We have all heard the rumors of the pending Military Council which, no matter who is elected to the Presidency, will really run the country, because it will represent the power in the country.

We have noticed as well the difficulties of the campaign which has now begun. We have noted the limitations on the slates that could stand for election, and the inadequacy of the electoral campaign, as well as the total removal of certain slates—with news only this morning that seven of the 10 civilian candidates have decided to forgo further campaigning because conditions are such that they cannot even campaign.

Whatever may be the inadequacy of the slates and the electoral campaign, as well as the total removal of certain slates from the competition, we are giving the Vietnamese their opportunity. We cannot be the guardians of the people of South Vietnam; it is up to them to make the electoral process work. All we can do is help them create conditions in which a free and fair national election can take place, so that the government is legitimate and of their own choosing. Beyond that we cannot go.

Instead of proclaiming threateningly that the military will not permit any civilian meddling with the war policies of the junta, it would be more appropriate for Marshal Ky and his colleagues to set themselves to the task of making the ARVN the effective fighting force it needs to be.

So I make four major points in this speech, Mr. President. First, it is widely known in South Vietnam that reforms in the armed forces are as vital as reforms in the country. Reports of incompetence and corruption among even higher levels of command are rife. The effect on the will and ability of many ARVN units to find and close with the enemy is so noticeable as to demand reform.

I share the conviction that a large majority of the South Vietnamese do not want a Communist government imposed on them.

The second point is that what remains to be demonstrated, however, is whether the South Vietnamese can produce the requisite leadership to produce a viable, broadly based, non-Communist government. If the South Vietnamese are not capable of this—and it is now 13 years later—it will be their failure and not ours.

It is the force of nationalism which has proved to be the greatest check to Communist expansion and imperialism. The question which must now be answered is whether this flaming spirit exists in South Vietnam or whether, as many claim, it is Ho Chi Minh, rather than a South Vietnamese leader, who is the George Washington there. It is time to put this to the test. We have an opportunity to do this in connection with the September elections in Vietnam.

In a Senate speech on July 13 last, I proposed as a first step that the President appoint a bipartisan, blue-ribbon special commission to go to Vietnam to exercise surveillance over the fairness of the election.

I believe we have to give notice now, and I again urge the President to appoint such a bipartisan, blue-ribbon special commission and to send it to Vietnam, so that the Vietnamese electorate and the candidates are clearly informed of our intentions and understand clearly the significance of the government to be elected in September. We must give notice now, unequivocally, that this is the last clear chance—I repeat, the last clear chance—for fulfilling the conditions stipulated by Presidents Eisenhower, Kennedy, and Johnson upon which we have undertaken a military role in Vietnam at such enormous cost.

My third point: In addition to the reform of the armed forces and the elections themselves, there are two other crucial postelection developments which require urgent attention.

We must insist that the elections are followed promptly by a process of political coalescence and consolidation. The group that wins the election and forms the Government must take the initiative in reaching out to the defeated groups in a spirit of reconciliation. The legitimate interests of all the groups contesting the elections must be incorporated, and find a voice, in the processes and decisions of government.

Fourth, and most crucially, we must exert maximum persuasion to see that this process of political coalescence is followed by an all-out national campaign for economic and social reform and especially of land reform. An incessant, dedicated effort must be launched to win the support of the disinherited 60 percent of South Vietnamese who are now equally indifferent to the Vietcong and the government of Saigon. It is this forgotten 60 percent of the population which constitutes, in the words of Mao Tse-tung, the water in which the guerrilla fishes swim. Very little progress has been made in economic and social reform and its most tangible evidence in South Vietnam is land reform. The Vietcong is making this its principal talking point in getting recruits. Very little, if anything, has been done in the way of meaningful land reform by the Vietnamese regimes and governments since 1954.

The South Vietnamese must stand now and be counted. Considering what they have been through over the past decade, it is perhaps too much to expect that they can quickly match the fanatic dedication of the Vietcong—although really they should, they are the same people. But "motivation gap" has been too large for too long.

Let us, let the United States, at least give notice now to the leaders and people of South Vietnam that they must transform themselves into a resolute and purposeful nation. Only such a transformation of the South will break the military stalemate and convince Hanoi and the Vietcong that their ruthless enterprise cannot succeed.

I reject the argument that we can ex-

pect no political gains until "security" is established first. On the contrary, the key to pacification and security is winning the active political allegiance of the population.

There are those who would argue that the very same analysis which I have made here would sustain a conclusion that we must crush North Vietnam and the Vietcong by a massive escalation of the war in both cases. With this I do not agree. No matter how effective in combat our military weight might prove to be, it would be useless in the larger sense if there was not a government in South Vietnam capable of establishing and running a free country which has self-generating staying power. I believe this effectively invalidates the massive escalation alternative, which has been our response at so many stages in the past. As a former South Vietnamese Prime Minister puts it:

The problem isn't the North Vietnamese Army. It's the South Vietnamese Government.

There is little question about the fact that we have progressively given up many of our options about our own participation in the Vietnamese war, and it is high time that we regained the initiative. I believe that the time has come to mark the beginning of an end of our commitment there, and the September elections present the opportunity for that beginning. Instead of allowing the momentum of the past to plunge us into a new assumption of colonial political responsibilities, we must reverse the process and take the beginning steps looking toward the end of our major involvement in this Asian land war.

The most important of the options we must reclaim is the freedom to determine whether the conditions laid down by President Eisenhower in 1954 has been met, to wit, that the Government of the United States expects that its aid "will be met by performance on the part of the Government of Vietnam in undertaking needed reforms." The second option is the determination of the use to which our forces should be put.

We should not be forced into the use of our forces in the field war by Premier Ky's decision as to how he will deploy his forces, the ARVN forces.

I see now in the September elections the time when the United States can regain its options. And, if free elections are not possible there, then the President and our Government must have another moral basis for our commitment than the one set out in all the papers. As I know of none, we have every right, once the elections take place, to begin to consider phasing out our commitment.

Also, once the ARVN forces have had the opportunity of becoming capable of dealing with the aggression against South Vietnam and with its internal security, our commitment should not extend to fighting the war which they should have become capable of fighting for themselves by now. One thing we could learn from Israel's victory over the Arab States: there is no substitute for the determination of a people to fight for themselves, and there is a time within which this determination must be manifested. We cannot be considered morally

obligated to accept for an indeterminate period less than fulfillment of that solemn obligation.

In giving notice to the South Vietnamese that their political resolve is to be tested, we must, of course, stand ready to provide the necessary and relevant material and moral support needed to win the active political allegiance of the now largely indifferent rural population. But, U.S. troops cannot be expected to bear the brunt of the fighting indefinitely while South Vietnamese forces engage in "pacification" operations without major discernible results.

In my judgment, Mr. President, the stalemate in Vietnam can be broken only by the kind of "political escalation" I have outlined—that is, reform of the military and reform of the countryside.

What will really discourage Hanoi and the Vietcong is a political and economic renaissance in the south. This will be a difficult venture, but it must be initiated with full determination now.

No one is suggesting that we are to be precipitous or to endanger the security of our forces, or of the ARVN, or allied forces, or to fail to protect the many South Vietnamese who have been steadfast opponents of the Vietcong, or to compromise ongoing operations. Nor is it suggested that we should not consider the utilization of certain bases and the maintenance of a tripwire force in connection with such bases.

What I do urge is that once an elected government in Vietnam is formed as a result of the September elections, we consider it to have the crucial political responsibility to reform the Armed Forces and establish social and political reform, including land reform, and we should tell them that now. The United States should begin to also consider how best to effectuate this recognition of responsibility for security both internal and external of the Government of Vietnam, even if it takes several years to do it.

And, as a first step, I urge that we limit bombing of North Vietnam—if we do not cease it altogether should we deem it a likely peace negotiations overture—to the infiltration routes near the DMZ, and to serve notice that we are free progressively to take other steps phasing out of the military situation and phasing in the ARVN forces as we determine that the needed reforms are being made.

The way in which the President has left the participation of Congress in the Vietnam commitment is based entirely on the appropriations process, as our President has asserted that he derives all the authority he needs from the Tonkin Bay Resolution of August 7, 1964. We are faced, therefore, with the unenviable choice of voting appropriations or not voting them for Vietnam operations in order to show our attitude on the administration's policy.

This choice is made extremely difficult by two factors: one, the almost inextricable mix in the defense appropriations bill which we have before us now between mobilization and supply for Vietnam operations and mobilization for defense generally.

The 45,000 additional troops for Vietnam are in this appropriation, all right, but to try to screen them out here in

acting on the appropriation would be for practical purposes impossible, as they are not yet deployed or assigned for Vietnam but are somewhere in the military establishment. Yet, experience, at least, should have taught us by now the folly of thinking that one more "last shot" increase in our military involvement will break the stalemate and put us on the road to victory.

On the other hand, the supplemental appropriation will far more clearly raise the Vietnam issue, but here we are faced with the problem of the claim that we cannot leave our forces in Vietnam without the necessary supplies and support, and this makes it very difficult to reject a supplemental appropriation. It is that view, which has prevailed with me before, as I am sure it has with other Senators, too, but I think the time has come to face the issue on the supplemental appropriation question rather than to defer it further, for we cannot go on endorsing the administration's policy in the Vietnam war by voting successive supplemental appropriations without limitation.

Hence, I serve notice now that I will do my utmost, as one member of the Appropriations Committee, to bring about a change in our policy in Vietnam that marks the beginning of an end of our commitment there—if it has not been made by then—on the next supplemental appropriation for defense and Vietnam.

Our respected majority leader has recently reiterated his proposal that the Vietnam dispute be turned over to the United Nations for a settlement. I certainly support this proposal and earnestly hope that it will provide us with a settlement so devoutly to be wished. In all candor, however, I must confess that I have little confidence that the Security Council of the United Nations will agree to attempt or be able to achieve a settlement on Vietnam. Hence, I believe we must have in parallel a policy capable of unilateral implementation such as I have outlined. I see nothing whatever inconsistent between what I have suggested and what the majority leader has suggested.

In closing, I wish to emphasize that I have purposely not established any rigid time frame for the accomplishment of the assumption of responsibility commensurate with its power by the Government of Vietnam. My whole emphasis has been one of policy and principle—to reassert the limited and conditional nature of our commitment.

Mr. President, I believe that my fellow Senators can understand that this speech is the result of an enormous amount of deep soul searching by me on this very trying issue. I am warning against a plunge into the establishment of a U.S. colonial protectorate in Vietnam, toward which the momentum of the military situation is carrying us. I am asking for a reversal of the momentum of the past decade—the beginning of an end of an undertaking which has created profound strains in our society and which offers us no end if the past route is followed.

Mr. MANSFIELD. Mr. President, will the Senator yield for some observations? Mr. JAVITS. I yield.

Mr. MANSFIELD. I found this a most interesting speech. I note, for example,

that in the course of the speech, the Senator places a certain amount of the blame on Ngo Diem for what has in effect happened in Vietnam since his tragic assassination.

As a matter of fact, it is my opinion that the worst thing which has happened in Vietnam since we have become involved there—either in an advisory or a more physical capacity—has been the assassination of Ngo Diem, who was the last civilian ruler with any degree of stability attached to his regime, and who did try, despite all his faults, to bring a degree of democracy and equilibrium to his nation. That observation does not necessarily apply to others of his regime, but I do apply it to Ngo Diem himself.

I am glad to note that the distinguished Senator has come out in favor of the Cooper proposal on the limitation of bombing to the DMZ area, so that the trails there would be bombed and could be bombed more effectively than is the case at the present time or has been the case over the past several years.

In a reference to me, which I deeply appreciate, at the conclusion of his remarks, the Senator raised a question about "little confidence that the Security Council of the United Nations will agree to attempt or be able to achieve a settlement on Vietnam."

I would point out to the distinguished Senator that the United Nations, the Security Council, is not—nor in my belief is it likely to be—the place to settle the Vietnamese situation. But I do believe that the U.N., which has adopted a head-in-the-sand attitude, through the Security Council, could help to bring about discussions of this matter, could open a crack in the wall of war, in an endeavor to find a pathway to a peaceful settlement.

I thank the Senator for allowing me to make these remarks in connection with his most interesting speech.

Mr. JAVITS. If the Senator would allow me to make just one observation—

The PRESIDING OFFICER. The Chair reminds the participants that, under the unanimous consent agreement, the time of the Senator from New York expired at 5 minutes past 10.

Mr. MANSFIELD. I ask unanimous consent that the Senator from New York may proceed for 3 additional minutes.

Mr. CLARK. Five minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The Senator from New York may proceed for 5 additional minutes.

Mr. JAVITS. Mr. President, I deeply appreciate the majority leader having read my speech very carefully, as obviously he has.

Mr. MANSFIELD. And I have heard it.

Mr. JAVITS. Secondly, I will confess, having been apprised of the Diem situation when I was a member of the House Committee on Foreign Affairs, in 1954, that what I have said is dictated by my disappointment, I believe that the Diem era was the time when all the things that so many of us wish for might have happened, if Diem had only remained continent and had not gone off the deep end, as it were, for whatever psychological or personal reasons which affected him.

Finally, Mr. President, as to the U.N., I say that I lock arms with the Senator from Montana, and hope and pray that the U.N. Security Council will do this. I perhaps have a little less confidence that they will than does the Senator from Montana, though his sources of information may be better than mine. I have made it clear that I accept what he has suggested. I endorse it, and I approve it. I will do everything I can, as a Senator and as a man, to forward it. But I believe that what I have suggested is by no means inconsistent with it and, on the contrary, may even buttress and support it.

Mr. MANSFIELD. I am sure it will, and I appreciate what the Senator has said.

Mr. CLARK. Mr. President will the Senator yield?

Mr. JAVITS. I yield.

Mr. CLARK. I commend the Senator for the excellent speech he has made and, in somewhat lighter vein, welcome him to the ranks of the "nervous Nellies" and the "doves." I believe it is a splendid speech, and I am entirely in accord with it.

The only thing that disturbs me is that the Senator is going to wait until the Senate appropriations bill is considered to make his position clear, not only in the Committee on Appropriations, but also on the floor. Of course, he has made it pretty clear on the floor today.

But, actually, we have coming up early next week the big appropriation bill for this year; and we all know—as the Senator from Mississippi [Mr. STENNIS] has stated, and I believe almost everybody else agrees—that, at a minimum, we are spending \$24 billion a year on the war in Vietnam, or \$2 billion a month.

I have been a little amused, may I say, at how few of my colleagues, including myself, have had the political courage to attack—head on—that enormous appropriation, which just perpetuates the control of the military-industrial complex over our country.

Mr. JAVITS. As a member of the Committee on Appropriations, I have come up against the hard rock of the inextricable mix between what is being done in Vietnam and the aggregate defense of the United States throughout the world. I do not feel that the Defense appropriation bill is the one we can afford to act on. I feel that it should be the supplemental, because it will be a very clearly related to Vietnam. Also, I believe I should announce myself, as I have today, and give our Government the opportunity to improve in the way it deals with the Government of South Vietnam—which is a key to the situation.

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

Mr. JAVITS. I yield.

Mr. COOPER. As usual, the senior Senator from New York has made a constructive speech. It is far ranging. In a concise and brief way, he has pointed out the difficulties which concern us in Vietnam. He has said—and I believe correctly—that the problems will not be settled by military escalation. The task of assuring free elections and social and administrative reforms is the task of the South Vietnamese themselves. Our coun-

try cannot make over another country in its image or any other image. Only the self-determination and the efforts of a country—and I speak specifically of South Vietnam—can decide the course it shall take.

The situation in Vietnam calls for continuous examination and examination the Senator is asking.

Mr. JAVITS. I thank all Senators for their intercession. I am grateful to the Senator from Kentucky [Mr. COOPER], whose judgment I value as much as that of any other Member of the Senate. I may say to the Senator from Pennsylvania that I do not consider this speech or my position as putting me in with the "nervous Nellies" or the doves. We shall be fighting in Vietnam for a time; but let us be fighting on the right side and for the right things. If the war is to be won, it is up to the South Vietnamese to make something of themselves, and it is important that we give them notice on that score.

I am grateful to my colleague from New York [Mr. KENNEDY] for abstaining for the 5 minutes that were needed for the discussion.

ORDER OF BUSINESS

The PRESIDING OFFICER (Mr. JAVITS in the chair). Under the order previously entered, the Senator from New York is recognized.

ELECTIONS IN VIETNAM

Mr. KENNEDY of New York. Mr. President, the national elections in South Vietnam are less than a month away. Recent developments surrounding those elections have become a matter of grave concern, not only in both Houses of Congress, but throughout America. I would like to discuss briefly some of these serious matters.

I do not question the need for the United States to remain militarily strong; nor the wisdom of protecting other nations from aggression; nor the urgency of providing swiftly and fully the resources required by the men we have sent into battle. These remain items of high priority on our national agenda.

But I repeat what I have said frequently before. I do not believe the answer to our dilemmas around the world, and particularly in Vietnam, is solely—or even primarily—military. Such efforts are required—but they are meaningless without those social and political efforts which turn the hope of a better society into an achievement. And, while I support military efforts, I am increasingly dismayed at the course of political developments in Vietnam; and most recently, the course of the national elections.

President Johnson has said:

We fight for the principle of self-determination that the people of Vietnam should be able to choose their own course.

This defines our purpose in Vietnam. It is not simply to win a war, to conduct negotiations, or simply to defeat the Communists. It is not just to contain China, or to halt revolution in other lands. It is, most fundamentally and

honorably, to protect and insure the right of the South Vietnamese people to govern themselves; to determine the nature of their society; and to select their leaders free from external control and internal violence.

It is this purpose that has led us halfway around the world to Vietnam. It is this purpose which we have proclaimed as our only interest. And yet, it is this purpose which is threatened today by the actions of the South Vietnamese Government.

There is mounting and distressing evidence of efforts to interfere with the free choice of the people. Candidates have been barred, some because their views were "unacceptable," though they were loyal citizens. One of them led the country a few years ago; another was Finance Minister until late last year, earning high praise for his performance from Vietnamese and American officials. Yet both were ruled off the ballot by the Assembly, under heavy pressure from Vietnam's chief of military police.

Jails still contain prisoners whose only offense is opposition to the present Government. The right of candidates to debate issues is restricted by press censorship. Their ability to campaign is hampered by harassment. Two important elements of Vietnamese society—a Buddhist sect and the trade union movement—were barred from the senatorial campaign. And now we see reports that the military government, through the formation of a military affairs council, is moving to perpetuate its power, regardless of the voting. If such acts continue, if candidates are stifled, or silenced in advance, then no matter how free the balloting, there will have been no election. And the Vietnamese people will be denied the chance to chart their own future.

This record comes at a time when the military efforts of the South Vietnamese Government have lessened, and our own involvement has deepened. Over a recent 6 month period, our casualties were higher than South Vietnam's draft calls, and this in a nation whose draft age is a year higher than our own. South Vietnam's Chief of State has called for 100,000 more American troops, while refusing to order general mobilization of South Vietnam because as he said, it would disrupt the nation. We have seen, despite many gallant individual efforts, a pacification program which has succeeded in bringing under government control less than one-sixth of the country's hamlets. In some parts of the nation, the pacification teams have been crippled by desertion rates which are higher than 25 percent.

But more important than the military picture today would be the impact of an unrepresentative election on our own position. For without self-determination, the rulers of South Vietnam will have denied their people the very rights for which more than 12,000 Americans have died. We would no longer have a common purpose with the Government of Vietnam. For our commitment is to the Vietnamese people—not to any government, not to any generals, not to the powerful and privileged few.

If we aid any group which denies to the people the right to shape their own so-

ciety, we would not be honoring our commitment—we would be betraying it. It is thus imperative that we make every effort to promote a representative election. We must reassert the basic premise of our commitment—that we are there to help, but that the Vietnamese must take the lead both in resisting enemy forces, and in promoting an open society.

Such an election would be especially helpful, in my judgment, because it would point the way for an honorable settlement of this war. Only a government which is broadly representative can act effectively in negotiations; and such a government would be far more likely to win the respect of dissident elements within the south. With a freely chosen leadership as the starting point, it is possible that a government might then be formed in which all South Vietnamese can participate. Even though this may no longer be a Vietnamese war, it is still possible to help attain a Vietnamese peace.

If the energy that has characterized the military resistance to communism can be joined to shape an energetic political alternative to it, then we shall have fulfilled, rather than helped to undermine, the moral basis of our commitment in Vietnam.

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

Mr. KENNEDY of New York. I yield to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, first of all, I congratulate the Senator for a most timely admonition on a very important subject—one that concerns the lives and safety of so many Americans—one that involves the expenditure of tremendous amounts of money. I congratulate the Senator for what he has said because I think he has put his finger on the very nub of the issue.

I have just returned from my State of Rhode Island, I must say at this juncture that I came back somewhat dismayed at the disappointment and the discouragement on the part of my people to whom I talked and who talked to me with respect to the situation in Vietnam.

Primarily, they are disturbed by the fact that there is so much variance in points of view among Senators themselves. The Senate is so divided on the issue that the people are questioning the soundness of our commitment to Vietnam in the first place—and whether it is worth the continuing and increasing sacrifice.

I hope the Senator will indulge me on this matter for a moment.

Mr. KENNEDY of New York. Certainly.

Mr. PASTORE. The only moral justification that we have claimed for being involved in Vietnam at all is to help a people exercise a free choice in the shaping of their own destiny. How do people exercise this free choice to shape their own destiny, unless they do it at the ballot box? If this ballot box is going to become shackled, if we are going to tell a society who can run for office and who cannot run, then I think that the people of this country have a reason to doubt the moral justification we claim—indeed, a reason and right to question our involvement at all.

I am disturbed by the stories published in the American press about the number

of desertions among the South Vietnamese. Yesterday, in this Chamber, I heard the statement that the Secretary of Defense himself is amazed that so many able-bodied young men in Vietnam, who should be in uniform, are riding bicycles around town while our American boys are dying at the rate of 1,200 a month. I repeat, 1,200 a month.

As the Senator from New York has pointed out, that is even larger than the monthly draft call in Vietnam itself.

I can understand the position of the administration, and I am not disputing that today. I am saying that we must make sure that there is a free choice in the South Vietnam election so that we will know, once and for all, how much the people of South Vietnam care. If that free choice is denied them—and the certainty of their decision is denied us—then God help us.

What can we mean by “free” and “freedom”? What are we going to say to the mothers and widows of the American boys who have died, if we cannot prove that we are fighting for a just cause? No cause, so far as the United States of America involvement in Vietnam is concerned, can be justified unless there is a free choice in the Vietnam election.

I want to congratulate the Senator from New York. I do not know how we are going to achieve our desire. The Senator from New York [Mr. JAVITS] suggested a short while ago that there should be a blue ribbon commission. I do not know what it is going to be. I do not care who it is going to be. All I am saying is that we had better be right, we dare not be wrong because the polls show now that the American people are becoming more and more disturbed day by day. Vietnam is no longer an academic question. Vietnam means 1,200 American boys being sacrificed each month—let alone the human casualties of the war. Vietnam means \$2 billion a month of American taxpayers' money at a time when many good causes demand our dollars.

So, I say at this point that our first concern is to make sure there is a free election, that no one is suppressed or denied the right to run, that the people are given every opportunity to say for themselves whether they want to be free.

If the answer is in the negative, if the people reject freedom, then we had better begin to make plans to get out of their country before our plight becomes worse than it is.

I want to say one word to some of those who talk more and more about bombing at this time. Knowing, as I do, the havoc which can be wrought by an atomic holocaust, I am sure that Vietnam is not worth a global atomic holocaust.

Let us not bomb beyond the point of no return. Bombs are no substitute for ballots.

I want to thank the Senator from New York for yielding to me.

Mr. KENNEDY of New York. I thank the Senator from Rhode Island.

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

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

Mr. CLARK. Mr. President, I, too, would like to commend the splendid ad-

dress the Senator from New York [Mr. KENNEDY] has delivered. I also wish to identify myself with the remarks just made by the Senator from Rhode Island.

I think that the tide has turned in the Senate. It is not turning—it has turned.

Perhaps the evidence of this fact is the accession of the Senator from New York [Mr. JAVITS] to the cause of those of us who deeply believe that we must find some honorable way to get out of Vietnam as soon as possible.

I agree with what the Senator from New York has said about the elections. His points are entirely valid. But the election is merely the symptom of a long-diagnosed sickness in the society of South Vietnam. That election, almost certainly, will be undemocratic. It will be close to a fraud. But so is their whole society, dominated as it is by the military junta, whose chief has on several occasions expressed his admiration for Adolph Hitler, and yet is our noble ally.

The distinguished Senator from Rhode Island [Mr. PASTORE] has said that he does not know how we can resolve the dilemma of a split Senate. In all candor, I suggest that we all know how we can resolve that dilemma, but we are frightened of our constituents. We are frightened of our position. Very few of us—including myself—have had the political courage to vote to cut back the swollen appropriation bills, including the one which will come to the floor next week.

We must consult our individual consciences and determine whether the time has not come—and I am sure that it has—for the Senate to exercise its power of the purse, because that is about all the power we have left in terms of effecting those changes in our overall foreign policy in general—and the situation in Vietnam in particular—which are necessary to cure that sickness in society to which the Senator from Arkansas [Mr. FULBRIGHT], chairman of the Committee on Foreign Relations, so eloquently referred in his speech in Honolulu a few days ago.

I thank my friend from New York for yielding to me, I thoroughly concur in what he has said.

Mr. KENNEDY of New York. I thank the Senator from Pennsylvania.

Mr. PASTORE. Mr. President, will the Senator from Pennsylvania yield for a correction?

Mr. CLARK. I yield.

Mr. PASTORE. When I said that I did not know how we should do it, I was talking only about guaranteeing free elections in South Vietnam. I expressed a hope we would come up with a plan. It had nothing to do with any other reference the Senator from Pennsylvania made. I was talking only about procedure in order to guarantee free elections. I do not know what the answer to that is.

Mr. CLARK. I am afraid there is no answer.

Mr. MANSFIELD. Will the Senator from New York yield?

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

Mr. MANSFIELD. Mr. President, two outstanding speeches have been made

this morning by the two Senators from New York. I would have to comment on the remark just made by the distinguished Senator from Pennsylvania [Mr. CLARK] relative to voting against defense appropriations.

I am sure that there is no one in this Chamber who is unaware of the feelings of the Senator from Montana regarding the Vietnamese war, but so far as he is concerned, he intends to continue to vote for all defense appropriation bills because our men are in Vietnam, not by choice, not because they made the policy, but because they are carrying out the policy as is their obligation and their duty.

Thus, these appropriations will continue to get my full support, despite my uneasiness, long apparent, about the situation in Vietnam.

Referring to the speech just made by the Senator from New York [Mr. KENNEDY], it was a great one, as was the speech of the Senator from New York [Mr. JAVITS].

I think it should be brought out that the President cannot intervene in the Vietnamese election. He has, by word and deed, tried to make it as clear as possible—and the Senator from New York [Mr. KENNEDY] has brought it out—that the election should be free and open and should not be proscribed.

It is too bad that such people as the neutralists, so-called, are proscribed from voting, as they are from membership in the Assembly. It is also too bad that the man who succeeded President Diem, a man who had a big popular following, General Minh, has not been allowed back into the country from Bangkok.

I hold no brief for General Minh. I just cite the fact. A great mistake was the tragic assassination of President Ngo Dinh Diem. When that occurred, trouble really began. Then there is the former Minister of Finance, to whom the Senator from New York [Mr. KENNEDY] has referred, a very able and brilliant man who served under Thieu and Ky. He has been proscribed, likewise, by the assembly. He cannot run.

Within the past several days, there has been a deepening split between Thieu and Ky and the other candidates, reaching such an impasse that they cannot even get transportation. They cannot be given any consideration on an equitable basis. The result is, if the press reports are correct, that seven out of 10 slates have withdrawn from the campaign and have refused to participate any further.

Then it has been brought out by the distinguished Senator from New York that a certain Buddhist sect and some trade union organizations have likewise been prohibited from participating in those elections. That is indeed a sorry state of affairs, because what is at stake is the future of South Vietnam, and what is directly and indirectly involved is the policy of this Nation in that part of the world.

I am happy to report, on the basis of what information I can find, that Ambassador Bunker is doing his best, in an unobtrusive, quiet way, to carry into effect what I believe the Senator from

New York had in mind during the course of his speech, but I would assume he is also shackled somewhat.

These are two excellent and fine speeches. I congratulate the Senators from New York for bringing them to the floor, and I congratulate Senators on both sides of the aisle who have shown enough interest in the dominant problem of our times for being present and participating. I thank the Senator for performing a service.

Mr. KENNEDY of New York. I thank the distinguished majority leader.

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

Mr. KENNEDY of New York. I yield to the Senator from Alaska.

Mr. GRUENING. I want to congratulate the Senators—I use the plural—from New York for their presentations and those other Senators who have engaged in the colloquy, as evidence that the bitter truth is finally emerging, not only of the immediate situation—the abuses of the generals we have been supporting which offer the prospect of making the coming election a fraud and a farce—which it obviously is, but I would hope that this debate signalizes a realization of the larger issue which inevitably has brought the consequences my colleagues deplore, namely, the utter folly of our whole military venture in Southeast Asia. That is why and where the trouble started. The graft, the corruption, the failure of the attempt to instill democracy there can all be attributed to the fact that we had no business there in the first place. I am glad now that there is a growing feeling, as these comments make clear, that somehow we must get out of the dreadful mess we are in. Of course, we must get out. When people talk about an honorable way to do it, I tell my colleagues that any way of getting out would be more honorable than continuing what we are doing.

Certainly, if we can find a face-saving formula, it would be a great convenience to those who have committed us to this unnecessary, illegal, immoral, monstrous war. But, better than continuing to kill our own fine young men and slaughtering tens of thousands of innocent civilians and noncombatants, eroding our sorely needed domestic programs, destroying our image throughout the world which we formerly had as a peace-loving, treaty-abiding nation, the thing to do is realize and admit the fundamental mistake we made when we entered that Asian country with no justification. We were not asked in, as has been alleged, by that country. We asked ourselves in. We went in unilaterally. And when we started bombing north and south, it is we who became the aggressor. The charge that Hanoi is the aggressor is a myth, and designed to offset the truth that we barged into a civil war brought about by the oppressive measures of our man, Diem, plus his refusal, with our support, to hold the promised nationwide election in 1956. The North Vietnamese came to the aid of the South Vietnamese who were rebelling against the Diem dictatorship, but only after we had violated every treaty to which we are a signatory—the United Nations

Charter, the unilateral agreement which Walter Bedell Smith, Under Secretary of State entered into, the SEATO Treaty, and had given massive military aid to the regime we had installed. We have become the aggressor. It is painful to admit that. It is hard for one who has always admired and supported the principles for which the United States always stood until we violated them in Southeast Asia, that this is so.

This is a war that is entirely different from all the wars that have taken place in my lifetime, all of which I supported enthusiastically. In World War I, and in World War II, after we were attacked at Pearl Harbor, even in Korea, there was a different situation. In Korea we went in with all the legality possible. We went in under a United Nations mandate. We fought under the United Nations banner with the forces of 11 other nations, side by side with ours. There was overt aggression in that case. The North Koreans had crossed the 38th parallel and the ROKS—the South Koreans—wanted to fight. Those factors are not present to any appreciable extent in this war.

The sooner we face up to these hard and painful facts, and not merely concentrate on a face-saving formula for us to get out, the sooner we will realize we cannot get to the conference table until we admit our fundamental error in getting in in the first place and what we have been doing since. Based on such a changed approach we may make some headway toward peace.

The idea that the dubious characters composing the South Vietnamese juntas, all of whom we have supported with military force and funds, without which they would not have lasted a week, and around whom we have placed our arms and embraced, are going to permit honest elections, is fantastic. It is not going to be. But who is really to blame? It is we who have injected ourselves into a country which is entirely different, has a wholly different heritage, a totally different way of life. We have attempted to impose something on them that is foreign to their way of life. Our intentions may have been good, but we made a fundamental error in believing they would bear fruit.

I applaud these statements of my colleagues as evidence that resistance to this war is growing, that they are seeing a new light, that they are groping for a way to get out of this mess, and I devoutly hope we may succeed.

Mr. YOUNG of Ohio. Mr. President, will the Senator yield?

Mr. KENNEDY of New York. I yield to the Senator from Ohio.

Mr. YOUNG of Ohio. Mr. President, may I commend the distinguished junior Senator from New York [Mr. KENNEDY] for the magnificent and most constructive statement he has just made. He has performed an outstanding public service in helping to bring to the attention of all Americans the danger that the forthcoming presidential elections in South Vietnam will be turned into a farce by the military junta in power in Saigon.

A free and unfettered election in South Vietnam offers a glimmer of hope for a

way toward an honorable settlement of this ugly civil war which we have made into an American air and ground war. There is every indication that if a free election is permitted, a newly elected civilian government will negotiate directly with officials of the National Liberation Front, or Vietcong, and with officials of the Hanoi regime to secure a ceasefire and an end to the killing, maiming, and destruction that has ravished Vietnam.

However, as I pointed out in a speech in the Senate last Friday, there is every indication that the military junta is plotting moves to retain political control after the election. The reports that Marshal Ky and his fellow tory generals have established a "military affairs committee" which would continue to formulate and direct national policy, no matter which candidate received the most votes, is a further indication of the bankruptcy of our policy in South Vietnam. It appears that for all practical purposes, regardless of who is elected president, the military junta will continue to reign in that unhappy land.

The electorate is controlled. No person suspected of Communist or neutralist sympathies can vote. Much of the opposition has been suppressed. Mr. President, it is hard to imagine any more complete rigging of an election than this. Unfortunately, it appears that the junta's Thieu-Ky ticket has clear sailing ahead.

Secretary of State Rusk and other administration officials have the absolute moral obligation to keep this election from turning into a mockery. For months administration spokesmen have hailed the forthcoming elections as a major turning point in the war and as proof of our resolve to assure self-determination for the Vietnamese people. Unless we are willing and determined to quash the unbridled ambitions of the tory generals in Saigon, Secretary Rusk should dispense with any further solemn cant about the precious flower of democracy raising its lovely head in South Vietnam.

I congratulate the Senator from New York. It is most unfortunate that our involvement has put us side by side with the Vietnamese tories. Nine of the 10 generals that are fomenting this matter, and are making a fraud of this election, fought with the French oppressors in trying to perpetuate that lush Indochinese empire. Our forefathers would have contemptuously termed them "tories."

Ky himself was in the air force of France. When I saw him in Vietnam and interviewed him briefly, he had the effrontery to be wearing a ribbon he had received from the French Government for fighting against those forces seeking the liberation of Vietnam.

Our massive involvement in the Vietnamese civil war has really become incredible. I am so glad the distinguished junior Senator from New York, as well as the distinguished senior Senator from New York, who is now presiding over the Senate, spoke out this morning.

Mr. KENNEDY of New York. I thank the Senator from Ohio.

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

Mr. KENNEDY of New York. I yield to the Senator from South Dakota.

Mr. McGOVERN. I just want to add a brief word in support of what has been said by both Senators from New York [Mr. JAVITS and Mr. KENNEDY]. I think there is no question that we have reached another very significant—perhaps the most significant—turning point in the Vietnamese struggle. The decision recently announced to send 45,000 additional American fighting men to Vietnam recalls to our minds previous decisions of that kind, each one of which has failed to bring victory, has failed to stabilize the situation in Southeast Asia, and has simply taken us more deeply into the war.

Now, an important South Vietnamese election is pending. Supposedly, that is the chief object of our entire sacrifice—to give the people of that area an opportunity to express their will.

I think it is most important that distinguished Senators, such as the Senators who have spoken out today, and the two Senators from New York, continue to speak clearly on this issue.

One of the most nonsensical notions we have had going throughout our entire involvement is that we have been more afraid about the impact of our words on Hanoi than telling the American people the truth.

I have never been able to understand why we are so sure about the impact of anything we say in Hanoi, when we do not even know the impact of our remarks on our own Government. It has always seemed strange indeed to me that so many of us have been preoccupied with some kind of a guessing game as to what the impact of an honest speech would be in Hanoi, rather than being concerned with our first obligation, which is to tell our constituents, the American people, the truth about this war as we see it.

We have different views, different ideas, and different concepts about the nature of this struggle and what our response to it should be. But at least we owe the people of this country and each other the respect to say what we honestly believe, rather than trying to guess, in some strange fashion, about what the impact of our debate and our discussion might be in Hanoi. We do not even know the impact of the debate on our own Government.

Of the articles which have come to my attention, one which most convinces me of the wisdom of what the two Senators from New York have said today, is an excellent article entitled "Vietnam: The Signs of Stalemate," written by R. W. Apple, Jr., which appeared in the Monday, August 7, issue of the New York Times. I ask unanimous consent that that article be printed in the Record at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. McGOVERN. I shall read two or three pertinent paragraphs of the article, relating to the political situation in

South Vietnam, which has always seemed to me to be the crucial factor.

Reading from the last few paragraphs of this rather lengthy article, Mr. Apple says:

A former Premier commented: "The problem isn't the North Vietnamese Army. It's the South Vietnamese Government."

The PRESIDING OFFICER (Mr. JAVITS in the chair). The time of the junior Senator from New York has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator may have 10 additional minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered. The Senator is recognized for 10 additional minutes.

Mr. McGOVERN. Continuing the quotation:

An American who has worked in the provinces for more than five years: "Nobody considers the Vietcong Robin Hood any more. But the Government and the army are still the Sheriff of Nottingham, and you'll never sell that."

A Saigon editor: "What is needed is someone who can seriously make the same claim on the loyalty of the people as Ho Chi Minh does in the North. Without that, there can be nothing. The Americans will never understand, but it is obvious that the problem is not military but political, not American but Vietnamese. We have more of everything military—more bombing, more troops, more money—yet the situation does not change. This can be explained only in terms of the population's indifference, or even hostility, to Saigon."

Mr. President, if there is even a grain of truth in that charge that the people of South Vietnam are indifferent to the struggle, perhaps even hostile to continuing the war, and hostile to their own regime, then one wonders why the enormous sacrifice on our part, which can only grow larger as the months pass.

I frankly have very little faith that the democratic process will operate in the election in September. I hope that I am mistaken. But if it does in fact turn out to be the kind of farce many people are predicting, I would hope we would have the good sense, at that point, to reassess our position and take steps toward getting out.

The truth is that we cannot win this struggle by the course we are now following. We are in a hopeless stalemate.

The truth is that the South Vietnamese Army, which we sent our men to assist, has all but quit the fight.

The truth is that while our men are dying by the thousands, the South Vietnamese soldiers are deserting by the thousands.

The truth is that the Vietnamese people are tired of this war and are giving it little support. It is fast becoming an American war.

The truth is that the most serious problem we face in Vietnam is the lack of a government in the south which has the support of its own people. We cannot win that support in the south by bombing in the north.

The truth is that bombing North Vietnam has resulted, as some of us predicted it would, in a retaliation by the forces of North Vietnam against our men fighting

in the south. Each bomb that falls on North Vietnam has prompted a retaliation in the form of more men, more rockets, more mortars, more machine-guns that have been sent to the south to kill our troops who have been fighting so bravely against enormous odds. After 2½ years of bombing at enormous cost to us in loss of planes and men, the other side has doubled its troop commitment and is now beginning to hit our bases and troops with large rockets, mortars, and new weapons of all kinds.

The truth is that there is no chance of victory through massive bombing, which can only lead to a greater effort by the enemy, backed up eventually by direct intervention on the part of China and perhaps the Soviet Union.

There is no reasonable alternative ahead except to stop sending more and more American troops and planes into a situation where their effectiveness is canceled out each time by a larger commitment by the other side, and a declining support for the war effort by the South Vietnamese.

We cannot export freedom or stability to Vietnam. We can only bring more death and destruction of our own men and of the people we are supposedly trying to assist.

Let us take the occasion of this forthcoming September election in Vietnam to reassess our position and to work out the best possible arrangement for bringing this war to an end. It will not be an entirely satisfactory end, but the alternative is a steadily widening war, growing American casualty lists, skyrocketing taxes and deficits accompanied by upheavals in our own cities, and in the end, perhaps world war III.

I have opposed our Vietnam policy from the beginning because I thought it was a policy harmful to our national interest. I oppose it now. I will continue as I have in the past to vote for those appropriations that are necessary to defend our men in Vietnam. But I will work with even greater zeal to change the policy that has committed so many young Americans to this Southeast Asian jungle. The best way to back our men in Vietnam is to change the policy that sent them there. That is what I have tried to do since 1963. That is what I shall continue to do.

Mr. KENNEDY of New York. I thank the Senator from South Dakota.

EXHIBIT 1

[From the New York Times, Aug. 7, 1967]

VIETNAM: THE SIGNS OF STALEMATE

(By R. W. Apple, Jr.)

SAIGON, SOUTH VIETNAM, August 6.—A little more two years ago, on July 28, 1965, President Johnson committed the United States more decisively than ever to the war in Vietnam by announcing the deployment of 50,000 more American troops to this stricken corner of Southeast Asia.

Last Thursday, in response to the urgent entreaties of his commanders, Mr. Johnson disclosed that he would send 45,000 to 50,000 more men, for a total of 525,000, by next June 30.

Between these two bench marks of the most frustrating conflict in American history, the fighting has careered along, week by bloody week, through wet seasons and dry, through two Christmas cease-fires, through peace feelers and escalations.

By this weekend, 12,269 Americans had been listed as killed and 74,818 as injured, millions of artillery shells and billions of rifle bullets had been fired, and 832 airplanes had fallen to enemy gunners.

The war costs the United States more than \$2-billion each month.

And yet, in the opinion of most disinterested observers, the war is not going well. Victory is not close at hand. It may be beyond reach. It is clearly unlikely in the next year or even the next two years, and American officers talk soberly about fighting here for decades.

The official statements from Washington and Saigon seem optimistic, as they have been for almost five years. Gen. William C. Westmoreland, the American commander in Vietnam, said recently that his men had made "tremendous progress." Secretary of State Dean Rusk said the enemy was "hurting very badly."

"Stalemate" is a fighting word in Washington. President Johnson rejects it as a description of the situation in Vietnam. But it is the word used by almost all Americans here, except the top officials, to characterize what is happening. They use the word for many reasons, including the following:

The Americans and their allies, having killed by their own count 200,000 enemy troops, now face the largest enemy force they have ever faced: 297,000 men, again by their own count.

The enemy has progressed from captured rifles and skimpy supplies to rockets, artillery, heavy mortars, a family of automatic infantry weapons and flame throwers, most of which has been brought into South Vietnam in the face of American air power.

1.2 million allied troops have been able to secure only a fraction of a country less than one and a half times the size of New York State.

The allies are reaching the bottom of their ready manpower pool, while the North Vietnamese have committed only one-fifth of their regular army.

Above all, if the North Vietnamese and American troops were magically whisked away, the South Vietnamese regime would almost certainly crumble within months, so little have the root problems been touched.

ENEMY'S TENACITY DEFIES AWESOME U.S. EFFORT

It is true, as General Westmoreland has often said, that the United States has built an awesome logistical empire in Vietnam, that the enemy seldom wins a major battle, that more highways are open than before, that American bombers have severely hampered Hanoi's war effort, that the Vietcong are suffering.

But the enemy continues to fight with tenacity, imagination and courage, and no one knows when he will stop.

The goal of American policy, simply stated, is to defeat, together with the other allies, the Vietcong guerrillas and their backers, the North Vietnamese, so that South Vietnam's nationalists can transform their society into something strong and durable.

Originally, American troops were to form a series of dikes, or military shields, around critical areas, so that the South Vietnamese, sheltered from North Vietnam's regulars, could regroup and build.

This is still the role of the gallant marines along the demilitarized zone, facing the North Vietnamese homeland, who have lost 10,000 men killed or wounded since Jan. 1; of the Fourth Infantry Division, along the Cambodian border, and of other divisions that mount search-and-destroy operations in enemy base areas.

It is galling work. Because the enemy can fade into redoubts or across borders where the Americans cannot follow him, the same unit must be smashed again and again. General Westmoreland once conceded that he was unable to hurt any unit so badly that it could not be refitted in 90 days.

FRUSTRATION DRIVES ALLIES TO HEAVIER WEAPONS

Frustrated, the allies have turned increasingly to the use of artillery and airpower to hurt the enemy, substituting F-100 fighter-bombers and 155-mm. howitzers for infantrymen. The natural tendency of a technological society is to spend its steel and its inventiveness rather than its men.

But in Vietnam, technology is no substitute for the man on the ground. Artillery does not keep the Vietcong from moving at night; patrolling does. The artillery, in fact, often hurts more than it helps. When a 155-mm. shell, aimed almost at random into the gloom, crashes onto a sleeping hamlet, potential Vietcong are often created in an instant.

The most damaging fact is this: Behind these dikes that have been manned at the cost of so much blood and treasure, almost nothing has improved. The North Vietnamese have been pushed back into their lairs, away from the hamlets and villages, but security in the countryside is as bad as ever.

"I've destroyed the ——— Division three times," a senior American general said the other day. "I've chased main-force units all over the country, and the impact was zilch: It meant nothing to the people."

So now the Americans, implicitly admitting that they despair of results from the South Vietnamese themselves, are moving into action against the guerrillas, while trying at the same time to keep the North Vietnamese off balance.

Of the 25 American units of regimental or brigade size deployed in Vietnam, 14 are committed to the grisly business of digging out the mines in roads and defending tiny hamlets.

"We are on the way to a policy of occupation in this country," a Washington official said not long ago. "We have found that unless we put enormous numbers of our own troops into a very small area the thing doesn't go."

WHERE BIG UNITS MANAGE, SMALLER ONES FAIL

Where large units have been committed—for example, the First Cavalry Division (Airmobile) on the Bongson plain and the South Koreans in Phuyen Province—progress has been made.

Where the same tactic has been tried with smaller units, it has not worked. The Marines, stretched thin, have been trying to pacify the area around the Danang air base for two years, but they were unable to prevent the rocket attack July 15 that took a heavy toll in men and machines.

Army units have been engaged for months in Operation Rang Dong, the struggle to secure the approaches to Saigon, but during the last two weeks the guerrillas have mined Route 4, the main road to the Mekong Delta, have struck with mortars at the Nhabe naval complex within sight of the lights of Saigon, and have fired their rockets into key American bases.

In all 53 districts of the III Corps—the sector around Saigon where the earth has been scorched in Operations Junction City, Cedar Falls and Manhattan—there remains a virtually complete guerrilla structure: a 10-man squad for each hamlet, a 30-man platoon for each village, an 80-man company for each district, and at the top a 350-man company for each of 12 provinces.

The Vietcong have the incalculable advantage of the tactical offensive. The allies must defend and build; the Vietcong serve their ends by attacking and falling back.

FOR A COMPLETE SHIELD, EIGHT MILLION TROOPS

To repeat the pattern of Phuyen and Binh-dinh in all the populous areas of South Vietnam, one ranking American official has estimated, the allies would require eight million men. Even then, as General Westmoreland has acknowledged, the problem would not immediately be solved because if the Ameri-

cans pulled back, the enemy would filter down from the hills.

The situation has reminded more than one American in South Vietnam of these lines by Lewis Carroll:

"If seven maids with seven mops
Swept it for half a year,
Do you suppose," the Walrus said,
'That they could get it clear?'
'I doubt it,' said the Carpenter,
And shed a bitter tear."

The answer to the seeming impasse is pacification—reestablishing the Government presence in the hamlets so that the peasants will want to defend themselves and will have the means to do so.

To accomplish this, the United States has built schools, pipelns and marketplaces; the South Vietnamese have conducted village and hamlet elections; a total of 315,000 pacification workers, American and South Vietnamese soldiers and civil servants have been committed; the American command structure has been reorganized and enormous sums are being spent this year; \$400-million by the Americans, \$135-million by the South Vietnamese.

SOME SAY IMMENSE EFFORT GUARANTEES PROGRESS

Some American officials argue that progress is inevitable, because of the resources involved, that if enough manpower and money are poured out of Saigon, some of it, somehow, will have an impact on the faraway peasant.

But the ground to be covered is enormous. According to the new system for evaluating hamlets, a total of 1,944 out of 12,537 are controlled by the Government—a figure amounting to fewer than one in six. The rest are contested or, to some degree, controlled by the Vietcong.

Some of the most experienced Americans here consider a hamlet secure when its chief is willing to sleep in it. About 2,000 are thought to meet this criterion.

The modest goal for this year is the pacification of 1,100 hamlets, most of them in 26 priority areas; but even this seems beyond the present state of the art. Of the 44 provinces, 26 are behind schedule. American officials concede that pacification is at best creeping ahead in three-quarters of the country and stopped cold in the northern part.

Competent pacification workers are becoming harder and harder to recruit; the goal of 41,000 by the end of 1967 will not be reached, and those already at work are being killed at a rate near 15 a week. The 53 South Vietnamese Army battalions supposedly protecting the workers are not doing so. Morale is so bad that 13 of every 100 workers are expected to desert during 1967.

A senior American said recently, "There is at least a 2-to-1 chance that we will increase the momentum of pacification over the next 12 or 18 months."

But nothing better than this can be hoped for, in the opinion of many observers, without a thorough overhaul of South Vietnamese society—without a second revolution to counter the revolution, however bogus, that the Vietcong have promised for more than a decade.

PEASANTS CAN BE RALLIED, BUT A CAUSE IS LACKING

The peasants by and large, are apolitical. They stand by and watch as they are buffeted by the war. They want security more than anything else, but they can be rallied to an ideal, as the North Vietnamese and the Vietcong have sometimes shown.

The ideal is nowhere to be found in Saigon. Unless a theme more positive and more stirring than simple anti-Communism can be found, the war appears likely to go on until someone gets tired and quits, which could take generations.

Unless the central fact of the allied war effort—the critical lack of commitment of South Vietnamese society to work for its own survival—is changed, there can be no real victory because there can be no viable; democratic Vietnamese society, which is what the United States came here to help build.

The Americans responsible for the war effort seem to have given relatively little thought to this problem, perhaps because it drives them up against the reality that the people they are fighting for are none too eager to fight for themselves.

Consider, for example, General Westmoreland's program for improving the South Vietnamese Army. It is contained in a thick booklet stamped "Secret," and it includes 44 subprograms—all of which relate to more equipment, better professional training, more advisers. None relate to what football coaches like to call "the will to win."

Commenting on this preoccupation with the material. The Saigon Post recalled the recent fate of the Egyptian Army, with its magnificent Soviet-made tanks and jets, and suggested that South Vietnam's generals bear in mind Napoleon's dictum: "The moral is to the physical as 3 to 1."

SOUTH VIETNAMESE TROOPS CONSIDERED INEPT

Allowing for such exceptional units as the marines, the rangers and the paratroopers, the performance of South Vietnam's forces has been shockingly bad, in the opinion of most advisers.

Commanders only reluctantly commit their units to battle, because they are afraid of losing men. Once in battle, they are often unable to rally their troops. South Vietnamese units broke and ran during the early fighting around Conthien and again during recent fighting in the Mekong Delta.

One recent instance of inaction by Government troops occurred in the middle of May. The Vietcong overran a battalion command post in the delta, killing three American advisers and 29 South Vietnamese. One enemy body was found after the attack. Three South Vietnamese companies sat out the action only 300 yards away.

After years of cajolery by their advisers, Government units still operate ineffectively at night (as, indeed, some American units do). A visitor recently inspected three "night patrols" in three parts of the country. One was walking down a highway with transistor radios blaring, one was asleep in a house and the third was hiding in a cave.

The American advisers—whose superiors, including General Westmoreland, have refused to demand the removal of incompetent leaders—have had little impact. One former adviser described his role as that of "a glorified radio operator, tolerated only because I could call in air strikes."

NEED FOR REINFORCEMENTS A MEASURE OF OUR FAILURE

"Every time Westy makes a speech about how good the South Vietnam Army is," another general has said, "I want to ask him why he keeps calling for more Americans. His need for reinforcements is a measure of our failure with the Vietnamese."

At the same time, paradoxically, the Americans have created a dependent psychology in which the South Vietnamese abdicate responsibility in combat only to reassert it later.

An experienced adviser tells of having led a Government battalion in a ferocious all-night battle while its commander hid in a foxhole. The next morning, the commander emerged, shook himself and ordered his men to move out. When the American suggested that a less bunched-up formation might be better, the commander coldly ignored him.

At bottom, American officers say when they know that they will not be quoted by name, the trouble with the South Vietnamese

Army is a lack of leadership. The fighting men are tough, willing and courageous, but like soldiers everywhere, they are worthless if badly led and poorly motivated.

The lack of leaders is heartbreaking to those who would reform the army. The best talent in the current generation has long since been lost: Thousands of men who might be leading South Vietnamese troops in combat are serving with the North Vietnamese or the Vietcong, heirs to the country's nationalist revolution against the French. Of all the Government officers serving as lieutenant colonel or higher, only two fought on the side of the Vietminh in the war against the French.

Some potential leaders are languishing in exile as a result of the purges of the last decade. Countless others have been killed in battle.

MANY OFFICERS FOUND WEARY AND CYNICAL

In their place stands a corps of young officers, often incompetent and more often corrupt. Weary of the war and cynical toward it, many of them work a four-and-a-half-day week, leaving their troops at noon Friday and repairing to Contho or Danang or Saigon in search of diversion. It is not uncommon to see two dozen off-duty army officers taking their ease of a Saturday night in Maxim's, a frightfully expensive Saigon nightclub.

Watching one such group drive through town in a long black car recently, a Vietnamese student commented, "Nguyen Huu Tho doesn't live like that."

Mr. Tho is chairman of the National Liberation Front, political arm of the Vietcong.

Saigon's army hardly seems a likely force to lead a revolution, and whatever can be said of the army can be said of the Government as well, for the army is the Government.

If the villagers resent soldiers who steal their rice and chickens, they resent far more the corrupt district and province officials, nearly all of them military men. They resent, for example, the delta province chief whose waterworks and electrical plant serve his headquarters and his house but not a single peasant hut; and they resent the highlands province chief who sold them diseased pigs, bought with American aid funds, at enormous profit to himself.

TALES OF CORRUPTION ABOUND IN SAIGON

The corruption—the sense of a diseased society—is most pervasive in Saigon. Many of the stories that float through the city's cafes are no doubt false; but in a sense, that does not matter because most of the people believe them.

This belief is a major political fact, contributing to cynicism and noncommitment. Conceivably General X's wife did not buy and sell draft deferments; but everyone said she did. The question has been asked: Is it reasonable to expect young men to volunteer eagerly to fight for their country in this kind of atmosphere?

La Thanh Nghe, a former Cabinet minister, is accused of having sold antibiotics to the Vietcong and, at the same time, of having earned almost a million dollars in kickbacks from American drug suppliers. Policemen on duty at night along Tu Do Street tell a journalist that they will need \$3 to be sure his car is not towed away. Clerks on the piers, unable to locate the papers needed to clear a shipment through customs suddenly find them when \$10 passes across the counter.

Added to this is a civil service so weary, so undermanned, so bogged down in antique French techniques—18 seals and signatures are required on one car-ownership document—that the tiniest tasks require weeks.

This is the system through which the pacification campaign must be made to work, through which the army must be reformed, the economy must be managed, the hearts

and minds of the people must somehow be won.

WHAT KY AND THIEU SAY, AND WHAT THEY DO

Premier Nguyen Cao Ky and Lieut. Gen. Nguyen Van Thieu, the chief of state, say all the right words, promising social justice, an end to corruption and a liberal revolution that will make the task of the Communists impossible.

But Premier Ky also once advised Western journalists to "watch what I do, not what I say"—and watching is not often encouraging.

After months of American prodding, for instance, the Government issued its "proclamation of national reconciliation," supposedly the beginning of a campaign to persuade high-ranking Vietcong to defect. Since then, the subject has been dropped, and only one field-grade enemy officer has turned himself in.

Four men who know Vietnam well have also watched. They recently said the same thing in different ways.

A former Premier commented: "The problem isn't the North Vietnamese Army. It's the South Vietnamese Government."

An American who has worked in the provinces for more than five years: "Nobody considers the Vietcong Robin Hood any more. But the Government and the army are still the Sheriff of Nottingham, and you'll never sell that."

A Saigon editor: "What is needed is someone who can seriously make the same claim on the loyalty of the people as Ho Chi Minh does in the North. Without that, there can be nothing. The Americans will never understand, but it is obvious that the problem is not military but political, not American but Vietnamese. We have more of everything military—more bombing, more troops, more money—yet the situation does not change. This can be explained only in terms of the population's indifference, or even hostility, to Saigon."

A young army officer: "No South Vietnamese whose career or pocketbook isn't involved really looks up to or respects Ky. He could never be our national hero—too young, too flashy, too American, too much the playboy, too much the pilot."

ELECTIONS VIEWED AS A WAY TO TURN THE TIDE—IF

Confronted with these attitudes, and with open insurrection by militant Buddhists, the Government consented to national elections this fall. They offer an enormous opportunity, everyone here agrees, to rally the people behind Saigon, to give the country a psychological lift, to dash the claims of the Vietcong to legitimacy and possibly even to open the way to peace negotiations.

But the military's old habits persist; it would be unrealistic not to expect them to. At the generals' insistence, the only serious peace candidate, Au Truong Thanh, was ruled off the ballot, and the only nominee even remotely identifiable as a national hero, Maj. Gen. Duong Van Minh, was refused permission to return to the country.

Several left-wing candidates for the Senate were also denied the right to run.

A Saigon newspaper spoke for most of the country's intelligentsia and most civilian politicians when it said: "This may succeed in keeping out [of office] the people dedicated to radical social changes and reforms, and to ridding our people of inequalities and injustices with the perpetuation of which we would not triumph over Communism."

The remaining candidates—a collection of middle-aged and middle-class conservatives—seem to offer no real alternatives. The most prominent of these, Tran Van Huong, is considered an elderly, kindly and thoroughly honest retired teacher, whose brief

term as Premier in 1964 and 1965 was characterized chiefly by his stubbornness. Even his supporters concede that he is not the vibrant national leader the country needs.

OUTLOOK AFTER THE VOTING: NO BASIC CHANGES

Neither Mr. Huong nor any of the nine other civilian candidates is given more than a slight chance of winning, even if the balloting is scrupulously honest, which few expect it to be. The built-in advantages of incumbents, here as elsewhere, are so great that only a figure of great charisma can overcome them.

So the outlook, four weeks before election day, is for a ratification of the Thieu-Ky regime, with all that would mean: a "legitimized" but essentially unchanged central Government, continuation of heavy-handed police tactics, the same generally corrupt officials in the provinces, the same dispirited army, more war.

The prospect may be agonizing to Americans, but it is far worse for the South Vietnamese.

"What am I to do?" a young businessman asked a friend not long ago. "Vote for Thieu and Ky, and watch my country get torn apart for four more years? Vote for one of the civilians, when you and I both know they can't provide any real leadership? Join the Vietcong? Go to France or America?"

"You know I can't do any of those things. I shall just have to wait longer."

LOYALTIES OF THE HAMLETS

SAIGON, SOUTH VIETNAM, August 6.—Following is a table, based on official United States data, breaking down South Vietnam's hamlet population according to degree of loyalty to the Saigon Government or the Vietcong. Added to the hamlet population, the nation's 3,782,500 city dwellers account for the total population, 17,165,300.

	Hamlets	Population
Total Government control.....	168	489,300
Partial Government control.....	1,776	3,129,100
Contested (Government-leaning).....	3,245	4,360,600
Contested (Vietcong-leaning).....	2,156	1,976,100
Partial Vietcong control.....	522	402,200
Total Vietcong control.....	3,978	2,923,200
Unclassified.....	686	152,300
Total.....	12,537	13,432,800

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

Mr. KENNEDY of New York. I yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, I also commend both the able Senators from New York for their talks this morning.

For some time, I have been worried about the political situation as it is developing among the people in South Vietnam. As I have presented on this floor the people of Vietnam are tired. They have been fighting somebody for more than a quarter of a century. We have unwittingly eroded their economy; and on my last trip it appeared that something has happened to their basic desire and determination to continue this war.

What worries me now has nothing whatever to do with the gallantry of our Air Force and Navy fliers over North Vietnam or the gallantry of all our military in South Vietnam. It does have to do with the people of South Vietnam themselves, along with the gigantic cost to the American taxpayer of this our continuing adventure in the Far East.

I would agree with my friend from New York in that if these elections turn

out to be what it begins to look as if they will be, namely, a farce from the standpoint of any true representation of the will of the people of South Vietnam, this administration might as well face up to that result in major fashion. We have many costly problems in other parts of the world; and, as the Senator from New York has well stated in the past there are also many problems here in this country today that require heavy expenditures.

I thank the able Senator for yielding.

Mr. KENNEDY of New York. I thank the Senator from Missouri.

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

Mr. KENNEDY of New York. I yield.

Mr. FULBRIGHT. Mr. President, I join in commending the Senators from New York on their statements. It seems to me that both statements are especially timely. I detect from reports in the press, committee hearings here in the Senate, and the testimony of witnesses such as Admiral Sharp and others, that we are at a point when the administration is about to make the decision to greatly enlarge the war, both by increasing the bombing and by increasing the number of troops, in an effort to bring this war to a successful military conclusion, with, at the same time, this project for elections.

I join in the skepticism about the possibility of conducting a genuine election in that unfortunate country, for many reasons which I will not take the time to go into—primarily for lack of any tradition of participation by the people in the electoral process, and the ease with which the present junta can dominate the conditions under which an election is held.

It was contemplated, after Geneva, that elections would be held. But those elections were to be supervised by the International Control Commission. Certainly elections held before the occupation of the country by the United States, would have been quite different than in the situation that prevails today. But I think precipitation of a discussion as the Senators from New York have done today, is very important at this time, because the administration should not undertake a decision to seriously enlarge the war without discussion. I would hope also they would not act without the approval of the majority of the Senate and of the people of this country. And, except through a general election, it is very difficult to ascertain whether the people approve, except through Congress itself. I hope that in the coming days, further discussion of this matter, discussion of which has now been renewed by the Senators from New York, will take place. I think it would be a disaster to greatly enlarge the war.

Even if we took over both North Vietnam and South Vietnam by military means, we would by no means have solved our problem; we would only have created a slightly different problem, and one which would be perhaps even more difficult to disengage from. Then there would always be that other problem—which apparently the administration denies vigorously—that there could be a much wider war involving China.

So I commend the Senators, and hope that the rest of the Senate will join in this discussion.

Mr. KENNEDY of New York. I thank the Senator from Arkansas.

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

Mr. KENNEDY of New York. I yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, one of the most difficult questions that has been raised about the participation of the United States in the war in Vietnam has been our purpose in being there. I believe the Senator from New York has responded to that question as well as anyone could, when he said, quoting President Johnson, that the fight is for the principle of self-determination. The people of Vietnam should be able to choose without restriction the government they desire. In past years, President Eisenhower, President Kennedy, and President Johnson have stated that purpose. And as the Senator from Rhode Island said earlier, if that is not our purpose, then we can find none.

It provides a moral basis for our presence in Vietnam. It would be very difficult for the United States to intervene in the elections either through its military or civilian personnel.

It points up the difficulty of our presence. Our country cannot remake Vietnam. It cannot provide a government with democratic values unless the people have the unimpeded opportunity to express themselves in the election, and want those values.

We should nevertheless speak up. The elections ought to be free and restrictions ought to be removed.

As the Senator pointed out, one of the most ominous events which has occurred is the reported decision of the Government of South Vietnam to maintain the Military Advisory Committee, a council supposedly established to advise whatever government may be elected, but I fear it would be the government itself.

It is necessary, therefore, that we constantly review, as the two Senators from New York have stated, of whether the purpose of our presence in Vietnam is supported by the actions of the government and people of South Vietnam as a whole.

I commend both the senior and junior Senators from New York for their valuable contributions today.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the junior Senator from New York be permitted to continue for an additional 5 minutes.

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

Mr. KENNEDY of New York. Mr. President, I thank the Senator from Kentucky. I think that the events of the last 4 or 6 months are particularly ominous.

American casualties are now running at a greater rate than South Vietnamese casualties. We undertook—some time ago—the responsibility for the large

military engagements and they undertook the responsibility for the pacification program.

We have with great bravery and courage met our responsibility, but their efforts in the field of pacification have been less than successful. And pacification in the last analysis means the loyalty of the people.

If we cannot get the loyalty of the people in South Vietnam and if they are unwilling to make that fight, we cannot do it for them.

As President Kennedy said in 1963, "It is their war. We can help them win it, but we cannot win it for them."

Once it becomes our war, it will be that much more difficult. It seems that over the past 6 months it has been becoming more and more our war. Our casualties are increasing. They refuse to have a general mobilization. There is a failure on the part of the people in the small hamlets to cooperate.

This is their struggle, and they must become involved if it is to be a successful war.

Certainly the Vietcong are making that sacrifice and effort. Certainly the North Vietnamese are fighting with great dedication, as are our troops and some of the ARVN.

That is not, however, characteristic of the efforts of the South Vietnamese. It is not characteristic of either their army or their efforts at pacification.

We now proclaim the idea of having an election and letting the people themselves decide their own future and destiny. And the ruling junta in South Vietnam is making of that election a fraud and a farce, feeling perhaps that we are trapped in there and that there is no way that the United States can get out or withdraw. They feel that they can do exactly what they want to do.

I think that it must be a matter of great concern to us. We can exert all of the military effort that we want to. We can send a million more men there. We can drop thousands and thousands of additional tons of bombs on North Vietnam and still not win the war, if the people in South Vietnam are not interested in making it their struggle and supporting the Government of South Vietnam.

I think it was always our great concern when we increased our efforts there that it not become our war against Asians, and thus a continuation of the struggle of the French against the people of South Vietnam.

That is the direction in which we are moving at the moment. That is why I say that it is a matter of great concern that this election not be a fraud.

The people there listen to just their own leaders. I do not think in such a case we could deal with Gen. Thieu or Marshal Ky as the leaders of South Vietnam.

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

Mr. KENNEDY of New York. I yield.

Mr. FULBRIGHT. Mr. President, I emphasize what the Senator said about the war becoming our war. In the course of the last election, in 1964, it was my impression that this was not to become

our war. That was the major theme of the campaign, that there would be no wider war. That was the theme throughout the election.

I thought that was what our own people thought they were supporting, and would still like to support. However, when that war has widened and become our war, it seems to me, that it is quite a different matter. We ought to reassess the situation and do what the Senator has suggested.

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

Mr. KENNEDY of New York. I yield.

Mr. CHURCH. Mr. President, I commend the Senator on what I think is a timely, important, and praiseworthy speech.

I think it has become increasingly evident, over the passing months, that the upcoming elections in South Vietnam are little more than charade.

Perhaps this should be no surprise to us, because our characterization of the war in South Vietnam has always been faulty, it seems to me.

From the beginning, it has been a struggle between two authoritarian governments, each of which entertains ambitions to ultimately rule over a reunited country.

To pretend that this has been a struggle between freedom on the one hand and tyranny on the other is to assume that tyranny wears only a red cloak.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senator from New York be permitted to continue for an additional 5 minutes.

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

Mr. CHURCH. As the Senator from New York well knows, tyranny wears many cloaks. One is communism; another is the kind of military junta government that presently presides in Saigon.

I have just been reading an account of the elections in South Vietnam which appears in a recent column written by Clayton Fritchey. It is so pertinent to the subject of this debate that I should like to ask unanimous consent that it be printed at this point in the RECORD.

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

STATE OF AFFAIRS
(By Clayton Fritchey)

WASHINGTON.—"We are in South Vietnam today," says President Johnson, because we want to allow a little nation self-determination. We want them to be able to go and vote for the kind of leaders they want and select the type of government they want."

Johnson was saying in effect what Presidents Kennedy and Eisenhower had said before him, which is that the U.S. is not in Vietnam to take over the country, or the war, but to help the South Vietnamese help themselves.

To that end we have unflinchingly paid an ominous price in casualties and money to save the country, to try to stabilize it, and pave the way for an election to establish a democratic, representative government which the people would support and the army would fight for.

Since everyone agrees that the war cannot be won without the loyal support of the people of South Vietnam, the election scheduled for September 3 could very well be the critical point in this long conflict. We know from sad experience that the people and the soldiers will not risk their lives for the present military government, dictatorially run by Generals Thieu and Ky. But the hope has been that all this would change once an honest election gave the people the exhilarating experience of self-government.

If, however, the military junta, in its determination to stay in power, keeps on rigging the election, it will not only have betrayed the Vietnamese, but the American people as well, for all of our sacrifices will then have been in vain.

President Johnson should long ago have warned Thieu and Ky and their fellow generals of what the public reaction in the U.S. will be if they persist in making a travesty of the election. Support for the war is already in jeopardy in the U.S. Corruption of the electoral process could be the last straw. Dr. Phan Quang Dan, who is running for Vice-President on the civilian ticket of Phan Khac Suu, says, "The prestige of Vietnam depends on this election, and so does the American support of the war."

The Council of Republican Organizations is probably right in charging that the elections "may already have been rendered meaningless by the manipulations" of Thieu and Ky, who are heading up the military slate for President and Vice-President.

No anti-war candidates are allowed to run. The most popular general in the country (a former premier) has been exiled and ruled out of the ballot. (Imagine Truman not permitting Gen. Eisenhower to return from Paris to run in 1952). Campaign news in the press is censored by and for the junta. Radio and television likewise. The chief peace candidate, Au Truong Thang, is ruled out on charges of being a Communist and neutralist even though he served in Ky's own cabinet last year as Minister of Economics. The strong trades union ticket is banned on a flimsy technicality.

The rural areas, where most of the populace lives, have been kept in darkness about the election. All candidates for the Senate must run at large instead of, as in the U.S., from their home districts. The Constitution requires "all military personnel and civil servants" to take leave of absence before seeking office but Thieu and Ky are still running the country. The Thieu-Ky combine has unlimited funds at its disposal. The civilian tickets are allowed only \$13,000 each for the whole campaign.

Not content with having virtually wrapped up victory in advance, the junta now spreads the word that it is forming a "military affairs committee" which will continue to direct national policy no matter what the voters decree. Premier Ky also warns that if any opposition ticket should win by "trickery" he will overthrow it. Trickery apparently means not voting for the generals.

Despite the degradation of the election, there has not been a murmur of protest from the U.S. government. The truth is the Johnson Administration wants the generals to win so that our puppets will appear to have democratic sanction. The last thing the Administration wants is a civilian victory which might bring to power new leaders determined to run their country independently of the U.S.

Mr. CHURCH. I do not know whether it is possible for the United States to make Vietnamese elections honest and democratic, or whether, in the context of Vietnamese life and tradition, that can happen now. But to pretend that the war in Vietnam is, today, a struggle between tyranny and freedom, as we know free-

dom is, it seems to me, merely to convert a tragedy into a farce.

I wish that there were some answers now for the present predicament. I myself have opposed the policy of our ever-deepening involvement in Vietnam, because I believed it would lead us ultimately into this very kind of entrapment.

The Senator from New York has characterized the problem in a most exemplary way. I associate myself with his remarks.

Mr. KENNEDY of New York. Mr. President, I appreciate the statement of the Senator from Idaho. As I have traveled around the world, I have supported the commitment of the United States in South Vietnam. As the Senator from Idaho knows, I have had deep reservations about the bombing of North Vietnam and our widening commitment there. But I have said I do not believe the United States should pull out unilaterally.

I have always returned to the strongest argument that I think could be made—and I am sure the Senator from Idaho has had the same experience—that in the last analysis—after President Johnson's announcement in 1964—we should permit an election in South Vietnam to let the people themselves decide their destiny. That is, after all, what we are fighting for. Those who were opposed to our involvement could readily understand that. I have said that the North Vietnamese would not permit an election—that Ho Chi Minh would not permit an election.

But it appeared that there would be an election, a free election, in South Vietnam. We made that commitment publicly. We said we would permit a free election, and all people could participate. Whether they wanted communism, or neutralism, or a junta, or whatever leadership they wanted, the people of South Vietnam could decide for themselves. That argument is gone now, as the election nears the Saigon junta has ruled out "neutralists," has ruled out "Communists," has ruled out others of whom the generals disapproved; and now they will not even let those who are left participate freely and openly.

If there is no free election, I do not know what can be said if someone asks, "What are you doing in South Vietnam?" What can one possibly argue? What is the remaining argument that can be made for what we are doing there?

One point to which we committed ourselves publicly—the President of the United States and the American Government—is that we would let the people decide for themselves. Here is an opportunity to do so, and the people are not being permitted to decide for themselves. The junta which we are supporting militarily and economically is not permitting them to decide.

Where is our whole moral position in that part of the world? Without a free election, I do not believe it is there any longer, and I believe that, under those circumstances, a reassessment of the entire situation is obviously required. If the Saigon regime is not going to cooperate so that the people can decide what they

want, what is our position in Vietnam? I think it will be destroyed.

I yield back the remainder of my time.

ORDER OF BUSINESS

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). Under the order previously entered, the Senator from Ohio [Mr. YOUNG] is recognized for a period not to exceed 20 minutes.

THE PROPOSED NIKE X ANTI-BALLISTIC MISSILE SYSTEM IN DEFENSE APPROPRIATION BILL SHOULD BE REJECTED OR THIS APPROPRIATION BILL DEFEATED

Mr. YOUNG of Ohio. Mr. President, the Department of Defense appropriation bill, which will be fully debated in the Senate next week, provides for \$730 million for the Nike X antiballistic missile system of defense. Together with unexpended funds for this purpose, the total amount available to be spent on this system in fiscal year 1968 totals approximately \$970 million. This would be an indefensible expenditure. It would result in an utter waste of taxpayers' money, just as all of the millions heretofore spent on the deployment of antiballistic missile systems ringing some cities of our Nation have been fruitless and wasteful.

Negotiations have been proceeding between the United States and the Soviet Union seeking to eliminate the deployment of antiballistic missile systems. These should proceed for at least another year. I support the views of Secretary of Defense McNamara that our offensive power makes it an unnecessary and wasteful action to expand the Nike X antiballistic missile system or any other similar system at this time. This would be a stupid and indefensible waste of public money.

Mr. President, this proposed appropriation is only the beginning of what could become the greatest waste of taxpayers' money in the history of the country. Furthermore, after construction it would cost between \$4 billion and \$5 billion a year to maintain.

Even a first step to protect our Minutemen missile sites and to a lesser degree 10 American cities would cost at least between \$3 billion and \$4 billion, with the likelihood that this would be doubled by operational costs. Secretary McNamara has made it clear that this would merely be a down payment on a price tag that would eventually be at least \$40 billion. From research that I have made on this subject, I am convinced that the total price tag would eventually come closer to \$60 billion or \$70 billion, and even those figures are considered conservative by some experts. The proposed ABM system can readily become the largest and most expensive "pork barrel" project of all time.

In testifying before the Senate Armed Services Committee, Secretary of Defense McNamara stated:

There is no system or combination of systems within presently available technology which would permit the deployment now of an antiballistic missile defense cap-

able of giving us any reasonable hope of keeping U.S. fatalities below some tens of millions in a major Soviet nuclear attack on our cities.

Secretary McNamara has presented estimates of the ability of such a system to reduce American casualties in the event of a nuclear war. He estimates that, in the absence of an ABM system, the United States would suffer 100 to 135 million fatalities if the Soviet Union were to strike first, and 90 to 95 million if the United States were to strike first. He estimates that if we deployed an antiballistic missile system and the Russians merely maintain their present offensive capability without responding to the new situation, the dreaded nuclear exchange would still kill between 20 million and 40 million Americans. If the Russians chose to respond by increasing their offensive armaments, ultimately American fatalities could mount to 120 million.

Mr. President, what kind of protection is this? Also, officials in the Pentagon talk of protecting 50 of our larger cities. Which 50? What of the hundreds of millions of Americans who live in the unprotected remainder of our Nation? In effect, we are playing a macabre numbers game which offers neither our Nation nor the Soviet Union any real protection whatever. The construction of an antiballistic missile system in reality represents a kind of maginot line—an imagined security. No such system can be more than fractionally effective, and its deployment would represent a waste of billions of dollars, with no added security to either side.

Not only would such an action be unwise from a military and economic point of view, but it could also have grave political implications. By plunging ahead with the deployment of a relatively primitive ABM missile system, we run the risk of escalating the arms race to a fantastically high and unbelievably costly plateau. One more upward spiral of the arms race would probably leave both sides with no more real security than each has now.

After we both have antiballistic missile systems, we may rest assured that the race will then start all over again to produce new, more expensive and more sophisticated missiles that can penetrate the antimissile systems. After another costly race is over, there is every reason to believe that the balance of power will settle at the same point where it now rests. Neither our Nation nor the Soviet Union will be any safer. Each will have managed to maintain a stalemate only by the expenditure of vast sums of money that might have been put to more constructive use.

When the balance of military strength is stabilized on that new plane, so expensively purchased, the world, far from being safer, will be more insecure than ever. After the expenditures of billions of dollars, the two super powers will have achieved nothing constructive. As a matter of fact, should confidence in these defensive missile systems become excessive, the effect may even hasten the hour of ultimate thermonuclear destruction by infusing policymakers of both nations

with an unwarranted assurance, the frailty of which will be fatally demonstrated in the first moments of battle.

Mr. President, our only real defense is to keep our offensive power so far ahead of the Russian defense that it will remain perfectly clear to the Soviet leadership that a first strike against us will trigger an unbearable response. We must constantly seek to improve our offensive missiles now standing in concrete silos and underwater in our Polaris submarines. We now maintain a 3 or 4-to-1 advantage over the Soviet Union in the number of strategic missiles we possess, but even this does not fully measure the advantage enjoyed by our Nation. Soviet missiles threaten our land-base ICBM force, but they cannot threaten our large and highly effective Polaris force which is based on submarines and is invulnerable to attack.

Above everything else we maintain 41 Polaris submarines, each carrying 16 missiles with nuclear warheads. These submarines are capable of remaining under the water for a period as long as 300 days and nights. There are two complete crews trained and available for every Polaris submarine. The latest of these submarines, the *Will Rogers*, was launched and successfully fired missiles but a few weeks back.

These missiles, which approximate in number 700, have a maximum range of approximately 2,875 land miles. This is the capability of the most modern of these Polaris submarines. Earlier models have a range of approximately 1,370 land miles. They are capable of firing missiles with nuclear warheads from under the ocean, and, of course, no area within the vast land mass of Communist China or the rest of Asia or Europe and the entire area of the Soviet Union is safe from devastation by missiles fired from these submarines.

With all this tremendous power, it would be wasteful and foolhardy on our part to vote this appropriation containing provisions for an antiballistic defense at the cost of hundreds of millions of dollars, and which will be just the beginning of what will become the biggest billion dollar boondoggle of all time.

Mr. President, what nuclear power is threatening the peace of the world now? There is not one, unless someone wishes to claim that Albania is offering a threat, or Communist China, which has a crude nuclear capacity, but which will not have the capacity to make a nuclear attack on us with intercontinental ballistic missiles before 1975 at the earliest.

Our tremendous nuclear capability is far superior to that of the present nuclear capability of the Soviet Union. In addition to our tremendous airpower we maintain on the ocean and under the ocean the most powerful Navy capable of offensive action and destruction of the enemy that has ever been known. Admittedly, our intercontinental ballistic missile power with nuclear warheads exceeds that of the Soviet Union on the basis of 3 to 1.

The Soviet Union is the only nation in the world having even the capability of attacking the United States with intercontinental ballistic missiles. The Soviet

Union is no longer a "have not" nation. It is a "have" nation. There was a time in that grim cold war period following the end of World War II when the dictator of the Soviet Union, Stalin, offered a threat to the peace and safety of the world. Stalin is no longer the ruler of the Soviet Union. Today, the Soviet Union is veering toward capitalism and co-existence.

The present leadership is evincing co-operation toward us instead of threatening annihilation. The Soviet Union is no longer the menace it once was to the peace of the world. Its leaders are interested in expanding and improving the lives of its citizens. It is really unthinkable that there would be any nuclear conflict between us.

Mr. President, another interesting possibility is that the rulers of the Kremlin are probably not yet at that point where they would publicly state that the few antiballistic missile sites which they have constructed and intend to construct are being built to protect their nation against future Chinese nuclear weapons. The Chinese threat as a nuclear power is minimal today, and will not be a threat to us for many years to come. However, because of the proximity of China and the Soviet Union, Red China will be a threat to the Soviet Union long before it endangers our Nation. The country which will first feel the shadow of the Chinese nuclear power is the Soviet Union.

In this connection, as I have said before in this Chamber, our distinguished former colleague from Arizona, Barry Goldwater, in the course of his 1964 campaign for the Presidency, made some wise statements, when we look back on them. Perhaps one of the wisest was when he said:

I predict that if within 10 years from now there should be a war between Communist China and the United States, the Soviet Union will be fighting on the side of the United States as an ally and as a comrade in arms.

Mr. President, this proposed antiballistic missile experiment will encourage additional waste of taxpayers' money on the civil defense boondoggle which has to date cost taxpayers more than \$1.5 billion. No man, woman, or child in the United States is any safer today, because over the years these bureaucrats of the Department of Defense, in the so-called Civil Defense Division, have squandered all this money. The only result of which has been to give some politicians in States and cities and in the Federal Government high-salaried positions while they render no service whatsoever to the defense of our country.

The Secretary of Defense and the Chairman of the Joint Chiefs of Staff agree that a ballistic missile defense system must be accompanied by a complete fallout shelter program. Those favoring a massive fallout civil defense shelter building program have estimated that such a system, to be at all effective, would cost American taxpayers anywhere from \$20 billion to \$302 billion. Not millions of dollars—billions of dollars.

Even then, the experts say there is no guarantee that any fallout shelter pro-

gram would be at all effective in saving lives.

To embark now upon a project of such dubious value, at such fantastic expense, against the advice of the Secretary of Defense, and at a time when we are pleading with other nations against any further expenditures for such armaments, makes no sense whatever and should be rejected.

Mr. President, a blind determination simply to acquire more nuclear hardware than the Russians falls far short of being the kind of statesmanship the Nation needs.

After 20 years of the nuclear arms race, the conclusion should be obvious that the only defense, the only protection, against missile attack is making sure that it never happens. A new race for "defensive" weapons would do nothing to advance that cause. There is every reason to believe the contrary. The present situation in which the Soviet Union has the power to destroy us and we have the power to destroy them, even after absorbing a first strike, is far from ideal. However, it is surely better than the new and highly unstable situation that would be created by escalating the scale of overkill another notch.

President Johnson has indicated that the leaders of the Soviet Union have shown interest in negotiating for an agreement whereby neither nation will embark on the construction of antiballistic missile systems. Let us hope that the leaders of the Soviet Union will show a degree of restraint which would make it clear that they are doing only the minimum necessary to insure themselves against any possible threat from Communist China, and thereby avoid a fantastic escalation of the armament race. There is reason to believe that this can be accomplished if we do not act hastily in committing ourselves to a project of such immense proportions.

We should continue to seek an understanding with the Soviet Union whereby neither side would expand its defensive facilities beyond their present level. Such an understanding would freeze the strategic situation roughly as it is today with each side depending on its offensive missiles to provide the deterrent.

No inspection would be needed for such an agreement since we are clearly maintaining a continuous surveillance of the Soviet Union, and they could not deploy a system costing upward of \$30 billion without our being aware of it.

Mr. President, in the great nuclear poker game being played by the world's only two real nuclear powers, the stakes are becoming increasingly higher. Powerful forces are exerting and will continue to exert tremendous pressures on the administration and Congress to proceed with the construction of an antiballistic missile system. The power of big defense contractors to influence the ABM decision is great. A recent advertisement by an investment analysis firm was entitled "Nike X: \$30 billion for whom?" It listed 28 companies with large defense contracts that "could profit handsomely" if a full-scale ABM system were to be installed. In an article published in the New Republic, Fred Collins broke this

down to show that companies on the list have 300 plants in 42 States and 172 congressional districts, with a minimum of 1 million employees. Even a political novice can readily see that this adds up to a great deal of potential political influence and pressure, particularly if a recession should slow employment.

Mr. President, it would be tragic were this to become a political issue and were reason to give way to the heated emotions of partisan politics. Decisions made this year and next regarding our commitment to an antiballistic missile system, however small at first, will influence the lives of all Americans for generations to come. To negotiate a commonsense agreement with the Russians is a far more hopeful course for saving our civilization than embarking on another round of cold war escalation.

Mr. President, I am in complete agreement with the distinguished senior Senator from Pennsylvania [Mr. CLARK] that the decision as to whether to proceed with an antiballistic missile system is too momentous a question to leave to the Joint Chiefs of Staff, officials of the Defense Department and other members of the military-industrial complex. There must be full and free discussion in the Congress and in the public media. The American people must know the facts before a decision of this magnitude is made by the militarists.

The recommendation made last week by the senior Senator from Pennsylvania, that a blue ribbon commission be established by the President to provide a careful and objective evaluation of what course we should follow in this area, is the most constructive suggestion made to date. I hope that the President will accept it and establish this commission without delay. Until much further consideration has been given this matter, it would be not only wasteful but foolhardy for us to appropriate 1 cent of taxpayers' money for this purpose.

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

Mr. YOUNG of Ohio. I yield.

Mr. CLARK. I commend the Senator from Ohio for the splendid speech he has made.

As a member of the Committee on Armed Services, he has heard practically the same testimony that I have heard as a member of the Subcommittee on Disarmament of the Committee on Foreign Relations.

I ask the Senator whether, having listened to that testimony carefully, as I know he has, he does not agree with me that it is perfectly clear the Russian antiballistic missile system is just no good. We can penetrate it any time we wish. We could destroy Moscow tomorrow, despite their so-called tallin ABM system. And, conversely, our antiballistic missile system is no good.

They could destroy us by a concentrated attack in strength. We might knock down the first missile and have a chance of knocking down the second, but the third, fourth, and fifth would get through.

In my opinion, to spend this money is absolute folly, and I strongly object to the comments made in the report of the

Committee on Appropriations—which, incidentally, does not have any particular expertise with respect to an antiballistic missile system—which advises that it is the sense of Congress that this system should be deployed. It is not the sense of this Senator, and I take it that it is not the sense of the Senator from Ohio.

Mr. YOUNG of Ohio. The distinguished senior Senator from Pennsylvania is correct. I am happy that he and I are in complete agreement on this subject. Both of us have studied the entire matter very intensely.

ORDER OF BUSINESS

The PRESIDING OFFICER. Under the previous order the Senator from New Jersey [Mr. CASE] is recognized for 15 minutes.

TROOPS TO VIETNAM

Mr. CASE. Mr. President, is the Johnson administration blind to the signs of growing public unrest about Vietnam? Is it deaf to the cautionary advice of Members of Congress?

It would seem so, for once again the President has decided to enlarge the American commitment there without offering any justification whatsoever to Congress or the American people.

Tucked into his tax message was the stark announcement that he had decided to authorize an increase of at least 45,000 in the number of men to be sent to Vietnam this fiscal year.

In consequence, he warned, defense spending may rise by as much as \$4 billion over the amount we are asked to provide in the defense appropriation bill now pending in the Senate.

Congress will be billed, in short, after the additional troops are on their way and we are faced with an accomplished fact.

The credibility of the administration's Vietnam policy wears thinner by the day. On July 26, for example, when Secretary McNamara appeared before the Foreign Relations Committee, I asked him what consideration was being given to the proposal by Senator COOPER and others, including myself, that the bombing of North Vietnam be confined, in essence, to stopping infiltration of men and supplies into South Vietnam.

The Secretary replied that he could not discuss future military operations, which was no answer at all. Yet, according to the Evans-Novak column of August 4, Mr. McNamara came away from a recent briefing in Saigon "highly impressed with new evidence strongly indicating that the bombing is paying its own way, despite political fallout back home and around the world."

If so, why did he not say as much when the bombing question was raised by me in our committee? The answer, I fear, is that the lack of candor displayed by the President on the troop question has become a way of life in this administration.

During the weeks of speculation that preceded the President's announcement, I took the position that, unless there is

a clear demonstration by our defense experts of an overriding military necessity, we should avoid the introduction of additional American forces in Vietnam beyond those already scheduled.

This conclusion is based on my conviction, shared by many of the best informed persons with whom I have consulted both here and in Southeast Asia, that the war in Vietnam will never be won if we attempt to do for the South Vietnamese those things which only they can do for themselves.

I do not pretend to know the right number of American troops that should be in Vietnam. I do know, however, that the scope of our present involvement is such that this has already become too much of an American war. The addition of more of our troops is bound to negate still further our efforts to help establish an independent and viable political and social structure in South Vietnam.

Progress toward that goal has been minimal, and the tactics of the country's military leaders in the current election campaign do not inspire confidence that a significant change for the better can be expected soon. This makes incongruous, at the very least, the commitment now to send more Americans.

In announcing his decision, the President said:

This nation has taken a solemn pledge that its sons and brothers engaged in the conflict there shall never lack all the help, all the arms, and all the equipment essential for their mission and for their very lives.

Of course, Mr. President. But the statement is meaningless, because it begs the real issue. There is no question of denying support to our troops. The real issue concerns the nature of their mission and whether more Americans are the means to its accomplishment.

If the President is unwilling or unable to put the justification for his decision to the test of congressional scrutiny, he leaves us with no alternatives but to rubberstamp the accomplished fact or to repudiate him by refusing to pay the bill.

This, to me, is an intolerable position in which to place the Congress of the United States, and I urge the President to reconsider the matter before it is too late.

Mr. COOPER. Mr. President, will the Senator from New Jersey yield?

Mr. CASE. I am happy to yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, this has been a notable morning. The speech of the senior Senator from New Jersey is the third one on the subject of Vietnam—although his speech brings before the Senate additional and significant issues.

I want to commend the Senator from New Jersey for his forthright speech. I know that the Senator has supported all funds and measures which would provide for the security of our troops in Vietnam.

I have done so, and, whatever decisions are made, at least that I can anticipate, I intend to continue to support our men who fight in Vietnam and our country.

But I agree with the Senator in his opinion, an opinion which I know has been strengthened by his recent trip to Vietnam, that our expressed purpose for being engaged in Vietnam will not be achieved for the South Vietnamese people except through their efforts, unless they win their war themselves, win it through their own military efforts and win it in their determination to decide upon their own course politically and socially.

Like the Senator, I do not have the competence from a military viewpoint to comment upon the decision to send additional forces to Vietnam. From a military viewpoint, it may be the proper course to send additional troops there. Our military men, military advisers, have the duty to do the best possible to attain their mission; and their mission is a military mission. I can understand their request. Their concern, the concern of the President, our concern is for the safety of our fighting men. However, when it comes to the point of whether or not such a course will tend to bring the war to a close, it becomes more than a military question; it becomes a political question. It becomes a question in which we have a responsibility. I do not believe the course of continued escalation will bring the war toward negotiation and its close.

It has been over 2 years since the bombing started in 1965. The United States then had 20,000 or 30,000 men in Vietnam. Infiltration into South Vietnam from North Vietnam was not of great volume. Today 460,000 men are in Vietnam and 45,000 more are to be sent. Yet, the Defense Minister of South Vietnam is reported to have said that the bombing will not stop infiltration, unless the routes from Cambodia and Laos are closed.

The reason I have made a proposal, in which I have been joined and supported by the Senator from New Jersey, is that we try the course which has been the consistent requirement of the North Vietnamese, the unconditional cessation of the bombing of North Vietnam. At least, we would know whether North Vietnam is sincere, and whether it would result in negotiations.

I congratulate the Senator on a very thoughtful speech.

Mr. CASE. Mr. President, I thank the Senator from Kentucky. There is no man whom I would rather have in agreement with me on matters of great consequences than him. His voice in the Senate on this matter and on all matters of great consequence has been extraordinarily valuable both on the side of wisdom and on the side of conscience. To have this agreement on a question is the most satisfying and most comforting kind of assurance that one is on the right track.

I am especially glad that he has emphasized the point that the civilian side of this Government must make the broad decisions as to our objectives in this conflict or in any other great matter of foreign policy. Our concern here is not to usurp the President's authority, to interfere with any proper role he assumes in matters of foreign policy, or domestic policy for that matter, but it is to assume the proper role of the Con-

gress and its responsibility, which, if we are not constantly on the alert, we will find constantly deteriorating until this body is no longer able to perform the function which the Constitution requires us to perform.

I therefore thank the Senator from Kentucky for his warm and generous comments. I am happy indeed to be associated with him in this venture.

Mr. BYRD of Virginia. Mr. President, will the Senator from New Jersey yield?

Mr. CASE. I am happy to yield.

Mr. BYRD of Virginia. The Senator from New Jersey a moment ago made the statement that he fears that the war in Vietnam is becoming too much of an American war. The Senator from Virginia shares that fear. It has been my view for some time that the war is becoming Americanized. In that connection, I thought it might be appropriate to read into the RECORD a statement of the casualties for the 7-month period from January through July.

The total U.S. casualties were 43,000. The total South Vietnamese casualties were 24,000.

I concur in the statement by the Senator from New Jersey that there is reason for fear that the war is becoming too much of an American war.

Mr. CASE. I thank the Senator from Virginia. His thoughtful study of this problem, including a trip which he himself recently took to South Vietnam and other countries in that area, gives added weight to his comments. I am most grateful for his addition to this colloquy.

The point with which I should like to close, merely as a matter of re-emphasis, has been, I think, well introduced by the Senator from Virginia. President Kennedy made it the central point of his own attitude that we alone cannot win the war in Southeast Asia; we can only help. Everything we do must be directed to that end, not to try to win it ourselves, because that is impossible.

Certainly we must not detract from any legitimate help we can give. But by making the war an American war, we are doing the opposite of what we ought to be doing.

The real test of the administration is not, as some people have tried to make it, whether we should or should not have got into this mess in the first place. I have pointed out on previous occasions that President Johnson has been badly treated by many people who have attempted to put upon him the primary responsibility for our country's involvement in South Vietnam. It is not his. When he became President, the United States was already deeply involved. Thousands of American troops were there when he became President. We had already acquiesced in, if we had not actively instigated, the overthrow of Diem, and thereby assumed an unusual degree of responsibility for the Government of South Vietnam before President Johnson took office. No, Mr. President, that was not his primary responsibility.

The PRESIDING OFFICER. The time of the Senator from New Jersey has expired.

Mr. CASE. Mr. President, I ask unan-

imous consent that I may continue for 3 more minutes.

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

Mr. CASE. President Johnson's responsibility is the conduct of the operation with which he found himself saddled, or with which the American people had been saddled when he took office. That is what he ought to be held responsible for, and that responsibility includes the matter of doing the job right. The job requires, first, that we get the South Vietnamese to handle the war by themselves with such military help—and money, as well—as we may be able to contribute; second, to get the South Vietnamese Government to put themselves in such a position that they can command the loyalty and support of the South Vietnamese people for that government, so that it can be a country that will be able to stand on its own feet, under a government which the people will respect.

This is the responsibility, this is the test, of the Johnson administration; and its success or failure must be determined by the degree to which it succeeds in this endeavor. So far, it has failed.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will now have a period for the transaction of routine morning business, with statements limited to 3 minutes.

MESSAGE FROM THE HOUSE

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

H.R. 7659. An act to amend title 13, United States Code, to provide for a mid-decade census of population in the year 1975 and every 10 years thereafter, and

H.R. 11945. An act to amend the college work-study program with respect to institutional matching and permissible hours of work.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H.R. 7659. An act to amend title 13, United States Code, to provide for a mid-decade census of population in the year 1975 and every 10 years thereafter; to the Committee on Post Office and Civil Service.

H.R. 11945. An act to amend the college work-study program with respect to institutional matching and permissible hours of work; to the Committee on Labor and Public Welfare.

MEMORIAL

The PRESIDENT pro tempore laid before the Senate a resolution, adopted by the Kansas Jaycees, at Hutchinson, Kans., remonstrating against civil disobedience as a means of redress; which

was referred to the Committee on the Judiciary.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. SPONG, from the Committee on the District of Columbia with amendments:

S. 1633. A bill to amend the act of June 12, 1960, relating to the Potomac interceptor sewer, to increase the amount of the Federal contribution to the cost of that sewer (Rept. No. 500).

AMENDMENT OF INTER-AMERICAN DEVELOPMENT BANK ACT—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT NO. 501)

Mr. SPARKMAN. Mr. President, on behalf of the chairman of the committee, the Senator from Arkansas [Mr. FULBRIGHT], from the Committee on Foreign Relations, I report favorably, with an amendment, the bill (S. 1638) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank, and for other purposes. I ask unanimous consent that the report be printed, together with the minority views of Senators GORE and SYMINGTON.

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Alabama.

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. RANDOLPH (for himself, Mr. BIBLE, Mr. CARLSON, Mr. CHURCH, Mr. FONG, Mr. FULBRIGHT, Mr. HARRIS, Mr. LONG of Missouri, Mr. MORTON, Mr. MOSS, Mr. PROUTY, and Mr. TALMADGE):

S. 2275. A bill to amend the income limitation provisions applicable to veterans and widows of veterans receiving non-service-connected disability pensions under chapter 15 of title 38, United States Code; to the Committee on Finance.

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

By Mr. ELLENDER (by request):
S. 2276. A bill to amend the Watershed Protection and Flood Prevention Act to permit the Secretary of Agriculture to contract for the construction of works of improvement upon request of local organizations; to the Committee on Agriculture and Forestry.

By Mr. WILLIAMS of New Jersey:
S. 2277. A bill for the relief of Silk Po Li, Yi Nung Lam, Ye Piu Shek, Yuet Kwun Wong, Chung Lai, Lee Qua Wong, Kwai Hee Chaw, Kwai Cheung, Choi Hing Yuen, Him Pang, Yuk Chun Cheung, Tong Ming Cheung, Tat Kwong Wong, and Sik Cho Ng; to the Committee on the Judiciary.

By Mr. KENNEDY of Massachusetts:
S. 2278. A bill to authorize the Secretary of Defense to make price adjustments in certain contracts for the procurement of silver military insignias for the Department of Defense; to the Committee on Armed Services.

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

By Mr. HARTKE:

S. 2279. A bill to amend section 255 of the Immigration and Nationality Act so as to eliminate epilepsy as an affliction prohibiting employment of aliens on board vessels arriving in the United States; to the Committee on the Judiciary.

S. 2280. A bill to authorize direct home loans by the Secretary of Housing and Urban Development in the case of individuals and families deprived of the necessary financing from private sources because of discriminatory lending practices or policies; to the Committee on Banking and Currency.

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

By Mr. MAGNUSON:

S.J. Res. 103. Joint resolution to authorize and direct the Secretary of the Interior to conduct a survey of the coastal and freshwater commercial fishery resources of the United States, its territories, and possessions; to the Committee on Commerce.

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

CONCURRENT RESOLUTION PROCEEDINGS OF THE CONVENTION OF THE AMERICAN INSTRUCTORS OF THE DEAF

Mr. RIBICOFF. Mr. President, I submit, for appropriate reference, a concurrent resolution authorizing the printing as a Senate document the proceedings of the 43d biennial meeting of the Convention of the American Instructors of the Deaf, held at West Hartford and Hartford, Conn., during the week of June 25, 1967.

The meeting, which was hosted by the American School for the Deaf in West Hartford, Conn., was attended by nearly 1,300 people from the United States and many foreign countries. The papers presented at the meeting were of a very high caliber, and will serve as valuable reference documents to all those interested and concerned with the vitally important subject of the education of the deaf.

In recognition of the contribution these papers make, the Congress has authorized the printing of the proceedings of the biennial conventions of the American Institute of the Deaf for many years. It is my hope that we will again authorize this constructive undertaking.

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

The concurrent resolution (S. Con. Res. 40) authorizing the printing of the report of the proceedings of the 43d biennial meeting of the Convention of American Instructors of the Deaf as a Senate document was referred to the Committee on Rules and Administration, as follows:

Resolved by the Senate (the House of Representatives concurring), That the report of the proceedings of the forty-third biennial meeting of the Convention of American Instructors of the Deaf, held in West Hartford and Hartford, Connecticut, June 25-30, 1967, be printed with illustrations as a Senate document; and that five thousand additional copies be printed and bound for the use of the Joint Committee on Printing.

SENATOR RANDOLPH INTRODUCES BILL TO ALLEVIATE REDUCTIONS IN VETERANS PENSIONS DUE TO SOCIAL SECURITY INCREASES

Mr. RANDOLPH. Mr. President, I introduce, for myself and others, a bill to refine income limits for veterans' non-service-connected pensions. As Congress considers legislation to increase social security cash benefits, we are faced with the knowledge that relatively small social security payment increases will often result in substantial reductions in veterans' non-service-connected pensions, and will leave pensioners with even less income than they presently receive.

Enactment of our bill is needed to prevent this unfortunate and undesirable situation.

As chairman of the Subcommittee on Employment and Retirement Incomes of the Special Committee on Aging, I held hearings early this spring on retirement benefit reductions due to social security increases. The report on our subcommittee conclusions, after hearing substantial testimony on this subject, will soon be available. The bill I introduce today is the result of that testimony and, if enacted, will follow our report's recommendations.

Our study of this subject made it abundantly clear to me, and to many of my colleagues, that the principal reason for the sharp pension reductions some veterans suffer is the fact that there are so few steps in the tables of income limits which establish the amount of pensions payable to veterans. Our bill will, therefore, increase the number of steps by which the income can be raised and will reduce the benefits payable by smaller amounts for each step up the income scale.

Consequently, we will be able to enact social security increases secure in the knowledge that only minimal pension reductions will result in general, and that in almost all cases the social security increases will be more than the amount of the resulting pension reductions.

Mr. President, I ask unanimous consent that immediately following my remarks there be printed a copy of the bill, along with the names of the cosponsors, and a detailed explanation of our bill for the information of interested Senators.

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

The bill (S. 2275) to amend the income limitation provisions applicable to veterans and widows of veterans receiving non-service-connected disability pensions under chapter 15 of title 38, United States Code, introduced by Mr. RANDOLPH (for himself, Mr. BIBLE, Mr. CARLSON, Mr. CHURCH, Mr. FONG, Mr. FULBRIGHT, Mr. HARRIS, Mr. LONG of Missouri, Mr. MORTON, Mr. MOSS, Mr. PROUTY, and Mr. TALMADGE), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2275

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the table in subsection (b) of section 521 of title 38, United States Code, is amended to appear as follows:

"Column I"		Column II
Annual income		
More than—	but	Equal to or less than—
	\$600	\$100
\$600	700	96
700	800	92
800	900	88
900	1,000	84
1,000	1,100	80
1,100	1,200	75
1,200	1,300	70
1,300	1,400	65
1,400	1,500	60
1,500	1,600	55
1,600	1,700	49
1,700	1,800	43
1,800	1,900	36
1,900	2,000	27
2,000	2,100	18
2,100	2,200	9
2,200		No amount payable"

(b) Subsection (c) of section 521 of such title is amended to read as follows:

"(c) If the veteran is married and living with or reasonably contributing to the support of his spouse, or has a child or children, pension shall be paid at the monthly rate set forth in column II of the following table opposite the veteran's annual income as shown in column I, except in the case of a veteran whose income is less than \$1,000, pension shall be paid at the monthly rate of \$105, if the veteran has one dependent; \$110, if the veteran has two dependents; or \$115, if the veteran has three or more dependents:

"Column I"		Column II
Annual income		
More than—	but	Equal to or less than—
	\$1,000	\$100
\$1,000	1,200	95
1,200	1,400	90
1,400	1,600	85
1,600	1,800	80
1,800	2,000	74
2,000	2,200	68
2,200	2,400	62
2,400	2,600	55
2,600	2,800	48
2,800	3,000	42
3,000	3,100	42
3,100	3,200	36
3,200	3,300	27
3,300	3,400	18
3,400	3,500	9
3,500		No amount payable."

Sec. 2. (a) The table in subsection (b) of section 541 of title 38, United States Code, is amended to appear as follows:

"Column I"		Column II
Annual income		
More than—	but	Equal to or less than—
	\$600	\$64
\$600	800	60
800	1,000	54
1,000	1,200	48
1,200	1,400	42
1,400	1,600	35
1,600	1,800	27
1,800	1,900	18
1,900	2,000	9
2,000		No amount payable."

(b) The table in subsection (c) of section 541 of such title is amended to appear as follows:

"Column I"		Column II
Annual income		
More than—	but	Equal to or less than—
	\$1,000	\$80
\$1,000	1,300	75
1,300	1,600	70
1,600	2,000	64
2,000	2,300	57
2,300	2,600	50
2,600	3,000	43
3,000	3,100	35
3,100	3,200	25
3,200	3,300	12
3,300		No amount payable"

SEC. 3. The amendments made by the first two sections of this Act shall become effective on January 1, 1968.

The explanation of the bill, presented by Mr. RANDOLPH, is as follows:

EXPLANATION OF BILL TO REFINE INCOME LIMITS FOR VETERANS' NON-SERVICE-CONNECTED PENSIONS

Present statutory provisions governing the amounts of non-pension income which can be received without loss or reduction of non-service-connected pensions provide so few steps that a veteran or widow can suffer a great loss in his or her pension as a result of a small increase in non-pension income which pushes such income over income limits. This problem is especially acute at a time like the present, when Congress is considering a bill to raise Social Security benefits. However, it is always a problem, as veterans and widows receive small increases in other types of income which, due to resulting sharp reductions in non-service-connected pensions, can actually reduce the total income of the veteran or widow.

There follows a comparison between the income limits which would be established by the bill and those now in effect.

A. VETERAN OF WORLD WAR I, WORLD WAR II, OR KOREAN CONFLICT, WITHOUT DEPENDENTS

Proposed limits		Present limits			
If annual income is—	Monthly pension would be—	If annual income is—	Monthly pension is—		
\$600 or less	\$100	\$600 or less	\$100		
Between \$600 and \$700.	96	Between \$600 and \$1,200.	75		
Between \$700 and \$800.	92				
Between \$800 and \$900.	88				
Between \$900 and \$1,000.	84				
Between \$1,000 and \$1,100.	80				
Between \$1,100 and \$1,200.	75				
Between \$1,200 and \$1,300.	70				
Between \$1,300 and \$1,400.	65				
Between \$1,400 and \$1,500.	60				
Between \$1,500 and \$1,600.	55			Between \$1,200 and \$1,800.	43
Between \$1,600 and \$1,700.	49				
Between \$1,700 and \$1,800.	43				
Between \$1,800 and \$1,900.	36				
Between \$1,900 and \$2,000.	27				
Between \$2,000 and \$2,100.	18				
Between \$2,100 and \$2,200.	9				
Over \$2,200	None	Over \$1,800	None		
	None				

B. MARRIED VETERAN WHO LIVES WITH OR REASONABLY CONTRIBUTES TO THE SUPPORT OF HIS SPOUSE, OR HAS A CHILD OR CHILDREN

Proposed limits		Present limits			
If annual income is—	Monthly pension would be—	If annual income is—	Monthly pension is—		
\$1,000 or less, and veteran has three or more dependents.	\$115	\$1,000 or less, and veteran has three or more dependents.	\$115		
\$1,000 or less, and veteran has two dependents.	110	\$1,000 or less, and veteran has two dependents.	110		
\$1,000 or less, and veteran has one dependent.	105	\$1,000 or less, and veteran has one dependent.	105		
Between \$1,000 and \$1,200.	100	Between \$1,000 and \$2,000.	80		
Between \$1,200 and \$1,400.	95				
Between \$1,400 and \$1,600.	90				
Between \$1,600 and \$1,800.	85				
Between \$1,800 and \$2,000.	80				
Between \$2,000 and \$2,200.	74				
Between \$2,200 and \$2,400.	68				
Between \$2,400 and \$2,600.	62				
Between \$2,600 and \$2,800.	55				
Between \$2,800 and \$3,000.	48				
Between \$3,000 and \$3,100.	42	Between \$2,000 and \$3,000.	48		
Between \$3,100 and \$3,200.	36				
Between \$3,200 and \$3,300.	27				
Between \$3,300 and \$3,400.	18				
Between \$3,400 and \$3,500.	9				
Over \$3,500.....	None			Over \$3,000.....	None
Over \$3,500.....	None				

C. WIDOWS OF WORLD WAR I, WORLD WAR II, AND KOREAN CONFLICT VETERANS, WITH NO CHILD

Proposed limits		Present limits			
If annual income is—	Monthly pension would be—	If annual income is—	Monthly pension is—		
\$600 or less.....	\$64	\$600 or less.....	\$64		
Between \$600 and \$800.	60	Between \$600 and \$1,200.	48		
Between \$800 and \$1,000.	54				
Between \$1,000 and \$1,200.	48				
Between \$1,200 and \$1,400.	42				
Between \$1,400 and \$1,600.	35				
Between \$1,600 and \$1,800.	27				
Between \$1,800 and \$1,900.	18				
Between \$1,900 and \$2,000.	9				
Over \$2,000.....	None			Over \$1,800.....	None
Over \$2,000.....	None				

D. WIDOWS OF WORLD WAR I, WORLD WAR II, KOREAN CONFLICT VETERANS, WITH ONE CHILD

Proposed limits		Present limits	
If annual income is—	Monthly pension would be—	If annual income is—	Monthly pension is—
\$1,000 or less.....	\$80	\$1,000 or less.....	\$80
Between \$1,000 and \$1,300.	75	Between \$1,000 and \$2,000.	64
Between \$1,300 and \$1,600.	70		
Between \$1,600 and \$2,000.	64		
Between \$2,000 and \$2,300.	57		
Between \$2,300 and \$2,600.	50		
Between \$2,600 and \$3,000.	43		
Between \$3,000 and \$3,100.	35		
Between \$3,100 and \$3,200.	25		
Between \$3,200 and \$3,300.	12		
Over \$3,300.....	None		
Over \$3,300.....	None		

The tables above show that income limits for no pensioner would be lowered.

The effective date of the change, January 1, 1968, would be advantageous for two reasons:

1. That is the date on which an increase in retirement income, including Social Security, which becomes effective during 1967 would reduce or discontinue a non-service-connected pension. Enactment of the proposed bill will cause the reduction to be a slight one, instead of the sharp reduction which would be effected if this bill is not enacted.

2. An effective date of January 1, 1968 will give time for administrative adjustments to put this legislation into effect.

PRICE ADJUSTMENTS IN CERTAIN CONTRACTS FOR THE PROCUREMENT OF SILVER MILITARY INSIGNIAS

Mr. KENNEDY of Massachusetts. Mr. President, I introduce, for appropriate reference, a bill which would authorize contracts for silver military clasps and badges, in existence with the Department of Defense on or before July 14 of this year, to be amended to provide an equitable price adjustment for increased prices paid by a contractor for silver resulting from a decision by the Secretary of the Treasury removing the ceiling on the price of silver.

This problem was brought to my attention by two representatives of the industry in Massachusetts. These firms, which have achieved a record for the manufacture of jewelry of distinction, are now facing bankruptcy because of this unfortunate situation.

These contracts for silver military clasps and badges were made when the price of silver was stabilized at \$1.2929 per ounce—a price which was not expected to change before the end of the year. The price of this material is now fluctuating between \$1.70 and \$1.90, as a result of the decision by the Secretary of the Treasury, announced on July 14. This means that these contractors are losing up to \$10,000 per week, every week.

Under the present law, the Secretary of Defense is not authorized to renegotiate a contract unless the item concerned is essential to the national defense, or unless some action of the Department of Defense caused the increase in price. The problem facing the suppliers of these silver clasps and badges does not fall into either of these categories. Nevertheless, unless some relief is found for these companies, their continued losses will cause either their collapse, or serious financial damage.

This situation is very similar to one last year in which a number of milk distributors, under a fixed price contract with the Department of Defense, were forced to pay a higher price for their milk due to an unexpected decision by the Secretary of Agriculture, made for the benefit of the farmers. In that instance, as in this, the only avenue of relief was through an act of Congress allowing the Secretary of Defense to provide a price adjustment for losses sustained by the contractors.

This bill does not guarantee a profit to any contractor, but merely insures against his suffering a loss as a result of the unexpected act of the Secretary of the Treasury in removing the ceiling on

the price of silver. The burden of proof lies with the contractor to furnish evidence that he will suffer a loss and not merely a diminution of anticipated profits.

Mr. President, I am hopeful that quick action by the Congress will save these companies from ruin. I ask unanimous consent that there be printed in the RECORD at the conclusion of my remarks, the text of the bill I introduced today, a copy of the letter I received from Mr. Donald Antaya, president of Antaya Bros., Inc., in Attleboro, Mass., and a copy of a letter which I received from the Department of Defense relating to this problem.

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

The bill (S. 2278) to authorize the Secretary of Defense to make price adjustments in certain contracts for the procurement of silver military insignias for the Department of Defense, introduced by Mr. KENNEDY of Massachusetts, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

S. 2278

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law, any contract entered into by the Department of Defense for the procurement of silver military insignias which was being performed on July 14, 1967, may be amended by the Secretary of Defense, under such regulations as he may prescribe, to provide a price adjustment for losses incurred by a contractor as a result of marked increases in the price of silver after July 14, 1967, the date on which the Secretary of the Treasury announced that the Treasury Department was removing its \$1.29-an-ounce ceiling price on Government silver sales. A price adjustment under this Act shall not be made unless it has been determined by the Secretary of Defense or his designee that—

- (1) the losses were incurred as a direct result of increases in the market price of silver;
- (2) the contract does not otherwise contain a provision providing for an adjustment in price; and
- (3) the contractor will suffer a loss, not merely a diminution of anticipated profit, under the contract because of such increases in the price of silver.

The letters, presented by Mr. KENNEDY of Massachusetts, are as follows:
JULY 24, 1967.

HON. EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: The Treasury Department action of July 14, 1967 removing the ceiling price on silver has placed our company in very critical position.

We are presently executing a contract for sterling silver Military Insignia for the Defense Department—Defense Supply Agency Contract #DSA100-67-C-4244 at a bid price of \$364,256.00.

The terms of this contract do not afford us the right of renegotiation.

Without public notice the Treasury Department decontrolled silver July 14, 1967.

This price has been controlled at \$1.2929 per oz. troy for the past four years. We used this figure for arriving at our bid price in February 1967.

Because of the closeness of bid prices it would appear that our competition also used this same figure in compiling their bids.

We were awarded the contract March 1, 1967. Production and shipments will be made July 1967–November 1967.

The loss to Antaya Brothers Inc. in performing this contract will be the differential between new market price of silver currently \$1.87 per oz. troy and the controlled price of \$1.2929 per oz. troy, or approximately \$100,000.00.

We do not stockpile this material at time of bid or award of the contract.

Normal trade practice dictates that delivery of silver is scheduled throughout the term of the contract in phase with production.

The price of silver to us from the converter is calculated as of date of delivery to our plant.

Since July 17, 1967, the date of this action, we have exhausted all known sources for immediate relief under this contract but to no avail.

I mention in particular immediate relief because the financial strain of supporting a \$100,000.00 loss within the next six months might well be fatal to our organization.

We cannot believe that the Treasury Department was aware of the consequences of this act upon fixed price government contractors who are providing items essential to the Armed Forces.

Financial relief to Antaya Bros., Inc., could take one of two forms:

(1) Renegotiation of the contract based on current market prices of silver at the time that we accept the material to execute this contract.

(2) Government owned silver supplied to the contractor from the government stockpile.

This latter method would be in the best interest of the government as much of the silver stockpile was acquired by the government over the years at but a fraction of today's market.

Although we are but pleading our own case there are several other manufacturers with this identical problem.

We have available for consultation on this problem with the appropriate government officials in addition to our own corporate and financial officers, experts from this industry in the field of the industrial use of silver.

We feel that remedial action in this matter will result in maintaining a strong competitive source of insignia to the Armed Forces as well as preventing the extinction of our small (100 employees) business organization.

Thank you, Senator, for your immediate attention to this matter.

Sincerely yours,

ANTAYA BROS., INC.,
DONALD ANTAYA,
President.

DEFENSE SUPPLY AGENCY,
Alexander, Va., August 3, 1967.

HON. EDWARD M. KENNEDY,
U.S. Senate, Washington, D.C.

DEAR SENATOR KENNEDY: This refers to a telephone inquiry from your office on behalf of Antaya Bros., Attleboro, Massachusetts, concerning Contract DSA-100-67-C-4244 for silver clasps and badges.

The contract was awarded on 1 May 1967. It is my understanding that since the award of the contract the U.S. Mint has discontinued the sale of silver at approximately \$1.29 per ounce and that future sales of Government-owned silver will be made at prices established by competitive bidding. It is also my understanding that since that time there has been a sharp increase in the market price of silver, which will result in Antaya Bros. paying substantially more for the silver necessary to perform its contract than it had anticipated. Antaya Bros. has inquired whether its contract price can be increased under these circumstances.

The contract contains no provision which

would permit an increase in the contract price because of an increase in the price of materials. Without such a provision, the general rule is that an existing contract may not be modified without a compensating benefit to the Government and that unforeseen causes which may occasion a loss are not sufficient to entitle a contractor to a price adjustment. The situation is very similar to that of last year where a number of contractors were forced to pay a higher price for milk furnished the Government because of increased prices ordered to be paid to farmers by the Secretary of Agriculture. In response to a request from a contractor for price adjustment in that instance, the Comptroller General ruled that there was no legal basis upon which the request could be granted (B-158738, 18 April 1966, copy attached). Under these circumstances I know of no basis on which Antaya Bros. contract price could be increased, in the absence of legislation similar to that which was ultimately passed to grant relief to Department of Defense milk contractors (P.L. 89-696).

This Agency, however, is continuing its efforts to find some satisfactory basis for solution of this problem. The subject is very complex and the views of other Government agencies must be considered. If these efforts are successful I will let you know.

Sincerely yours,

R. M. LEMKE, Counsel.

EPILEPSY: AMENDING THE IMMIGRATION ACT

Mr. HARTKE. Mr. President, I offer today a very simple bill, one which amends the first sentence of section 255 of the Immigration and Nationality Act by striking out the word "epilepsy."

This is the section of the immigration law dealing with employment of aliens on passenger vessels and aircraft. Persons of foreign nationality are forbidden such employment if they are afflicted with a number of illnesses such as tuberculosis, leprosy, or if they are mentally retarded. In the revisions of the law in 1966, a comparable listing of afflictions which prevent immigration of aliens was revised and in the revision the word "epilepsy" was dropped. But, presumably by oversight, it was retained in this section although a modern understanding and treatment of epilepsy makes it no longer properly such a barrier.

I trust that the change in the law which this amendment anticipates will be made in order to correct an inequity.

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

The bill (S. 2279) to amend section 255 of the Immigration and Nationality Act so as to eliminate epilepsy as an affliction prohibiting employment of aliens on board vessels arriving in the United States, introduced by Mr. HARTKE, was received, read twice by its title, and referred to the Committee on the Judiciary.

FHA DIRECT LOANS FOR MINORITY HOUSING

Mr. HARTKE. Mr. President, there is a bottleneck in the improvement of housing for minority groups. Generally speaking, the problem lies in the availability of purchase mortgage money for otherwise qualified persons.

I am speaking now not about the very deprived whose low income is the great problem. I am speaking rather about a very large group of our citizens who have decent, middle-class incomes and who would like to live decent, middle-class lives in decent, middle-class suburban areas. But circumstances force them to live in the inner-city area, often in homes whose interiors are tastefully furnished, reflecting their position, but whose location and outward appearance belies them. These are the well-worn houses of the better class "Negro neighborhood" in every large city.

These are the people who would like to have a single-family home with a lawn and a patio and a flower garden, perhaps in some cases even a pool. They are good risks. But when such a family starts a search for a home of this kind, they find it impossible to purchase it. The first hurdle, of course, is to find a suitable home which someone will sell to them. But this is not the whole obstacle course. The bottleneck to which I refer is financial. When they seek a mortgage loan, it is preponderantly their experience that, even with the proper downpayment and all the other qualifications of other buyers, the lending institution declines to make the loan.

It is for this reason that I offered on July 13 S. 2114, the Hartke minority mortgages bill. That bill would allow the Federal National Mortgage Association to provide special assistance for the financing of home purchases and housing construction for persons otherwise denied or discriminated against in such financing because of race, color, religion, or national origin. It would do so by allowing FNMA to enter into advance commitment contracts and purchase transactions, making available insured mortgage financing. Thus it is possible for the person with a financing problem such as I have described to provide the lending institution with advance assurance that the mortgage loan will be insured by FNMA. Since the usual position of the lender in such cases is that he is not discriminating, but merely safeguarding his loan, this should give him reassurance.

But there is still a problem remaining. The borrower, who has located the home he wants, still has the problem of getting the loan. If he can not locate an institution which will undertake the mortgage in the first place, the availability of mortgage insurance through FNMA does not of itself assure him of the money he needs.

Because of this situation, and in order to relieve it, I am today offering a second and complementary bill to S. 2114. We need the first approach, but we need also to meet the remaining problem—what will the family do for a loan if the advance mortgage insurance does not persuade the private lender to give him the loan? He is still compelled to live in the inner-city housing abandoned by others as no longer desirable enough for their use.

To meet this problem, the bill I offer today provides that a revolving fund of \$100 million be established in the Department of Housing, to be operated by

the Federal Housing Administration, from which a borrower who has been—in the words of the bill—"unable to secure the necessary funds from other sources upon reasonable terms and conditions because of discriminatory lending practices or policies based on considerations of race, color, religion, or national origin" may apply for a direct loan. Such an individual or family must meet the requirements with respect to credit which are applicable in the case of mortgagors under mortgages insured pursuant to section 203 of the National Housing Act.

The borrower, in effect, will have the same kind of loan as any other qualified borrower—adequately secured, for no more of the valuation than other such loans, at no more than 6 percent interest, for up to 30 years or three-fourths of the remaining life for a rehabilitated dwelling. Service charges, appraisal fees, inspection and other fees may be charged as the Secretary deems necessary.

In short, the sole purpose is to open up a source of financing for the applicant against whom there is private financial discrimination.

This bill is not designed to vary the credit standards of various housing programs. Its main thrust is to get at the problem of discrimination. Persons who would be otherwise eligible for FHA assistance from a standpoint of income and credit background, but who are denied financial assistance by lending institutions due to race, color, religion, or national origin would come within the intended purview of the proposed legislation.

No mention is made in the bill of the Federal National Mortgage Association. By no means is it my intention that this silence be construed as a prohibition against assistance by FNMA to FHA and the revolving fund out of which these loans are to be made. It is my understanding that FNMA could purchase mortgages authorized by this bill without further affirmative legislation. This could be done under its management and liquidation functions, and assistance could also be given through FNMA under the Participations Sales Act by subjecting these mortgages through established trust arrangements to the sale of participations. In each case I understand that necessary certifications must be made by the Secretary of the Department of Housing and Urban Development, which would presuppose a request by the Commissioner of the Federal Housing Administration.

It is important to bear in mind that the additional replenishment of the revolving fund by these methods would not have an impact on the budget and that appropriations would not be required in event of sales participations until such time as the differences and deficits in these transactions required them. Private capital would be drawn in thereby to assist in further loans in this most worthwhile program.

The \$100 million authorization for the revolving fund contained in the bill might seem high to certain elements of the Nation who react to strains on the budget by new programs when the Vietnam war is costing so much. With this I cannot agree, because the domestic need for aid

against discrimination is not only very important but it is growing at a marked rate. As a matter of fact the figure is not high because this is a direct loan program and not merely an insurance or guaranty program.

On the other hand I do not feel that the \$100 million authorization is excessively low, because some of the revolving funds of successful existing programs have been started with a lesser authorization.

It is my sincere feeling that the fine work that FHA has done over the past 33 years since it was started in 1934 will be augmented and enhanced by the authorization of a direct loan program of the needy victims of discrimination in lending practices.

Mr. President, I ask unanimous consent that the text of this bill may be printed in the RECORD at the conclusion of these remarks.

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

The bill (S. 2280) to authorize direct home loans by the Secretary of Housing and Urban Development in the case of individuals and families deprived of the necessary financing from private sources because of discriminatory lending practices or policies, introduced by Mr. HARTKE, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 2280

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of Housing and Urban Development (hereinafter referred to as the "Secretary") is authorized to make loans to individuals and families for the purchase, construction, or rehabilitation of dwellings to be occupied by such individuals or families as homes, if the Secretary determines that—

(1) the individual or family applying for the loan is unable to secure the necessary funds from other sources upon reasonable terms and conditions because of discriminatory lending practices or policies based on considerations of race, color, religion, or national origin; and

(2) such individual or family meets such requirements with respect to credit as may be applicable in the case of mortgagors under mortgages insured pursuant to section 203 of the National Housing Act.

(b) Any loan under this section shall be made on such terms and conditions as may be prescribed by the Secretary, subject to the following limitations—

(1) The term of the loan shall not exceed 30 years, or, in the case of rehabilitation, three-fourths of the remaining economic life of the structure after rehabilitation.

(2) The loan shall bear interest at such rate as the Secretary determines to be appropriate but not to exceed 6 per centum of the amount of the principal outstanding at any time, and the Secretary may prescribe such other charges as he deems necessary, including service charges and appraisal, inspection, and other fees.

(3) The amount of the loan shall not exceed the principal obligation of a mortgage which could be insured under section 203 of the National Housing Act, or, in the case of rehabilitation, the amount of a loan which could be made under section 312(c) (4) (A) of the Housing Act of 1964.

(4) The loan shall be adequately secured as determined by the Secretary.

(c) The Secretary may enter into appro-

private arrangements with public or private agencies or organizations to service loans made under this section.

(d) In order to finance loans under this section there is hereby authorized to be appropriated not to exceed \$100,000,000. Sums so appropriated and all receipts arising in connection with such loans shall be deposited in a revolving fund which is hereby established in the Treasury of the United States. Moneys in the fund shall be available to the Secretary in the exercise of his functions under this section, including reimbursement or payment for services or facilities provided in connection with such loans by public or private agencies or organizations. Moneys in the fund not needed for current operations under this section shall be deposited with the Treasurer of the United States to the credit of the fund, or invested in bonds or other obligations of, or guaranteed, by, the United States.

(e) In the performance of, and with respect to, the functions, powers, and duties vested in him by this section, the Secretary shall have (in addition to any authority otherwise vested in him) the functions, powers, and duties set forth in section 402 of the Housing Act of 1950 (except subsection (c) (2)).

(f) The provisions of this Act shall be administered by the Secretary through the Federal Housing Administration.

SURVEY OF COASTAL AND FRESH-WATER COMMERCIAL FISHERY RESOURCES OF THE UNITED STATES

Mr. MAGNUSON. Mr. President, the 1958 Law of the Sea Conference at Geneva, Switzerland, adopted four major conventions in an effort to codify some of the existing law, and also to seek agreement and understanding on some of the existing uncertainties in relation to the use of the world oceans.

One of the most important of these was the Convention on Fishing and Conservation of the Living Resources of the High Seas which came into force and effect on March 20, 1966. It is particularly important to our U.S. fishermen in its recognition for the first time in international law of the dominant and special interest of a coastal nation to adopt regulations to conserve adjacent fishery resources.

Basically, this convention defines what is meant by freedom of fishing on the high seas. It commits the signatory nations to require their fishermen to conserve high seas resources. It also defines "conservation" as follows:

The aggregate of the measures rendering possible the optimum sustainable yield from those resources so as to secure a maximum supply of food and other marine products.

Specifically, the convention provides: First. An obligation for all signatory nations to adopt high seas conservation measures "if necessary" when only their own nationals are involved, and to negotiate conservation regulations when two or more nations are involved. The latter regulations apply to other states subsequently fishing the same area unless new regulations are negotiated.

Second. It recognizes the right of a coastal state (a) to "maintain" productivity of adjacent high seas fisheries and to take part in conservation research and regulation even though its nationals do not fish there; (b) to negotiate with any

state whose nationals fish adjacent seas and/or whose conservation measures there opposes those of the coastal state; (c) if 6 months of negotiation fail, to unilaterally take conservation measures binding on foreign fishermen—such regulations being nondiscriminatory, urgently needed, and based on “scientific findings”; (d) to request other nations to take conservation measures on high seas fisheries.

Third. It provides for a special five-man commission of neutral experts to arbitrate a binding, compulsory settlement in disputes arising from the preceding situations. The conservation measures at issue must be supported by “scientific findings,” necessary, nondiscriminatory, and “practicable.” A decision must be reached by the commission within 8 months.

Fourth. It provides also for new examination of problems when changes affect the situation in later years, covers the type of fisheries conducted by equipment embedded in the ocean floor, defines the term “nationals,” and contains procedural articles.

The conference vote in 1958 was 45 in favor, one against, with 18 abstentions—a solid endorsement.

As I mentioned, the necessary 22 ratifications were obtained on March 20, 1966. As of July 1, 1967, there were 25 parties to the convention as follows: Australia, Cambodia, Colombia, Dominican Republic, Finland, Haiti, Jamaica, Malagasy Republic, Malawi, Malaysia, Mexico, Netherlands, Nigeria, Portugal, Senegal, Sierra Leone, South Africa, Switzerland, Trinidad and Tobago, Uganda, United Kingdom, United States, Upper Volta, Venezuela, Yugoslavia.

An examination of the signatories reveals that among the nonratifiers are such nations as Japan and the Soviet Union, both of which are a current matter of concern in their fisheries adjacent to the U.S. Coast. It might be argued that this important convention, therefore, does not apply to them. I would dispute that, however, for it seems to me that the principles established here are first of all, developing world law, and second, the best thing we have at present to suit the world in the settlement of disputes between coastal and distant water nations.

Arthur Dean, chairman of the U.S. delegation at the 1958 Geneva Conference, referred to this convention as “one of the most striking accomplishments” of the Conference, and called it “the first comprehensive international legislation, complete with arbitral procedures, on the subject.”

In its report to the President recommending submission of the convention to the Senate for advice and consent to ratification, the Department of State said:

The convention on fisheries conservation lays down rules of law based on sound conservation principles which should do much to assure the preservation and increase of an important source of the world's food.

There is a catch in all of this, however. It is a problem which has consistently plagued the United States in dealing with distant water fishing nations who seek to harvest our adjacent resources. Under

article 7, in order to adopt unilateral conservation measures for the protection of our fisheries, the “measures adopted” must be “based on appropriate scientific findings.” We have good scientists in our State and Federal fishery management agencies, and given the proper tools, they can present the proper case to those foreign fishing nations.

The problem lies in our lack of knowledge of many of these resources. In some cases, we do not know the size of the stock in question, nor do we know the maximum sustainable yield. Without this information, our scientists hands are tied in negotiations with these nations, and the alternative could well be the decimation of the resource before such scientific data is available. This is a frightening prospect, but one which our fishery negotiators face regularly in their efforts to protect and conserve this vast adjacent ocean wealth.

The Senate joint resolution which I am introducing today would be a big step toward alleviating this problem. The measure would authorize and direct the Secretary of the Interior to conduct a survey of these resources, not only those now utilized by ourselves and foreign fishing nations, but those latent resources which may some day exceed in importance those we now harvest.

To carry out this task, there is authorized to be appropriated up to \$600,000.

Mr. President, this is an essential effort, not merely for the assistance of our commercial and recreational fishermen, but for the higher purpose of conservation of natural resources adjacent to our shores. In my judgment, the 1958 Geneva Fishing and Conservation Conventions extends a responsibility, and even an obligation, on the United States to carry forth this effort.

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

The joint resolution (S.J. Res. 103) to authorize and direct the Secretary of the Interior to conduct a survey of the coastal and fresh-water commercial fishery resources of the United States, its territories, and possessions, introduced by Mr. MAGNUSON, was received, read twice by its title, and referred to the Committee on Commerce.

AMENDMENT OF PUBLIC LAW 89-491—AMENDMENT

AMENDMENT NO. 254

Mr. MANSFIELD submitted an amendment, intended to be proposed by him, to the bill (H.R. 8629) to amend the act of July 4, 1966 (Public Law 89-491), which was referred to the Committee on the Judiciary and ordered to be printed.

ADDITIONAL COSPONSOR OF BILL

Mr. KUCHEL. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Hawaii [Mr. FONG] be added as a cosponsor of the bill (S. 2260) to provide compensation for civilian American citizens and prisoners of war captured during the Vietnam conflict.

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

NOTICE OF HEARINGS ON MINERALS BILLS

Mr. GRUENING. Mr. President, on behalf of the Subcommittee on Minerals, Materials, and Fuels of the Interior and Insular Affairs Committee, I announce that public hearings have been scheduled for Monday, August 14, on S. 1367, a bill to authorize the Secretary of the Interior to prevent the termination of Federal oil and gas leases under certain circumstances.

The subcommittee also will hear two private bills, S. 82 and H.R. 6716, authorizing the sale of reserved phosphate rights in specific tracts of land in Florida to the surface owners.

The oil lease termination bill is needed legislation to make unnecessary the private bills we get on the subject each session of Congress. Under existing law, if a lessee fails, regardless of the cause, to pay the full amount of the rental on the full amount of his acreage on or before the due date, the lease is canceled automatically. Often the failure to meet this condition is the result of error on the part of the Interior Department itself. That is, the lessee will pay the amount he is billed, only to find the Department made a mistake as to the exact acreage covered by the lease. In one specific instance, the difference between the amount paid and the amount due was only 14 cents. Yet it took an act of Congress to prevent cancellation of the lease.

S. 1367, which was drafted and recommended by the Interior Department would give the Secretary of the Interior authority to deal with such situations by administrative action under certain guidelines and limitations set forth in the bill.

SLAVERY IS STILL THRIVING— NEED FOR U.S. RATIFICATION OF HUMAN RIGHTS CONVENTION ON SLAVERY—CXVIII

Mr. PROXMIER. Mr. President, in many west African countries, the slave trade is today a flourishing commercial enterprise.

The most recent market price for a healthy and strong male slave is about 600 pounds. Women are sold for less, their value being determined by their beauty. Children are sold for still less.

In Muscat chattel slavery is widely practiced. In 1962, one individual owned over 400 slaves, including 80 women.

I wonder if we fully appreciate, fully comprehend the life of a slave. Slaves can own nothing—not even the products of their own labors. Slaves have no rights over their own persons, cannot move or change their place of residence. Many young girls are forced into prostitution; the children thus borne become one more asset in the slave holder's estate. As soon as these children can perform any tasks, they are taken from their mother.

The family, the basic unit of society, does not exist in slavery. It would undermine the institution of slavery. This brutalizing and dehumanizing practice robs its victims of all human dignity, any consolation of family, and every shred of personal identity.

Slavery is thriving in 1967. This

vicious form of man's consummate inhumanity to man is expanding.

But the United States is not one of the 70 nations which are parties to the Human Rights Convention on the Abolition of Slavery and the Slave Trade.

The 13th amendment to our Constitution ratified in 1865, abolished slavery as an institution and gave Congress the power to enforce its terms by appropriate legislation. This, the Congress subsequently did through the Slave Trade Prohibition Act and the Peonage Laws.

The United States should share with other nations and other peoples the benefit of our own national experience. We were opposed to slavery in 1865. Certainly our opposition to slavery has not waned in the past century.

The only roadblock to U.S. ratification of the Convention on Slavery, as well as the Human Rights Conventions on Forced Labor, Freedom of Association, Genocide and Political Rights of Women—is the Senate.

Once again I urge the Senate, without any further delay, to give its advice and consent to all of these conventions which have as their total objective—establishment of minimum universal standards of human dignity.

TASK FORCE REPORT TO GREAT LAKES CONFERENCE OF SENATORS

Mr. PROXMIRE, Mr. President, the Great Lakes Task Force, a group composed of representatives of the Great Lakes Commission, the Council of Lake Erie Ports, the International Association of Great Lakes Ports, the Great Lakes Terminals Association, and the U.S. Great Lakes Shipping Association recently submitted their 1967 report on Great Lakes problems to the Great Lakes Conference of Senators—a group of which I have the honor and privilege to be the chairman.

The report outlines many of the problems faced by commerce through the Lakes and the St. Lawrence Seaway, such as the short shipping season, the lack of Government cargo, unfair rail competition, an outmoded Seaway financial structure, and a striking lack of U.S.-flag shipping into the Lakes. The report also suggested solutions to these problems.

So that Senators may get some idea of the multitude of problems we face in the Lakes and have an opportunity to consider possible answers to these problems, I ask unanimous consent that the task force report be printed in the RECORD.

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

GREAT LAKES TASK FORCE—1967 REPORT TO GREAT LAKES CONFERENCE OF SENATORS ON SHIPPING CONDITIONS AND PROBLEMS IN THE GREAT LAKES FOREIGN WATER-BORNE COMMERCE

The Great Lakes Task Force, composed of the Great Lakes Commission (organized by eight states in 1955 by an interstate compact), Council of Lake Erie Ports (an association of all interests on Lake Erie concerned with water-borne commerce, including banks, chambers of commerce, etc.), the International Association Great Lakes Ports

(an association of 15 American and 5 Canadian public port authorities on the Great Lakes), the Great Lakes Terminals Association (an association of 26 public and private marine terminal owners and/or operators), and the U.S. Great Lakes Shipping Association (an association of over 30 foreign and U.S.-flag regular steamship lines and steamship agents serving the Great Lakes and all major world ports), submits its 1967 report to the Great Lakes Conference of Senators updating and supplementing the 1966 Task Force Report.

INTRODUCTION

As a matter of background information, the statistics posted on a sign near the airport in Cleveland, Ohio are of great interest. According to that sign within a 500 mile radius of Cleveland there is: 53% of the U.S. population; 54% of U.S. retail sales; 59% of U.S. industry; and 67% of U.S. billion-dollar markets. According to 1964 government statistics the states of Minnesota, Illinois, Indiana, Wisconsin, Michigan, and Ohio contribute 27% of the total revenue of the United States Government. If we add the states of New York and Pennsylvania, which also have Great Lakes port facilities, the eight states account for 45% of all federal government revenues.

Foreign commerce of the U.S. through the St. Lawrence Seaway system has shown consistent growth since the Seaway opened in 1959, and could increase even more dramatically if the Seaway were given a fair chance to compete. The size restriction on ships transiting the Seaway, 750 feet length, 75 feet width, and 25 feet 9 inches draft cannot be ignored, but other factors are the real cause of the failure to utilize the Seaway and the facilities and services dependent upon it.

A. St. Lawrence Seaway

1. *Repair of existing facility.*—Continued operation of the Seaway is an absolute must to the development of Great Lakes waterborne commerce. The Administrator reports that \$13.1 million are urgently needed to repair and correct faulty construction. The fault lies not with the Seaway Development Corporation but with the contractor and/or the U.S. Government, and it would be most unfair to require either the Seaway or its users to pay for the mistake in construction. Accordingly, we fully support the bill S. 2131 introduced by members of the Great Lakes Conference of Senators, calling for funds to repair the Seaway and that the necessary funds come from the general Treasury and not from seaway toll income.

2. *Refinancing the debt structure.*—The Seaway is the only federally supported waterway that is required to be self-sustaining and fully amortized from commercial earnings. In the 89th Congress and again in the 90th, legislation was introduced to reorganize the financial burdens of the Seaway. We strongly urge that these efforts be continued and legislation enacted not only to prevent future toll increases, but to place the Seaway Development Corporation in a position to eliminate all tolls as soon as possible.

3. *Extension of Seaway navigation season.*—The present Seaway navigation season extends from a variable date in April each year to a variable date in December. Theoretically, the closing date is dependent upon weather and ice conditions, and accordingly is not a firm date. Variable closing dates do not permit maximum use of the Seaway and do not permit proper advance scheduling by ship lines. It is therefore meaningless to have variable dates except for ships already in the Great Lakes at the uncertain end of the season.

We also understand that under present circumstances the Seaway physically can be kept open substantially beyond the historic closing date of early December. However, for the immediate future we strongly urge that

every effort be made to establish a set closing date of December 15 until experience proves the season can be further extended. The date of December 15, if announced in advance, will permit ship operators to definitely plan additional sailings resulting in increased shoreside labor employment and increased revenue to the Seaway Development authorities. Obviously, it will also permit shippers and receivers of goods to plan for increased traffic via the Seaway to the economic benefit of all concerned.

Last year Congress authorized and appropriated funds for an extension of the season study of the Seaway. The Bureau of the Budget has refused to permit the expenditure of that appropriation. We strongly urge that the Conference of Senators continue its efforts to have the Bureau of the Budget carry out the will of Congress.

4. *Seaway tolls on containers.*—Containerization will have considerable impact on Seaway traffic and port utilization. Presently ever increasing numbers of containers are moving through the Seaway upon which tolls are being paid. Competing surface transportation carriers, however, are carrying containers free of charge. The Seaway toll structure penalizes the Great Lakes because a \$2 per 20 foot container toll is exacted on the container alone—loaded or unloaded—while the container really is a part of the ship. No other port or seacoast area imposes a charge or toll on containers carried by ocean vessels. The added cost of a container toll further prejudices Seaway traffic and development, and must be eliminated. We have formally applied to the Seaway Development Corporation for relief in this matter and we urge Congressional support for such relief.

5. *Seaway Development Corporation.*—The Corporation should be directed to promote, develop, and encourage traffic via the Seaway as provided in the organic act of the Corporation (33 U.S. Code § 982), and its offices located in such places to most effectively accomplish this mission.

B. Welland Canal lockage charges

The Welland Canal which connects Lakes Ontario and Erie lies wholly within Canada and at present the U.S. has no voice in its operation. The Canadian Seaway Authority announced lockage charges assessed against ships transiting the Welland which, effective April 1, 1967, imposed \$10 per lock per ship regardless of size. By 1971 the charge will be \$100 per lock, or \$800 per ship per voyage—or \$1,600 per round voyage. The charge is imposed on every ship regardless of its size or earning capacity, as a 20,000 ton ship pays the same as a 2,000 ton ship.

Last year a Seaway toll increase was narrowly averted through action by the Great Lakes Conference of Senators, but any relief thereby provided has been overtaken by the Welland charge. We are now faced with an additional transportation cost that not only is prejudicial against the Great Lakes but is also unfairly prejudicial against the smaller sized ships upon which all of us depend. This increased cost into and out of the Great Lakes, coupled with reduced container costs out of U.S. East and Gulf Coast ports, could well spell disaster to all Great Lakes commerce other than bulk shipments on large ships.

This problem, in our opinion, requires meaningful negotiations by the U.S. Departments of State and Transportation with the government of Canada. We urge the Conference of Senators to request those Executive Agencies to support our individual efforts to persuade the government of Canada to reconsider the subject of the Welland Canal lockage charges.

At the same time, we urge the Executive Agencies to discuss with Canada the entire subject of the St. Lawrence Seaway System and its future development. Ship operators, port interests, and the states involved must know what future the Seaway holds in order

to plan capital investment and trade practices. If the Seaway is to be taxed out of existence, Great Lakes interests should know now. If the two governments plan to help the Seaway reach its rightful place in world commerce we must know now and be prepared to render the services world commerce requires. The uncertainty of the future is a depressant to economic growth and no one, be he a private citizen or state legislature, can honestly commit time, energy, and capital to a facility which might be useless in a very short time.

We also suggest that in order to fully explore the future of the Seaway and the Great Lakes region that the study of an All American Canal to connect Lakes Ontario and Erie be continued to completion. The economic feasibility of the All American Canal has never been fully understood, and if commerce via the Seaway continues to expand such a canal may be necessary to accommodate it. We believe that the subject should be fully explored and urge that funds sufficient to complete the study within the next two years be appropriated.

C. U.S. Government cargoes

The largest shipper of goods in the world is the U.S. Government. Excluding oil, the region that produces the most commodities, agricultural and hardware, is the states bordering the several Great Lakes. Simply on a mileage basis from point of origin to port, and excluding rate manipulation it should cost less to move goods a shorter distance than a longer one. Thus, for most commodities produced in the Midwest inland transportation costs to Great Lakes ports should be lower than to other coastal ranges.

1. *U.S. Department of Agriculture and aid cargoes.*—For the most part, USDA-controlled cargoes move to a great extent (about 25%) through U.S. Great Lakes ports, because it costs the Government less money. Many coastal areas complain of the amount the Great Lakes enjoy, and constantly urge USDA to route cargoes to their ports. We strongly urge the Conference of Senators to use its efforts to see that USDA continues to use Great Lakes ports to their full extent, and to take full advantage of the cost savings available by using the ports nearest to the source of the commodity.

2. *Military cargo.*—In 1962 a Defense Department study reported that at least one million tons of DOD cargo should move via the Great Lakes and DOD would save thousands of dollars in shipping costs. Despite that study, military cargo via the Great Lakes dropped to a minimal figure by 1965. Due to the efforts of the Conference of Senators, military cargoes in 1966 were increased to 68,000 measurement tons, almost twice the amount of 1965. It should be noted that even this is an extremely small percentage of the total Great Lakes potential of 5 million tons.

The Military Transportation Act of 1904 (10 U.S.C. § 2631) requires that all military supplies be carried by U.S.-flag ships, but if the freight charged is excessive or unreasonable other ships may be used. In no event may the military rate exceed the commercial rate. Before August, 1966, the military simply routed all cargo to seacoasts having U.S.-flag service, thereby excluding the Great Lakes, which had no U.S.-flag service at reasonable rates. Where there was U.S.-flag service the military rate was so high that the Lakes were not competitive.

Due to the efforts of the Conference of Senators, the military has shipped Lakes cost-favorable cargoes on foreign ships in the absence of U.S. ships. However, this policy has not been consistent and the majority of military cargo produced adjacent to Great Lakes ports still finds its way to East Coast ports.

We strongly urge that DOD continue to recognize that when there is no U.S.-flag service offered at a port it should employ

the first ship available at a reasonable rate, regardless of flag, and that cost-favorability be calculated on the basis of the then existing foreign-flag service and rates. We also urge that the DOD be required to place and keep military cargo at a Great Lakes port when it is cost-favorable to do so, and not divert the cargo at extra expense to a port range where U.S.-flag service is conveniently available.

D. U.S.-flag service/U.S. merchant marine

Except in the Great Lakes/East Coast South America and African trades there is no meaningful U.S.-flag service in the Great Lakes. There is no U.S.-flag service to the Far East, India, Pakistan, or Europe, only an occasional service to the Mediterranean. Specifically, in 1966 out of 1,215 sailings only 18 were U.S.-flag, which carried less than 4% of all Seaway Traffic.

For many reasons including U.S. high costs, lack of subsidy, lack of interest, etc., U.S.-flag ships have not provided service to Great Lakes ports. At the same time the domestic Lake Carrier Fleet has dwindled from 373 ships in 1955 to 245 ships in 1965.

Mindful of the historic fact that the Great Lakes foreign water-borne commerce has depended almost exclusively upon the services of foreign-flag steamship lines, we believe that some U.S.-flag service to and from our Great Lakes ports is essential. We also believe that the domestic U.S.-owned Great Lakes fleet requires immediate assistance before it too becomes nonexistent. At the same time, however, we do not want any U.S.-flag service in the Great Lakes against its will, or with no firm intention of providing necessary and realistic service. We do not believe that it would benefit the Great Lakes, or the country as a whole, to spend tax money in the form of subsidy on non-competitive or disinterested steamship service.

We strongly urge, however, at the very least that Congress enact legislation which would permit all U.S.-flag shipowners to allocate a portion of earnings to a tax deferred account, which monies shall be used to construct new ships or to update existing ships. Such a bill, S. 681, is now before Congress and we urge its early enactment.

On the other hand, if the Great Lakes area is to be continually denied U.S.-flag shipping service of meaningful significance, either by intent or by denial of government assistance, then we urgently request that all U.S. cargo preference laws be removed from the Great Lakes trade routes. To be denied U.S.-flag service and also be subject to cargo preference laws will continue to retard the economic development of the region. The absence of U.S.-flag shipping reduces the amount of government cargo to Great Lakes ports. The further denial of government cargoes to the foreign-flag ship lines that do serve our ports greatly impedes our chances of development. We do not believe that cargo should be reserved for ships which do not call at the ports where the cargo would otherwise move most economically.

If necessary we can compete and develop without U.S.-flag service, but we cannot compete or develop if because of cargo preference laws government cargo is taken away from us and routed to ports where U.S.-flag service is available. No one can long endure with both hands tied behind his back.

E. Federal Maritime Commission

The Commission, established under Reorganization Plan No. 7 of 1961, comprises five members who are appointed by the President for 5-year terms and approved by the Senate. The terms of the Commissioners expire on June 30 with one expiring each year. There never has been a Great Lakes oriented member on this Commission, nor on any of its several predecessor agencies.

At least one member of the Federal Maritime Commission should be from the Great Lakes area and be knowledgeable in the ship-

ping problems involved. We recommend such an appointment.

F. Water pollution

All of us are concerned with water pollution control generally, and specifically in the many harbor areas of the Great Lakes. In the maritime field any water pollution control efforts immediately affect the operators of ships, be they foreign owned, U.S. owned, bulkers, ore boats, or any other type of water craft. No one seriously opposes reasonable efforts to control and, hopefully, do away with water pollution, but we do urge a reasonable approach.

1. *Uniform regulations.*—There are eight states bordering the Great Lakes, each of which has more than one municipality providing some type of port facility. If each municipality were to impose different water pollution regulations, a ship operator would have to be prepared to meet 16 different standards. If each state imposed different regulations state-wide there would be a minimum of 8 standards, if the state superceded local regulations. Such a situation would be intolerable and would cause ships to leave the Great Lakes or limit calls to those ports having the least strict regulation.

Therefore, we strongly urge that there be a single set of water pollution standards of Great Lakes-wide implication, published and enforced by a single federal agency such as the Federal Water Pollution Control Administration. We also urge that insofar as possible any Great Lakes regulation be no more strict than those applicable to other seaports, lest this type of regulation become a competitive device among competing seaports.

2. *Reasonable compliance.*—Since it could cost a shipowner anywhere from \$50,000 to \$150,000 to install water pollution control devices and equipment on each ship, reasonable time within which to do so is essential. Regulations which are too stringent could very well force a ship to leave the Great Lakes permanently, and immediate compliance would require a curtailment in service until the shipowner could place his ship in compliance. We strongly urge your careful study of any water pollution control legislation with an eye to preventing such legislation from unduly prejudicing St. Lawrence Seaway and domestic Great Lakes water-borne commerce.

G. Discriminatory transportation rates

1. *Section 22 rates.*—Section 22 of the Interstate Commerce Act (49 USCA 22) authorizes rail and motor carriers to carry government cargo free or at reduced rates. The rates, called Section 22 quotations or agreements, need to be filed with the Interstate Commerce Commission and are not subject to protest by anyone. In 1957 attempts were made to restrict Section 22 authority to times of national emergency. These were defeated and the informational filing requirements were established. Until 1957, the rates were not even made public.

Section 22 quotations have been and are being used to divert traffic from the Great Lakes area to coastal ports to the disadvantage of Great Lakes ports. Very few Section 22 rates or quotations have been offered or negotiated on traffic to Great Lakes ports.

ICC-sponsored legislation to amend Section 22 is now before Congress, and we urge that it become law as soon as possible.

2. *Inland transportation import/export rate structure.*—All coastal areas, except the Great Lakes, benefit from shipside import/export freight rates established by inland common carriers, and in some cases in connection with ocean carriers. In these situations import and export cargo is entitled to a single inland rate from the point of origin in the case of exports, or the point of destination in the case of imports, to shipside. All terminal or accessorial charges at the port covering transfer between inland and water carrier are absorbed in the inland or ocean

freight rate. In some instances the inland and water carrier absorb these charges equally. There is usually the mileage factor involved, so that traffic received or delivered beyond the mileage limitation enjoys the special rate.

Direct corrective authority over this discrimination resides with the Interstate Commerce Commission, and peripherally where the ocean carriers participate the Federal Maritime Commission also has jurisdiction. Private parties and organizations in the Great Lakes are continuously seeking redress of this situation from the inland carriers, but their efforts are strongly resisted. This is but one example of inland rail and motor carrier rate structures which unduly prejudice Great Lakes commerce. We strongly urge that the Conference of Senators bring this entire matter to the attention of the Interstate Commerce Commission and request the Commission to institute a formal investigation on its own motion with an eye to correcting this situation.

AVIATION WEEK QUESTIONS SPACE SPENDING

Mr. PROXMIRE. Mr. President, I invite the attention of the Senate to an editorial published recently in *Aviation Week and Space Technology*, in which editor in chief, Robert Hotz, makes the important point that the space program should be put in better perspective in relation to our national needs.

These remarks are particularly noteworthy when we consider their source. I ask unanimous consent that they be printed in the RECORD.

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

NEW ERA FOR NASA

An era ended for the National Aeronautics and Space Administration last week when Congress voted a \$234-million cut in that agency's budget authorization for Fiscal 1968. Congressional appropriations committees are fully expected to make even deeper cuts in the space agency's fund request. The NASA budget cut is symptomatic of the many currents of basic change that are flowing through the land this summer. It portends the beginning of a new era for NASA and the U.S. national space program.

We have no quarrel with the reductions imposed so far by Congress in the final House-Senate conference agreement. They reflect a judicious and necessary pruning of the NASA budget to fit the technical and political realities of the times. They will not seriously affect the technical pace of either the Apollo lunar landing program or the long-range development of post-Apollo plans and hardware. The progress of Apollo itself and the Apollo Applications has already been retarded to a rate commensurate with Fiscal 1968 funding by the fatal fire of last January and the technical and managerial problems that it spotlighted. Although, as always, there were some irresponsible outbursts in the floor debate on the space authorization, we think the key legislative groups involved did a thoroughly competent and responsible job in trimming unnecessary fat from the NASA money bill. We do not think it was the intent of this Congress to either repudiate or emasculate the U.S. national space program. We think it was the aim of these legislators to mark the end of the era when NASA got everything it wanted simply because it asked for it in a strident and persistent voice. We think it was also the goal of Congress to put the national space program in a better perspective in relation to such other high-priority problems as the Southeast Asia war and the urban riots.

If top NASA officials have not interpreted their admittedly long and arduous buffeting on Capitol Hill this spring and summer correctly, then they are indeed facing a much worse time in the years ahead. If, on the other hand, they assay the portents accurately and modify their technical course, management procedures and public policy to meet the challenge of changing times, there should be no reason for the space program not to prosper and progress.

There is no cause for panic either in the glass and white marble lairs of NASA's upper echelons or among the space agency's contractors. Certainly, it would be the height of folly to follow the course advocated so vigorously to contractors lately by the chairman of the House Science and Astronautics Committee, Rep. George Miller (D-Calif.). Rep. Miller, who has major space agency contractor installations in his district and state, has been urging these firms to organize a high-powered, well-heeled "space lobby" to beat the drums loudly across the land for a bigger and better space program. He is apparently laboring under the misconception that contractor-financed activity of this type by the Navy League, Air Force Assn. and Army Assn. has been effective in building these services' appropriations and keeping their public image bright. We suggest that, if Rep. Miller were successful in getting contractors to organize a vociferous "space lobby," his fellow legislators would be the first to crucify them for this obviously improper activity.

It would be the better part of wisdom for the space industry, both governmental and corporate, to recognize that it is facing changing times and stronger challenges from competitive needs. It cannot hope to occupy such a large share of the national spotlight in the future as it did during the pioneering days of Mercury and Gemini when the war in Vietnam was only a tiny cloud on a distant horizon; when no American city cores had yet glowed red at night, and when a tax cut was the order of the day instead of the tidal wave of tax rises that now threatens to engulf the nation.

In the face of this changing economic, social and political environment, it would be foolish indeed to insist that the space agency must have every penny it asked for. It would be doubly foolish to persist in this plea at a time when it is crystal clear that the Apollo program still faces formidable technical obstacles that will require more time and effort than originally anticipated. The goal of landing men on the moon and exploring it is still valid. But, there is no longer any political appeal or technical logic in the slogan of doing it "before the end of the decade." It was evident even before the Apollo fire that this program had been harnessed to a schedule that was becoming more unrealistic in relation to genuine technical progress with each passing month.

The future of the space program as a valid, continuing national goal will depend in the long run on the successful development of its new hardware and the successful operation of this equipment on missions of increasing complexity and greater value. The most significant contribution that NASA and its industrial contractor complex can make to the future of the space program now is to bend their every effort to assure that the Apollo hardware will function flawlessly, not only for its missions to the moon but also for long-duration earth orbital operations.

Congress has provided, and shows every inclination to continue to provide, ample funds for the completion of the Apollo program.

If Apollo is successful, the political and public debate over the future of the national space program will be perfunctory.

If Apollo fails, no amount of NASA wailing or "space lobby" tub-thumping will alleviate the catastrophic result.

PARRIS ISLAND REVISITED

Mr. MANSFIELD. Mr. President, *Leatherneck* magazine for August 1967 contains a noteworthy article entitled "Parris Island Revisited." The article is based upon a return visit to the boot camp, where the present Lt. Col. Jack A. Gertz, U.S. Marine Corps Reserve, participated in the training this summer. Instead of taking a vacation, he returned to Parris Island, where he observed the marines of today and how they compare with the marines of 26 years ago. Every quarter of a century, the marines of the previous era are referred to as the "old breed."

Colonel Gertz served and participated and relived his own boot camp days. He noted what was being done as the modern recruit is molded and transformed into a state of hardness and uncompromising discipline.

Lieutenant Colonel Gertz was a World War II combat correspondent with the marines. On his return to Parris Island, 26 years later, he took part in many of the phases of boot training—pugilistic fighting, drownproofing, latest weapon firing, hand-to-hand combat, the confidence course, and other physical development techniques which instill determination and pride, and weld the new marine to his elite fighting corps.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

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

PARRIS ISLAND REVISITED

At 50, I returned to boot camp. Perhaps the first Reserve grandfather to ask for it.

Many Marine alumni remember Parris Island as a big swampland, infested with sand fleas, mosquitoes, snakes and man-eating drill instructors. Yet to me, today, the Marine Corps Recruit Depot at Parris Island, S.C., is one of the most beautiful military establishments in the world. It was surprising to see how much Parris Island had changed and improved, physically, since my last visit 22 years ago.

Not everything has changed. Two of the three training battalions still live in World War II barracks. Even the barracks where I had spent a few months, in 1945, attending Marine Corps Personnel Administration School are still housing recruits.

On my return to basic training, I saw drill instructors actually smiling—that isn't in my memory as a WW II recruit. Marine Corps DI's, as I remember them, were ten feet tall. It was hard to believe some today are even my average size.

I listened to a new and different, endless chanting of indistinguishable grunts and moans with a musical air—"Hi-ho-lo-huh-hi-lo-ho." It was a cadence call, but it didn't mean much to me—in fact it didn't mean much to anyone except the recruits who heard it and could translate it into their DI's commands. But in other areas, I heard the familiar, "Awn, Aw, Reep; Threep, Fo, Yo, Lef." Much of the Old Corps heavy chanting cadence of the past is still there. With this cadence ringing in my ears, I recalled how DI commands had overcome confusion and developed confidence and discipline.

When I asked Maj. Gen. Rathvon McC. Tompkins, PI's Commanding General, to compare the new Marine Corps with the old, he gave me a direct answer.

"The old Marine Corps isn't what it used to be—it's better! Unfortunately," General

Tompkins explained, "today's young men are not as physically active as the young men of thirty years ago, but they are better educated and learn quickly."

"In general," he continued, "our young Americans of today initially are not physically or mentally prepared for the rigors of combat . . . in a tough and miserable environment such as the conditions in Vietnam."

"A youngster," the general said, "is removed from today's soft civilian living and oriented to the military, toughened physically, disciplined, trained in the basic skills necessary to assure him the best way for survival on the battlefield, and taught many specialized skills needed to become a more efficient member of a modern fighting team."

General Tompkins invited me to spend my two weeks on the island, witnessing and participating in the step-by-step program of the platoons in the various phases of today's recruit training. "This way, you'll be able to judge for yourself," the general said with a wry smile.

He telephoned staff officers and I waited for my assigned schedule.

It was pastmidnight when I was awakened by pounding on the door. It was an MP with a message from Lt. Col. H. L. Wilkerson, executive officer of Recruit Training Regiment.

"Sir," announced the MP, "you are expected to be ready in seven minutes. Several bus loads of recruits are due at Recruit Receiving Barracks in about 15 minutes."

As I slid, fireman style, into my uniform, the Depot Informational Services Officer, Maj Michael Styles, drove up to give me a ride.

The air-conditioned Greyhound buses bearing recruits had crossed part of this 6,600-acre, sandy piece of land, and stopped directly in front of the Receiving Barracks.

"Around the clock," GySgt Abe Rubenstein, NCO-in-Charge, told me, "Receiving Barracks NCO's are on duty to meet each group of recruits—a bus load of 80, or a group of three. Regardless of the time of day or night, regardless of the weather, in rain or blazing sun, a uniformed Marine enters the bus to 'greet' recruits," he said.

I studied big, burly DI Sgt. Colburn Sergeant as he waited for the driver to open the bus door. Everything about him was strictly Marine Corps—his uniform was neatly tailored and pressed; his shoes were highly polished; his face was set as he jumped aboard.

"Now hear this!" he bellowed. ". . . and when I give you the word, you will move out of this bus faster than fast! You will take a position in front of the barracks steps—placing your feet on the yellow painted footprints near the front entrance and freeze at attention! Now, do it!" he snapped.

It was the first order for the travel-weary and hungry recruits. They obeyed, darting out almost two at a time. "That's not fast enough," he barked. "There are two speeds in the Marine Corps—fast and faster! So, when I say, 'move, boy!' you'd better move fast! Understand?"

Then the new recruits were herded into the barracks. Each was given a number and directed to form a line, according to number. Now, pockets, handbags and suitcases were emptied in individual bins assigned to each recruit. Switch-blade knives, chewing gum and patent medicines were removed and placed in outgoing containers. Clothing and other valuables were carefully wrapped and mailed home.

I followed the recruits into the barber shop. Here a civilian barber moved his electric clippers at the rate of one military-style haircut each 32 seconds. Without the "Beatle-like" hair that fell to the floor each recruit began to feel on a par with the others. It was the first step in his initiation to the same fraternity.

Varied styles of hair help to give a civilian a personality. "Without it, a recruit feels

messed up," Sgt. Rubenstein reminded me, "inferior to the uniformed and polished DI in front of him. His ego is deflated—it saps his mental strength as it did for Samson. He's ready to conform."

Sgt. Rubenstein has the "tough" look of a DI, but he has a quick wink, keen sense of humor and a handsome smile. "I like to joke with people. It's great to play and laugh," he admitted, "but that would defeat discipline. . . ."

Suddenly Sgt. Rubenstein wiped off his grin, pivoted toward a nearby recruit and snapped: "Private, were you listening to my conversation? Stand up straight! Get your dirty hands off my table! And keep your bloodshot eyeballs straight ahead. Now do it!"

As the frightened recruit straightened up, the sergeant noticed a spot on his neck. "How did you get that mark on your neck there, son?" he asked.

The trembling recruit's face reddened and, nervously, he answered, "My girl did it, Sir."

The DI then turned on another flustered recruit and shouted, "I don't like to hear your eyeballs rolling around your head. They make too much noise and make me so-o-o nervous. Stand at attention!"

From the barber's chair, they scurried into line to be photographed for ID cards. By now they had been weighed, measured, fitted for gas masks and given various tests.

At the Marine Exchange Issue they received toilet articles, gym shoes, sweat shirts, shorts, cigarettes, and other supplies needed for the beginning of the eight-week training period, reduced recently from 11 weeks.

The next step was the Hygienic Unit where each recruit removed civilian clothing and took a shower. Then he got his initial issue of uniforms.

Normal processing time is six to eight hours from the moment the recruits jump from the bus until the assigned platoon drill instructors take over.

I noticed a Navy chaplain who happened to be in the Receiving Barracks at the time with a visitor.

"What do you think of today's Marine recruit training program?" I asked.

Without removing his eyes from the recruits, the chaplain replied, "Many a parent has sent out a boy and with the Lord's help has gotten back a Marine."

I ate breakfast with the recruits. It was delicious. I hadn't eaten S.O.S. for many years.

Later, I strolled around the base with my official escort—1st Sgt. Lyle J. Wells, of Recruit Training Regiment. At 41, Wells carries his 6-foot, 170-pound frame like a boxer ready to go into action. His chin is marked with a scar. His hide is tough and his faith in the Marine Corps unwavering.

The rugged first sergeant observed that training had changed considerably since 1941. "We use more motivation, education and psychology now," he said.

Just then we stopped near a platoon. Patiently, the DI demonstrated foot marching and facing movements and the Manual of Arms, but some of the ungainly recruits found it difficult to tell their left from their right.

With a voice booming like a fog horn, the DI bellowed, "Son, how many times do I have to tell you the difference between your left foot and your right foot? You will stay here until you get it. Is that clear?" he roared.

"Aye, aye, Sir!"

Then he turned on a recruit. "Why aren't you looking straight ahead, private?" rasped the DI. "Why do you keep following me with those baby brown eyes? Are you falling in love with me already? Do I fascinate you, son?"

We passed another newly formed platoon, straggling as they marched with their chrome-painted helmet liners falling over

their ears. They were a pathetic and clownish sight.

"Now listen to me sweethearts," the DI roared, "how can I undo in eight weeks what civilian life did to you in 18 years? We'll continue these exercises until you get together!"

"We're not permitted to exhaust recruits," Wells told me. "However, we can give a series of exercises to instill discipline and physical stamina." DIs do not use individual abusive language in any form and are not allowed to have bodily contact with recruits.

The word, "boot," I noticed, has disappeared from the DIs' vocabulary—as have the favored endearments of yesteryear: "meat-head," "goon," "mophead," "sawdust brain," "feather merchant," "skinhead," "yardbird," "numbhead," "idiot," "clown," etc. Everywhere, I heard the recruit simply called "private" or "son"—and some DIs even called them by their last names!

I remember, as a recruit, the heap of maddening indignities and almost impossible physical exertions that kept up a ruthless pressure 17 hours a day—seven days a week—in preparation for winning World War II. But, I'll never forget the challenge to stick it out—to become a Marine. Pride and satisfaction always followed an agonizing training experience.

"Each of us," I thought silently, "wouldn't trade anything in the world for the training experience we had in boot camp, but we'd hate to think of doing it all over again."

But, here I was back with "recruit training," witnessing today's recruits starting a regular training day at 4:55 a.m.—with physical drill, a well-balanced breakfast and cleaning-up time.

Scheduled instruction began at 7:00 a.m. for some 4,100 recruits at P.I. More than 10,500 recruits had trained here during the peak summer months of 1966 and some 53,000 were graduated in that year.

Sgt Wells pointed out, "The first three weeks are devoted to physical conditioning, care and operation of the rifle, military courtesy and discipline, personal hygiene, close order drill, bayonet fighting, first aid, Uniform Code of Military Justice, and instruction in Marine Corps customs, history and other military subjects."

Later, he took me to the rifle range where recruits spend two weeks during the middle of the training period. I noticed they live at the range in new dormitory-style brick buildings. We lived in open tents with flaps that never stayed tied.

The recruits now carry M-14 rifles. I watched them field-stripping and reassembling their weapons in seconds—blindfolded.

At the range, I spotted specialized Marines wearing badges signifying "PMI"—Primary Marksmanship Instructors. The PMI is responsible for marksmanship instruction. The DI shares this responsibility, but only through maintenance of platoon motivation and discipline. The PMI's are credited for the high percentage of qualifying Marine Shooters on the range.

While passing a rifle range class, I heard a PMI chewing out an intolerably clumsy and terrified recruit.

"Look here, lover boy, get your mind out of the rear seat of your car and get your mind on your rifle," the instructor growled.

Range personnel stated that compared to the 60 or 65 per cent qualification attained during my World War II and Korean War experience, Marine recruits now average 85 per cent on the range.

Later, during hand-to-hand combat instruction with SSgt Roderick D. Partlow, I found the competition rough. He and Sgt. Wells showed me three Karate-type "death blows" and deadly movements with knives.

During the instruction SSgt Partlow caught a recruit day-dreaming. "Hey, little flower, you're not here to watch television, suck lollypops and drink Cokes." And, with his face thrust angrily out, his voice rasping

bitterly, SSgt Partlow added. "There's no time for kid's stuff here if you expect to become a Marine and live to brag about it."

In other hand-to-hand training, I observed a recruit running through the bayonet assault course, holding his bayonet-fixed rifle, and running, headon, into another recruit who was wielding a pugil stick.

Earlier, General Tompkins had reminded me that pugil stick fighting is a great confidence builder for recruits. It teaches them foot and hand movements—using the boxer's stance and ring footwork. Its purpose is to teach the recruit coordination, balance and timing. He matches strength against an opponent and learns to give and take punches.

GySgt Tom Spence taught me basic handling of the pugil stick as if I were wielding a rifle and bayonet. The pugil stick is a four-foot length of wood—padded at both ends—and weighing about the same as a rifle with bayonet.

I paired off with another Marine and, for several minutes we parried blows and counter-attacked. We exchanged heavy blows, but neither of us was hurt. Like recruits, we were body-padded while slugging it out.

"This is the closest we can get to on-the-job training here at Parris Island," Sgt. Spence said with a smile.

I moved on to another new addition in training techniques—the Confidence Course. Here, recruits climb, swing, jump, twist and grunt through a maze of lumber and rope—hoping to evade four-foot-deep water pools and the DI's displeasure.

One recruit who was slowing down heard his DI scream: "Hey, woman, remove your girdle and keep up with the other recruits or you go to the old ladies' home!"

Marine recruit swimming instructions, too, have changed. Today they consist of a "drownproofing" course—a new system of staying alive in an ocean of water for swimmers and non-swimmers alike.

"Even if a Marine can't swim," claims SSgt John J. Browning, NCO-in-Charge, "knowing the basic drownproofing techniques will prevent a water-logged Marine from drowning. In fact, he'll starve before he drowns."

The instructor—after getting me into the water—explained: "Remember the 'jellyfish' or 'vertical float.' You put your face in the water and relax while holding your breath. When you need fresh air, raise your head, kick your legs, straighten your feet, and exhale."

He cautioned me to inhale while my head was still high and urged me to place my face back in the water, relaxing once again—like "playing dead."

He demonstrated the travel stroke, used to propel the body. It's basically the same as the float, but instead of kicking the legs and straightening out the feet, the individual swings his arms into his body, then extends them overhead, stretching out, then swings them back to his body again.

Although recruit training has changed, its tough schedule leaves little time for regrets or complaints, and serves to stimulate the new recruit's desire to at least equal the performance of his fellow recruits.

At 5:20 a.m., one Thursday, I accompanied General Tompkins on an inspection of a platoon in its final phase before it took off on a seven-mile march. The general carefully looked over each recruit personally, checking his rifle, blanket roll, pack, and canteen. He asked some recruits if their shoes were too tight and he made certain all had the required gear. This march covers tent-pitching, classes in sanitation and hygiene, practical application in bayonet, clothing and equipment care, packs, 45 cal. pistol, M-14 and guard. A period is also held in physical training, capped with a series of films of general interest to the recruit.

I heard one DI say after the inspection, "The ol' man is a Marine's Marine—he never

expects a man to do anything he wouldn't do himself. Hardly a thing gets past him. He participates in everything himself—he takes the long marches, uses the pugil stick, tries drownproofing techniques and gets on the rifle and pistol ranges. At 54, he does everything, and expects us to keep up with him."

During another inspection, the Commanding Officer of Recruit Training Regiment, Col. J. G. Juett, asked a recruit, "What do you think of draft card burners?"

"I'd have them shot, Sir," replied Pvt. Robert Quackenbush, of Dighton, Mass.

Parris Island's product of eight weeks of training is the "graduate recruit." He is smartly disciplined, physically fit, basically trained and well indoctrinated in love of Country and Corps.

Sgt. Maj. D. G. "Smokey" Goodwin told me that, today, battalion commanders may authorize promotion to Pfc for 10% of each graduating platoon. Additionally, one recruit from each platoon is selected by his drill instructor as the "Outstanding Man." These recruits are eligible for the meritorious promotion and receive the Marine dress blue uniform presented by *Leatherneck Magazine*.

Graduation Day—final review on the huge parade ground—is one long remembered. On my last day, I was honored as the Depot's battalion parade reviewing officer. I felt ten feet tall—that is—until the last strain of the band's "Marines' Hymn" faded away. I wanted to rub something out of my eyes. But I didn't move a muscle. I stood at attention. From private to lieutenant colonel is a long way—through the ranks—I thought to myself as I exchanged salutes with marching units.

Before I left the island I paused for a long look at Iron Mike, a memorial to Marines of World War I. Yet, I thought of those who sacrificed their lives during World War II, Korea and in Vietnam. The recruits I had seen graduate are eager, and they're being trained to step into the ranks of their combat-ready Corps, preparing to share in its responsibility for the Nation's defense.

KNOWLEDGE GAINED FROM LONG, TRAGIC SUMMER

Mr. CLARK. Mr. President, the Nation's most pressing domestic issue today is a question of education—our own education. It is a question of how much the Nation has learned and how much the Congress has learned from the bloodshed, incendiarism and looting that have become the Nation's ordeal during this long, tragic summer.

The summer of 1967 is not over, but the Nation hopes and prays that the flames of unreason that ignited emotions and incinerated homes, businesses, and neighborhoods in recent months have subsided for good. But if tranquility is restored to our cities for the remainder of 1967, what assurance do we have that next summer, the summer of 1968, will not witness a new explosion, a new volcano of blind hate and mindless destruction?

Thoughtful and sensitive men and women in the Negro community and the white community are already working and planning to prevent a recurrence of the firestorm that raged in our cities this summer. They are not thinking in terms of reprisal or retribution but in terms of removing the social and economic causes of our civic torment. Perceptive writers and newspapermen are also raising the clarion call that the summer of 1967 need not—and must not—happen again.

One of the most incisive of these writ-

ers is Roscoe Drummond, whose column in the *Washington Post*, on August 5, summed up most cogently the responsibility of Congress today and tomorrow for the preservation of peace and progress across our land.

Mr. Drummond wisely stresses this refrain: "How Congress responds to the crisis—whether it acts adequately only to punish but inadequately to heal—will determine whether more of the worst will be encouraged or averted."

Mr. President, I request unanimous consent that Mr. Drummond's column be printed at this point in the RECORD.

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

ANSWER TO RIOTS—CAUSES MUST BE ELIMINATED

There is one overriding question before the country and the Congress today: What are we going to do about the riots?

Are we going to do everything adequate to repress the riots and nothing adequate to reduce the causes of the riots?

Are we going to reward the rioters—unintentionally of course—by failing to do what is needed to improve the conditions which make it easier for rioters to stimulate violence?

Are we going to allow our outrage to impel us to do what needs to be done to control violence but deter us from doing what needs to be done to cure the ills which breed violence?

The answer to these questions will come primarily from Congress. How Congress responds to the crisis—whether it acts adequately only to punish but inadequately to heal—will determine whether more of the worst will be encouraged or averted.

Those who want to act to heal and not just to repress are not in any way proposing to appease the rioters. In the wake of the riots, Congress should do nothing which should not have been done on its own merits before the riots.

If the post-riots Congress does not do better than the pre-riots Congress, we are in for trouble. Look at the record:

Congress approved the principle of rent assistance and has refused to appropriate a single penny to carry it out.

Congress has not provided a cent for metropolitan development grants.

It slashed 75 per cent from urban research funds.

Two-thirds of the requested appropriation for urban technical assistance has been denied.

Open housing—no hearings even scheduled.

The war on poverty—it is fighting for its life and neither House has yet passed a bill even authorizing its continuation.

When they are not unwisely titling at each other, President Johnson and Gov. Romney of Michigan are giving the Nation the same wise advice.

Says the President: "This is no time for angry reaction. It is a time for action, starting with legislative action, to improve life in our cities."

Says the Governor: "We have failed to recognize the urgency of eliminating social injustice and human discrimination . . . we must create genuine equality of opportunity in education, in employment, in housing."

Nothing could be more harmful than for Congress to allow the riots to be used as an excuse to belabor, delay and dilute the strengthened continuation of the war on poverty.

That's what its enemies, who never wanted it in the first place, are trying to do in attempting to smear it with exaggerated

accusations that its employes have been inciting the riots. The fact is that out of the 6,733 persons arrested in connection with the riots in 27 cities, six were from among 12,128 paid poverty workers.

Why do you suppose Gov. Romney after the recent riots asked OEO Director Sargent Shriver to send 200 additional VISTA volunteers to Detroit at once? Because where the action is the war on poverty is most needed. He began getting them the day he asked for them.

The voice of outrage is rightly saying today: "We will not tolerate violence." But the voice of outrage must also say: "We will not tolerate the conditions which produce violence and lawlessness."

WAR ON POVERTY—LABOR'S ROLE

Mr. CLARK. Mr. President, as we in Congress consider legislation to continue the war on poverty, recent comments by a representative of the AFL-CIO deserve our special attention. I refer to a recent broadcast interview of Julius Rothman, assistant director of the AFL-CIO Department of Social Security, and coordinator of the organization's anti-poverty programs. Mr. Rothman was heard on the AFL-CIO public service program, Labor News Conference, carried on the Mutual Broadcasting System radio network.

Since the AFL-CIO has been one of the most active organizations taking part in the war on poverty, I ask unanimous consent, Mr. President that a transcript of the program be printed in the RECORD.

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

LABOR NEWS CONFERENCE

(Mutual Broadcasting System, Tuesday, July 11, 1967)

Subject: War on Poverty—Labor's Role.
Guest: Julius Rothman, assistant director of the AFL-CIO's Department of Social Security and coordinator of anti-poverty programs for the Federation.

Panel: William Eaton, Washington correspondent for the Chicago Daily News; Frank Swoboda, labor correspondent for United Press International.

Moderator: Harry W. Flannery.

FLANNERY: Labor News Conference. Welcome to another edition of Labor News Conference, a public affairs program brought to you by the AFL-CIO. Labor News Conference brings together leading AFL-CIO representatives and ranking members of the press. Today's guest is Julius Rothman, assistant director of the AFL-CIO's Department of Social Security, and coordinator of anti-poverty programs for the Federation.

Since its birth, organized labor has fought to end poverty through union organization, collective bargaining and social legislation. Today, unions affiliated with the AFL-CIO are actively engaged in many phases of the nation's war on poverty. Here to question Mr. Rothman about labor's role in the war on poverty, what has been accomplished and what further steps can be expected are William Eaton, Washington correspondent for the Chicago Daily News, and Frank Swoboda, labor correspondent for United Press International. Your moderator, Harry W. Flannery.

And now, Mr. Eaton, I believe you have the first question?

EATON: Congress is now debating whether to kill the federal anti-poverty agency (Office of Economic Opportunity) or renew its life for a new term. Republican critics generally contend the agency has been wasteful

and inefficient in leading the war on poverty. Where does the AFL-CIO stand in this fight?

ROTHMAN: Mr. Eaton, the AFL-CIO stands four square behind the continuation of the war on poverty. In fact, we would not only like to see it continued, we would like to see it expanded.

We don't feel that the war on poverty has been inefficient. We don't think the agency has spent its funds wantonly. To the contrary.

We feel that the Office of Economic Opportunity has done an excellent job with the money that Congress has provided. And I can assure you that we will do everything we can—within our power—to help keep the war on poverty going for another year.

EATON: Is this the most serious threat that the agency has faced since it was created in 1964?

ROTHMAN: I think so. Until now, the war on poverty has had fairly smooth sailing, although I would say again that Congress has not been overly generous. But, they have not threatened its very life, as is being done now.

SWOBODA: Mr. Rothman, do you think it would be possible for the OEO to continue, were it disbanded as such and melded into other departments, such as Labor and Health, Education and Welfare?

ROTHMAN: No, I don't think so at all. As a matter of fact, the AFL-CIO has looked at the problem, and we have come to the conclusion that the OEO must be continued as the spearhead of the war on poverty.

We feel that the OEO provides a spokesman in government for the poor.

We feel that they give visibility to the anti-poverty program in the country as a whole.

We feel that they are able to compete more effectively outside existing federal agencies for available funds. If they were within the establishment agencies, they would have to compete with other agencies within the existing groups for whatever budgets there are available.

For these reasons, we feel that OEO must be continued as the visible spearhead of the anti-poverty program.

SWOBODA: Do you feel, Mr. Rothman, that any changes should be made in the administration of the OEO?

ROTHMAN: Not basically. We feel that they OEO has been effectively administered by Mr. R. Sargent Shriver and his associates. They have been imaginative. They have been committed. And, they have been effective.

Now, let me say that as they gain experience in this very complex administrative structure which Congress authorized, they obviously are going to do a better job. As it is, they spend only something around three percent of their total budget for administrative purposes. Now, that is low enough.

They can do an even better job administratively. But I have the feeling that we are going to find that you can't do the job without having OEO in there fighting for the poor in this country.

EATON: Mr. Rothman, some time ago George Meany, the AFL-CIO president, directed—or suggested—that labor leaders get into the war on poverty—right in the front lines—at the local level. How much participation by labor has there been, and should there be more?

ROTHMAN: Oh, there has been, Mr. Eaton, a good deal of direct labor participation at the community level. We haven't taken a count within the last year, but at the time of our last count, we had over 3,000 leaders of labor at the local level who were on CAABs—that is the Community Action Agency Boards—or on the boards and advisory committees of the component agencies in the local communities.

Now, I should also say that at the national level, the AFL-CIO has, I think, 17 labor leaders who compromise the OEO Labor Ad-

visory Council. That Council is chaired by Mr. David Sullivan, who is president of the Building Service Employees International Union, AFL-CIO. Another form of participation that we are particularly proud of is that we have sponsored any number of projects around the country.

FLANNERY: And isn't also it true, Mr. Rothman, that at least one—maybe more—people who used to be with the AFL-CIO are now among those who are on the staff of the OEO program?

ROTHMAN: Yes, that is true, Mr. Flannery. We have a number of labor liaison officers within OEO. There is one at the national level. There is one in each of the seven regional offices. In addition, we have labor liaison officers with the Job Corps, with the Community Action Agency Program at the national level, with VISTA (Volunteers in Service to America) and with the Neighborhood Youth Corps.

These people are very active in obtaining the participation of the leaders of labor, at either the national level or the local level.

EATON: What kind of anti-poverty projects are these that unions sponsor, Mr. Rothman?

ROTHMAN: Mr. Eaton, they have been quite diverse. Let me mention just a few.

We have just completed, and OEO has refunded, the Leadership Training Program in the 12-state Appalachian area. Now, last year we trained 104 labor people from local communities, so that they could go back and become effective workers in the anti-poverty programs in their home communities.

We have a similar program going for the six New England states. That one is based at the University of Massachusetts. We hope to start one at Penn State for the state of Pennsylvania—a similar type project—this fall. Now, that is leadership training.

Then, down at Jacobs Creek, Tennessee, the International Union of Operating Engineers, AFL-CIO, is sponsoring a Job Corps Center, where it is training young men—ages 16 to 21—to handle and maintain heavy equipment. Now within a very few days, 52 of these young men will be completing the first cycle of their training. They will then be farmed-out to various locals of the Operating Engineers. They will be given union cards, and will be earning from \$4.50 an hour up. That's the second kind of project we are engaged in.

Then, we have a number of Neighborhood Youth Corps projects. These Neighborhood Youth Corps projects are designed to help young people who usually are school drop-outs—although the Neighborhood Youth Corps may help people who are in school to stay in school.

In Alameda County, which is the area of Oakland, California, there is a project now under way for 250 youngsters, who are largely school drop-outs. It is a three-phase program.

First, they are going to give them some work experience. Remember, these kids come from very deprived backgrounds and they have never held jobs. So we try to give them some work experience. And then they step them up in the next phase to some specific skilled training. And then lastly, they try to place them in productive jobs at good wages.

Now, these are the three types of programs we have been engaged in, in an officially-sponsored relationship to the anti-poverty program.

I want to say, however, that in Watts, for instance, the Watts Labor Community Action Committee—that is in Los Angeles, as you know—has been very active in working with young people from 17 to 21 years old. They have a Cadet Corps. They have a Youth Conservation Corps. They have the Neighborhood Youth Corps.

They are helping these kids become integrated into the community, in the sense

that they will no longer want to be destructive, but will want to be constructive young people. As a matter of fact, the director of the project in Watts recently said that some of the kids who, a couple of years ago, were burning and looting, are today kids who say "We don't want to do anything; like that any longer. We want to do something for our community."

This is another type of project which the labor movement, in cooperation with the federal agencies, has been able to produce.

SWOBODA: Mr. Rothman, is the war on poverty something which the government will now have forever, or, do you think this has a terminal point?

ROTHMAN: Well, let's hope the terminal point is sooner than later. There are still, according to Mr. Shriver's office, about 32 million poor in America. From our point of view—we in the AFL-CIO—that's 32 million too many. And just as soon as we can eliminate poverty—and we hope, as I say, that it will be soon—we will support ending it.

But my feeling is that we have to recognize that there are some difficulties in getting people out of poverty. It is a matter of education. It is a matter of training. It is a matter of motivation.

We have to see that people are educated, trained and motivated. And then, of course, we have to have the jobs available to help them out of poverty.

Now, that is one aspect of it. But we have to do some other things, too. For instance, on this question of income maintenance. We recognize that there are a lot of people who are on Social Security today who are poor, simply because we have not up-graded our Social Security benefits in line with the increased costs of living. We have to do that.

We also recognize today that there are inadequate public assistance payments for people who either can't work, because they are too old, they are ill, because they are mothers who have to stay home to look after their kids, or for other reasons. Unless we begin to give these people adequate incomes, in the form of public assistance or some other form, we are not going to take them out of the poverty group.

So, we have to have two things really. We have to have jobs. We have to see that people who today are on low-level entry jobs are upgraded, so that they will have decent jobs at decent wages.

Then, we have to have a decent system of income maintenance, so that those who are too old, too young, ill or for other reasons out of the labor market, will have adequate income.

FLANNERY: Mr. Rothman, let's go back to some of the things you talked about a little bit earlier. You mentioned education for one thing. I would like to have a little bit more information about that.

I think the Education Department of the AFL-CIO has much to do with this, and that it works with universities in various parts of the country to train these people to take part in the anti-poverty program. Does it train only people who are from the labor movement, or does it train others? What is the situation in that respect?

ROTHMAN: Well, by and large, of course, labor's education program is designed to train people. But I would say that one of the interesting features of these programs—these leadership training programs which we have been developing in conjunction with OEO—has been that we set aside 15 percent of the enrollment for people from the poverty group, so that even though they may not be union members, they will still have the opportunity to participate in the war on poverty more effectively.

FLANNERY: Isn't this required by the legislation—that they do take such part?

ROTHMAN: It is not required by the legislation. What you are thinking of Mr. Flannery, I think, is the maximum feasible par-

ticipation aspect for the Community Agency Boards. And, of course, as you know, the AFL-CIO strongly endorses this kind of thing. We feel that the Community Action Agency Boards should have more than the required 15 percent. It is now one-third—and this is, of course, in our view, certainly proper.

SWOBODA: Mr. Rothman, you have outlined the areas where organized labor is involved in the war on poverty. Do you feel that American industry is meeting its responsibilities in this area?

ROTHMAN: I really haven't had an opportunity to find out what American industry is doing. I know that they do operate a number of Job Corps Centers, for instance. And, from what I can gather, they are doing a fairly good job.

I would say that we in organized labor will cooperate with the church group, with business, with school groups, with any local community groups, on a regional basis, to promote anti-poverty programs. I certainly don't want to say that it is only organized labor that is working on this program, because that would not be true. And I would certainly welcome the increased participation of business in the war on poverty.

SWOBODA: Mr. Rothman, some Members of Congress seem to feel that the only way to bring industry into the war on poverty is to give them some sort of profit incentive. How does the AFL-CIO feel about that?

ROTHMAN: We feel that the war on poverty ought not to produce a profit. We feel that there are enough channels through which all segments of the national community can work so that we can create viable nonprofit agencies and institutions to carry on the war on poverty.

We ought—both labor, management, church and other groups—ought to contribute their talents, their leadership, their skills, their knowledge and their wisdom to the war on poverty.

But, it ought not to be done on the basis of making a profit out of it.

FLANNERY: Wouldn't they benefit, nevertheless, from a successful war on poverty with more people able to buy more things from industry?

ROTHMAN: Yes, indeed, they would. The more people who go above the poverty level—and that, according to the OEO, is a little over \$3,100 a year—the more people there will be who are able to buy the goods and services that our very productive economy produces. So, let's hope that the war on poverty is successful, and then, let our economic system handle the profit aspect.

EATON: Mr. Rothman, when the war on poverty was launched, it had a great deal of élan and zeal behind it. Some of that seems to have dissipated in the intervening years. How would you size up the national mood, as far as helping poor people?

ROTHMAN: My feeling is that the national mood today is very much in favor of helping poor people. The Harris Poll says that more than 60 percent of the American public is in favor of helping the poor people and continuing the war on poverty. I think the glamour may have worn-off, but the reality has filtered down to the average citizen. He realizes that we can't have a viable economy or a viable democracy without eliminating poverty from our midst.

EATON: Perhaps the job is far tougher than most people thought three years ago.

ROTHMAN: Exactly. We are beginning now to understand that the war on poverty is not simply tossing a lot of money around. We are beginning to understand that you have to reach into the slums and ghettos to find people who have lost hope, who are frustrated, who feel that they are alienated from the mainstream of society. You have to give them motivation. You have to give them hope. And, you have to then give them education and training, and all the rest that

will ultimately help them to become useful and productive citizens of our society.

FLANNERY: And all this takes time?

ROTHMAN: All this takes time, indeed.

EATON: Don't we need more basic changes in the things like education, the welfare system, and so on?

ROTHMAN: We do need those, and they will come, it seems to me, as we begin to understand how these relate to the structure of poverty within our midst.

FLANNERY: Has any other nation, so far as you know, been able to lick the poverty problem, Mr. Rothman?

ROTHMAN: As far as I know, the nation that has come closest to licking the poverty problem is Sweden.

FLANNERY: What about West Germany? Haven't they done fairly well in that?

ROTHMAN: They have done fairly well, too. And this, of course, is because they have a high degree of social insurance programs and a high degree of prosperity, at the same time.

FLANNERY: Thank you, gentlemen. Today's Labor News Conference guest was Julius Rothman, assistant director of the AFL-CIO's Department of Social Security, and coordinator of anti-poverty programs for the Federation. Representing the press were Frank Swoboda, labor correspondent for United Press International, and William Eaton, Washington correspondent for the Chicago Daily News. This is your moderator, Harry W. Flannery, inviting you to listen again next week. Labor News Conference is a public affairs production of the AFL-CIO, presented in cooperation with the Mutual Radio Network.

RACE RIOTS—THEIR CAUSES AND THE SOLUTION

Mr. CLARK. Mr. President, two most perceptive columns have been written concerning the whole subject of where Congress and the country are going with respect to riots, and whether we are going to deal largely in terms of punitive action to punish the guilty or whether we are also going to give careful and prayerful thought to what the underlying causes of these riots are, and what a compassionate society should do to root out those causes and create remedies which will reestablish national unity and peace in our cities.

The two columns to which I refer have recently been written by the well-known columnist, Clayton Fritchey, and published in *Newsday* on August 2 and August 7, respectively.

I ask unanimous consent that copies of these articles be printed at this point in the *RECORD*.

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

(By Clayton Fritchey)

WASHINGTON.—As the President's new riot inquiry commission met for the first time this week, its chairman, Gov. Otto Kerner of Illinois was saying, "We are being asked to probe into the soul of America." This may not be so difficult as it sounds.

To find an immensely revealing clue to the present racial outlook in the U.S., the Kerner commission need look no further than an apparently unnoticed Gallup Poll on July 22 which, in the last paragraph, contained an obscure statistic that is staggering. It flatly contradicts the accepted belief that in white America there has been an ever-growing appreciation of the desperate condition of millions of Negroes, and an increasing sympathy for their plight.

In a national survey made while Newark was in eruption, Gallup found that only one white American in a hundred thought Negroes are being treated "badly." The survey showed that 75 per cent thought "Negroes are treated the same as whites." And 78 per cent do not think there is any danger of rioting in their cities in the next six months, although the riot record shows 5 in 1962, 40 in 1966, and 30 already this year.

How far from reality can the country get? If 99 per cent believe that Negroes are getting a fair shake in the U.S. and almost that percentage believe the riots are not a clear and present danger, we can begin to understand why Congress has been reluctant to come to grips with the problem in an adult way.

It is significant that the poll showed the white public blaming the violence on "outside agitators" and "Negroes demanding too much." This is also the prevailing mood in Congress. That's why there is talk of curing the outbreaks with bigger doses of the FBI, and, in the words of Rep. Hale Boggs, the House whip, that's why "we're in bad trouble with the anti-poverty program."

What can the President's commission do about the "soul of America"? It is at best a hastily assembled panel; and its mandate is pretty much the same as the other commissions which have conducted similar post-mortems into Watts and other riot areas. Naming a board of inquiry is probably better than standing there and not doing anything, but it would be unfair to the panel to expect any miracles from it.

The truth is we already know a great deal about the riots, and what can be done about them. At the height of the Detroit outbreak, Sen. Ribicoff (D. Conn.) presented the Senate with a pile of studies on the cause and cure of riots made in a six-city survey. Ribicoff's Senate subcommittee has been investigating urban situations for a year. It has heard 100 witnesses and compiled 4,000 pages of testimony. It found what all the other serious inquiries found—a huge need for jobs, housing, education, etc., but jobs above all.

This is just the answer that Congress does not want to hear, however, for an effective anti-poverty program means money—big money—not the kind of money we are spending to level Vietnam, but far more than we are budgeting now. The cost of eliminating America's slums and giving everybody a guaranteed minimum annual income would probably run to about half the present cost of Vietnam. To put it another way, can a nation that is spending about \$300,000 to kill each Vietcong afford to give \$500 a year, say, to poor parents for family allowances?

When Congress recovers from its momentary anger and frustration, it will have to come to terms with reality in dealing with the riots, and that means either more repressions or more reforms. We need only look at South Africa to see the logical end of repression. We need only look at the miracle of the Marshall Plan to see how America, as well as Europe, could be saved by an all-out effort of reconstruction.

It may be that riots will continue for a time no matter what is done, just as Detroit was struck despite its relatively enlightened racial program, but that is no answer for not getting on with, and persisting in, the job that obviously has to be done.

There are hoodlums and delinquents that no social action can reach, but when the Negro community as a whole no longer applauds or tolerates them, they will again become manageable. Nor these ghetto guerrillas have the security of operating in friendly or at least non-hostile territory.

When and if white America convinces black America that it truly is on its side, the guerrillas' days will be numbered, or

at least their present capacity to overwhelm a city will be overcome.

(By Clayton Fritchey)

WASHINGTON.—After a week of post-mortems in the Senate and House on the race riots, the only significant new fact to emerge is the broken connection between Congress and contemporary America. The small-town, aging legislators who dominate Congress are simply out of touch with the U.S. as it is today.

Most of the committee chairmen, who are powers unto themselves, are veteran politicians who were born and raised in an America that was essentially rural, and who have never become reconciled to a country that is now overwhelmingly urban.

The metropolitan centers presently contain more than 70 per cent of the population, and they generate 90 per cent of the nation's wealth. America has changed radically in a few decades, but a still malapportioned rural Congress hasn't. There is no parliamentary situation quite like it in the world.

Fifteen of the twenty chairmen of the standing committees in the House come from small towns or rural areas. In the Senate none of the sixteen committee chairmen come from large cities. Moreover, a majority of the chairmen in both Senate and House are from one region—the South, which has only one-fifth of the population.

To those watching the hearings on Capitol Hill last week, the men in control seemed to think they were dealing with something that had happened on Mars. They appeared to have no comprehension of the urban agony, and consequently little sympathy or patience for it. Big cities, to them, are Sodoms if not Gomorrah, full of crime and vice, radicals and foreigners—and extravagant welfare rolls.

It may be that some of the newer and younger congressmen from the metropolitan areas will ultimately make themselves felt, but so far it has been like this:

Sen. James Eastland, Doddsville, Miss. (pop. under 2,500)—"All these riots follow the same pattern. They follow the tactics used by the Communist Party all over the world." Eastland is chairman of the Judiciary Committee.

Sen. Strom Thurmond, Aiken, S.C. (pop. 11,243)—"Human rights can be protected only by safeguarding property. The criminal instinct lies suppressed in the heart of every man."

Sen. Robert C. Byrd, Sophia, W. Va. (pop. less than 2,500)—"Riots should be 'put down with brutal force' and looters 'shot on the spot.'"

Rep. Edwin Willis, St. Martinsville, La. (pop. 6,468), chairman of the House Un-American Activities Committee—investigation "clearly indicated that certain subversive elements have been involved in some of the riots and in the creation of unrest generally." The probe was made by Rep. William Tuck, South Boston, Va. (pop. 5,974).

Rep. William M. Colmer, Pascagoula, Miss. (pop. 17,155)—the "riots are organized conspiracies backed by the Communists." Colmer is chairman of the powerful House Rules Committee.

Whites as well as Negroes, the affluent as well as the poor, have a stake in federal aid to the cities, but the small town solons, in their preoccupation with metropolitan crime, subversion, and racial violence, have little time for poverty programs, model cities programs, anti-rat bills, slum clearance, mass transportation, and pollution.

In a nation of 200,000,000, there are only 5,610,000 farmers, but there has always been a large and costly Department of Agriculture doling out billions of Congressional subsidies. But it was not until two years ago that Congress created the Department of Housing and

Urban Development to give the cities a place in the Cabinet. The Transportation Department is also new. Even Health, Education, and Welfare didn't emerge until the 1950s.

As Mayor Lindsay has pointed out, "The crisis of our cities can be attributed to a large degree to the extraordinarily late assumption by the Federal government of its changing responsibilities to a metropolitan, non-agrarian nation."

Some of our modern Presidents have not gone to the mat as hard as they might have to help the cities, but the real fault lies with a Congress that has not reflected a swiftly changing country, nor responded to its changing needs. The only hope is that re-apportionment will soon begin to make itself felt more effectively.

SOUTHERN SCHOOL DESEGREGATION

Mr. CLARK. Mr. President, I have just had an opportunity to review the report, "Southern School Desegregation, 1966-67," released recently by the U.S. Commission on Civil Rights. It is a report which all Americans who are concerned about true equality of opportunity in this country should read. The report makes two points that are both timely and important.

First, the Commission has shown that the Office of Education, far from being overzealous and too stringent in enforcing its guidelines during the past year, has temporized in enforcement, has been satisfied with tokenism and, in some cases, simply has failed to implement the guidelines. The report clearly shows that what is needed is not the imposition of additional restraints on the Department of Health, Education, and Welfare's title VI enforcement activities, but rather the infusion of new life and vigor into these activities.

Another sober and sobering point made by the Commission is that Negro parents who seek to send their children to formerly all-white schools continue to be subjected to physical harassment and economic coercion. The decision of Negro parents to send their children to the schools which supposedly have been open to them by right since 1954 is still one which must be made in the full knowledge that jobs may be lost, credit denied, and lives seriously threatened. And the Negro children who go to these formerly all-white schools still are subjected to both verbal and physical abuse for their temerity in exercising a constitutional right.

Let there be no mistake—although we have come far in our efforts to achieve justice for the Negroes of America, North and South, we have a long road yet to travel. We must permit no wavering from that road. This report should help us all to remember how much there is still to do.

As one who has labored long and hard in the vineyard of civil rights, I cannot resist making one final observation. This report, it seems to me, is highly pertinent to what has been happening in Newark and Detroit. Every year in our northern cities we are reaping the harvest of a century of southern neglect. Because of southern educational systems that provided separate and unequal educational opportunities for Negroes for

100 years, the hearts of our cities are filled with unfortunate individuals who often lack the basic education to get a driver's license, let alone fill a highly technical job. It does not take an expert in logic to see how lack of education leads to joblessness; how joblessness leads to desperation; and how desperation leads to riots. I suggest to those who are looking for someone to blame for the recent riots, take a good look at the southern school systems—as they have been since before the Civil War, and as they still are to a great extent today.

The report, which I ask unanimous consent to have printed in the RECORD at this point, should help us all to remember how much there is still to do.

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

WASHINGTON, D.C.—The pace of Southern school desegregation continues to be slow, the U.S. Commission on Civil Rights reported today as it called for steps to strengthen enforcement of school desegregation guidelines.

"This cannot be a time for retrenchment or wavering of purpose," the six members of the Commission said. "We do not believe that further delay in securing rights so fundamental as the right to equal educational opportunity will serve the real interests of any citizen or of the Nation."

In releasing the report, William L. Taylor, Staff Director of the Commission, said: "Although it does not receive as much publicity as in previous years, violence against Negroes continues to be a deterrent to school desegregation."

FIELD INVESTIGATION COVERED 63 SCHOOL DISTRICTS

Taylor noted that in six of the 63 school districts in the 14 Southern and border States visited by the Commission staff, "we found that shots had been fired into the dwellings of Negro school children" who had exercised their option to attend previously all-white schools. "The districts we visited were not selected because of any complaints of violence," Taylor added.

In the report, *Southern School Desegregation, 1966-1967*, the Commission noted that "the vast majority (more than 75 percent) of Negro children in the South still are being denied the rights declared to be theirs by the Supreme Court's decision in the school segregation cases and the Civil Rights Act of 1964." More than 2½ million Negro pupils still attend all-Negro schools in the 14 Southern and border States, a number greater than the 2.2 million Negro pupils who attended such schools in these States at the time of the 1954 *Brown* decision, the Commission reported. "In the 11 Southern States, 83.1 percent of the Negro pupils attend all-Negro schools. In each of the Deep South States the percentage is higher than 90 percent."

There was either no desegregation or token desegregation of full-time teachers in the Southern States during the 1966-67 school year, the Commission reported.

According to the Commission's report, freedom of choice plans have tended to perpetuate rather than eliminate the dual school system. "There has been virtually no desegregation of all-Negro schools under freedom of choice plans," the report said. "During the past school year, as in previous years, white students rarely chose to attend Negro schools."

VIOLENCE AND INTIMIDATION

Several factors deter Negro parents and pupils from exercising their rights under freedom of choice plans, the Commission reported. Negro families fear hostility and

retaliation from the white community. The Commission's report documents instances of violence and intimidation. In some areas of the South, Negro families with children attending previously all-white schools were targets of violence and economic reprisal by white persons and Negro children were subjected to harassment by white classmates despite the efforts of many teachers and principals to prevent such misconduct.

Poverty deters some Negro parents from sending their children to formerly all-white schools, the Commission found, because they are embarrassed to permit their children to attend such schools without suitable clothing and they cannot afford the special fees which are charged for courses available only in white schools. In some instances, federally financed improvements in the facilities and equipment at Negro schools have contributed to the reluctance of some Negroes to select white schools.

TITLE VI ENFORCEMENT

The Commission reported that the Equal Educational Opportunities Program (EEO) of the Office of Education "made a significant advance in the administration of Title VI for the 1966-67 school year by greatly expanding its field investigation effort."

However, the Commission noted, "many school districts fell far short of the Office of Education guidelines" during the past school year and the Office "did not enforce the guidelines as written." The report pointed out that guideline enforcement was initiated against "only a small fraction" of school districts in Alabama, Georgia, Louisiana, Mississippi, and South Carolina—States where the "great majority of school districts . . . failed to meet the standards of the guidelines governing student transfers from segregated schools." This failure to enforce "many specific prohibitions" of the guidelines was in part due to the fact that the staff of the Equal Educational Opportunities Program was not large enough to conduct the necessary field investigations or to prepare and conduct timely proceedings against the districts.

SCHOOL DESEGREGATION PROGRESS

Noting that school desegregation progress in the Southern States "has been accompanied in many communities by a spirit of acceptance and understanding" that would have seemed impossible a few years ago, the Commission paid tribute to the courage and perseverance of Negro parents and children, and to individual school superintendents, public officials and community leaders "who have recognized their responsibility to obey the law even in the face of opposition."

"Communities which were considered bastions of defiance now have begun to desegregate their schools without any of the predictions of violence or the destruction of public education having come true," the Commission concluded. "However, when progress under Title VI is measured against the constitutional rights of Negro school children, it is clear that the task of securing compliance has only begun. This June, the vast majority of Negro children in the South who entered the first grade in 1955, the year after the *Brown* decision, were graduated from high school without ever having attended a single class with a single white student."

The Commission said the Nation should focus its attention on the real issue—whether further delays are permissible in affording Negro children their long deferred rights to equal educational opportunity. "We do not suggest that progress is possible without dislocation and difficult adjustments. But these costs must be weighed against the costs of continuing disrespect for law, against the damage already sustained in the loss forever to a generation of Negro children of their right to a desegregated education and the prospect that the same loss

may now be inflicted upon many thousands of children of a new generation."

The Commission rebutted charges that the school desegregation guidelines are illegal, that they have been administered unfairly and that they impose obligations on Southern States that are not imposed on Northern States. The Federal courts, the Commission said, have upheld the guidelines not only as within the enforcement powers of the Office of Education, but as minimum standards. "If there has been unfairness in the administration of the guidelines, it has stemmed in part from the fact that, hampered by inadequate manpower, the Office of Education has been able to enforce its standards only in some school districts, leaving others temporarily free to ignore the law," the Commission reported. "The victims of such unequal administration thus have been the Negro students in districts which have not received sufficient attention from HEW, not the school authorities who have been compelled to observe the guidelines."

RECOMMENDATIONS

The Commission noted that school officials are obligated to cease official policies of discrimination and to reorganize school systems to undo the effects of past discrimination. The Commission recommended that the Department of Health, Education, and Welfare require all school districts which have not achieved substantial desegregation throughout their systems to show a significant increase in the percentage of Negro students attending desegregated schools and in the pace under which all-Negro schools are being disestablished for the 1968-69 school year and each year thereafter. Most school systems currently desegregating are doing so under voluntary freedom of choice plans, the Commission observed. These plans have not resulted in desegregation of Negro schools and therefore perpetuate one half of the school system virtually intact, said the report. "School desegregation in all voluntary plan districts should be measured by the results achieved," the Commission said. "The appropriate measure should be the percentage of Negro children in school with substantial numbers of white children, rather than the percentage of Negro children transferring from segregated schools."

The Commission recommended no changes in the guidelines for the school year beginning in September 1967, but suggested that HEW require school districts operating under freedom of choice plans to fulfill the percentage expectations concerning student desegregation.

The Commission recommended further that by the 1968-69 school year, HEW should require that schools no longer be racially identifiable on the basis of the racial composition of the faculty or staff. "The Federal courts have ruled that faculty and staff desegregation are necessary to dismantle a dual school system," said the Commission. Faculty and staff desegregation is vital in eliminating the racial identification of schools, which regards actual integration of students under freedom of choice plans."

The Secretary of the Treasury, the Commission recommended, should ask the U.S. Attorney General to determine if segregated private schools should face loss of their Federal income tax exemptions if they refuse to accept students of all races. Private schools, organized to escape desegregation and attended exclusively by white pupils, have drained most or all of the white students and many faculty members from some public schools, the Commission report stated. The Internal Revenue Service has exempted the income of approximately 17 of these schools from taxation. Private and corporate contributions to the schools are, within limits, deductible from the contributors' adjusted gross income. An additional 40 new segregated white private schools have applied to IRS for grants of tax exemption and tax de-

ductibility, the Commission reported. "If the Attorney General determines that present legal authority is inadequate either to withhold tax benefits or to permit the institution of litigation, he should recommend appropriate legislation to the President," the Commission said.

The Commission also recommended that: HEW begin enforcement proceedings against school districts which refused or failed to comply with the requirements of the guidelines after efforts to achieve voluntary compliance failed; HEW insure that school districts meet provisions of the guidelines which require the closing of segregated schools with inferior facilities or educational programs, desegregation of extra-curricular activities, and desegregation and reorganization of transportation systems; Congress appropriate sufficient funds to enable HEW to hire enough people to adequately enforce the Title VI regulations; and the Congress enact legislation authorizing any Negro child and his parents to bring a civil action for injunctive relief and damages against persons who harass or intimidate him in any manner because of his race and his enrollment or attendance at any public school.

The U.S. Commission on Civil Rights is an independent, bipartisan agency created by Congress in 1957. Among other duties it is charged with the responsibility of reviewing Federal laws and policies with respect to denials of equal protection of the laws under the Constitution. John A. Hannah, President of Michigan State University, is Chairman and Eugene Patterson, Editor of the *Atlanta Constitution*, is Vice Chairman of the Commission. Other members of the Commission are: Frankie M. Freeman, Associate General Counsel of the St. Louis Housing and Land Clearance Authorities; Erwin N. Griswold, Dean of the Harvard University School of Law; the Reverend Theodore M. Hesburgh, C.S.C., President of Notre Dame University; and Robert S. Rankin, Professor of Political Science, Duke University.

VIETNAM AND PARTISAN POLITICS

Mr. SPARKMAN. Mr. President, I am disturbed and saddened by recent statements which seek to make Vietnam a political issue in the months ahead.

This tactic is to be deeply regretted. There can be no political justification for this attempt to wreck our carefully constructed bipartisan foreign policy—a policy that involves the great issues of war and peace, and the lives of 500,000 American fighting men.

I have no doubt that the Hanoi regime wants to see Vietnam become a political football in 1968. In fact, the Communists are hoping and expecting that partisan wrangling will lead to widespread disunity and—ultimately—to the U.S. withdrawal from South Vietnam.

The Communists remember well how political bickering and partisan attacks against the Government caused the French to pull out of Vietnam. And Hanoi must hope that this same sort of lightning will strike again—in America, next time—weakening our will to go on.

Americans have the will to resist this aggression in Vietnam. Let us also have the will to resist political partisanship at the expense of our commitment to others in the world who seek our help to preserve their freedom.

The war in Vietnam is difficult to understand. And emotional charges and countercharges tend to obscure our policies still further.

All responsible Americans, from the President on down, share the same ob-

jective in Vietnam: To end this war quickly through negotiations.

Two factors, above all others, are determining the nature of this struggle: First, the unwillingness of the Hanoi regime to negotiate. Second, the two-part policy of the United States which calls for responding to the aggressive thrusts of the invaders from the north, while also using every conceivable diplomatic means to put pressure on the Communists to negotiate.

I happen to believe in the correctness of the decision of three Presidents to come to the aid of the people of South Vietnam. And I also support our ongoing policies there.

The record shows that the administration has left no stone unturned, no rumor ignored, no advice unheeded, no plan left unexplored, in the effort to get Hanoi to the conference table.

To date, there have been 28 separate proposals for peace—accepted by the United States and rejected by Hanoi.

We have ceased—on five separate occasions and for a total of 52 days—the bombing of industrial and military targets in the north in an effort to show our good intentions and sincerity.

Hanoi's response was to use these cease-fire periods to resupply their forces in the south.

We are the peaceseekers. They are the stubborn aggressors. This is the record. What lies ahead?

I do not believe that the United States will give up its defense of South Vietnam or its quest for a just peace.

The President has often said that he cannot negotiate with himself. And I doubt whether any reasonable American wants or expects us to withdraw from this struggle. The onus for peace now rests squarely with Ho Chi Minh. And we can only wonder when he will come to his senses and help restore peace to his troubled land.

These are not matters partisan wrangling can help to clarify. Nor, may I add, are they solved by political sloganeering.

Vietnam must remain a bipartisan policy of a united America.

RENT SUPPLEMENT PROGRAM AIDS THE ELDERLY

Mr. MUSKIE. Mr. President, I rise in support of the rent supplement program, not only as it pertains to the general problem of housing for low-income families, but as it applies to housing for the elderly.

The Subcommittee on Housing for the Elderly of the Senate Special Committee on Aging, recently concluded hearings on the rent supplement program as it affects our low-income elderly citizens. The hearings clearly illustrate the great need for a rent supplement program.

The 1960 census, taken over 7 years ago, indicates that out of 6.5 million households headed by persons 65 and over, 3 million live in substandard and deteriorating housing. Many of these people live in four-story walk-up, rat-infested quarters without baths or kitchens. Denied dignity, they live in the very midst of abject poverty.

Rent supplements, as applied to the elderly, would enable those low-income,

older citizens to live in decent housing, adapted to their special needs. They would gain social and economic security, and much of the emotional burden of meeting the problems of day-to-day living would be relieved.

The rent supplement program as proposed by President Johnson is modest. He has requested \$40 million in additional funds which would provide 45,000 housing units. A substantial number of older people would benefit from this program.

The recent action of the House in eliminating entirely the rent supplement program represents a failure to serve adequately the needs of the low-income family and the elderly poor.

I have said before, and I repeat, that housing is one of the most personal and immediate needs of any family. This need is even more evident when applied to 3 million elderly who have little to enjoy other than their home surroundings.

The elderly poor have had two great and unique problems—medical care and housing. In 1965, the Congress recognized the first, and enacted the medicare bill. The time is now upon us when we should recognize the second major problem—housing.

By enlisting the resources of private enterprise and by combining with the existing public housing program, the rent supplement program would mark a significant step toward providing decent housing for our low-income older citizens.

I urge again that full appropriations be restored to the rent supplement program.

THE 175TH ANNIVERSARY OF THE INSURANCE CO. OF NORTH AMERICA

Mr. SCOTT. Mr. President, the Insurance Co. of North America, one of the Nation's oldest and largest, is celebrating its 175th anniversary this year.

This company and America have grown to greatness together. It was organized in 1792 in the Assembly Room in Independence Hall in Philadelphia, the very room where the Declaration of Independence was signed.

The Insurance Co. of North America is justly proud of its historic background, and its accomplishments. I am sure every Member of the Senate joins me in wishing INA many more years of outstanding service.

SQUEEZING THE TAXPAYERS

Mr. HARTKE. Mr. President, on August 4 I spoke in the Senate at some length concerning my view of the President's surtax proposal. At that time, I stated my objections, and sharply questioned the probability that the projected \$6.3 billion increase in revenue will be the result. I noted that the "braking" effect on the economy will produce, according to some economists, a drop of some \$23 billion in the gross national product, and that with such a drop there is in prospect not a \$6.3 billion return but a much smaller—quite likely only \$2 to \$2.5 billion—net increase as a result. The overall effect will be damaging to the longrun growth of our economy.

The Indianapolis Star has editorially taken a similar position. In a lead editorial, "Squeezing the Taxpayer," it notes that the tax is "calculated" to produce \$6.3 billion of added revenue. It goes on:

But would it? This is by no means certain. Such a surtax would depress business activity and reduce the income tax base. The net result might be considerably less revenue increase than estimated. This is borne out by experience. A tax cut, paradoxically, may sometimes produce more revenue boost than a tax increase.

Mr. President, I ask unanimous consent that this editorial may appear in the CONGRESSIONAL RECORD.

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

SQUEEZING THE TAXPAYERS

The Johnson administration's proposed 6 per cent surtax has now grown to 10 per cent. The anticipated deficit of the administration budget has grown from \$8 billion to \$14-\$18 billion, maybe even \$29 billion.

One of the things which has happened, President Johnson said in transmitting the new request to Congress, is that the estimate of revenues for the fiscal year already begun has shrunk by \$7 billion since last January. The proposed tax increase is calculated to produce \$6.3 billion of added revenue during the year.

But would it? This is by no means certain. Such a surtax would depress business activity and reduce the income tax base. The net result might be considerably less revenue increase than estimated. This is borne out by experience. A tax cut, paradoxically, may sometimes produce more revenue boost than a tax increase.

Another thing, said the President's message, is that the estimates of spending have been raised by \$8.5 billion. A revision of the defense spending estimate accounts for \$4 billion of that. The rest is nondefense spending.

Are these increases inescapable? We doubt it. To some degree the spending estimates have increased because the January estimates were too low. But there also has occurred some substantial increase in both current and planned spending.

The number of Federal employes has continued to increase, for instance. Yet the President included salaries among the expenses he said cannot be cut. He said in his message that only \$12 billion of the \$60 billion of nondefense spending in his budget can be controlled. The rest was described as interest, payments dictated by law, contracts already made and government salaries.

Of course salaries must be paid to those on the payroll. But are all the employes really necessary? And must the number constantly rise?

Of course interest payments are dictated by the size of the debt. But must the debt always rise?

Of course payments dictated by law must be made. But the laws can be changed. Of course the government is obligated to make payments according to contract, but contracts can be revised.

It is an evasion of responsibility to refer to any part of the budget as beyond control. It may be beyond the will to control. But if the will is there it can be controlled.

It should be.

MUSKIE addressed the 12th annual Virginia State AFL-CIO Convention at the Golden Triangle Hotel, in Norfolk, Va.

Senator MUSKIE's subject "The Urban Crisis—America's No. 1 Domestic Challenge," was timely. The speech was perceptive and thoughtful, and reflected the range of understanding concerning the problems of our urban areas that Senator MUSKIE has demonstrated in his years of distinguished service in the Senate.

I ask unanimous consent that Senator MUSKIE's remarks be printed in the RECORD.

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

THE URBAN CRISIS—AMERICA'S NO. 1 DOMESTIC CHALLENGE

Some years ago a British visitor to the United States visited Los Angeles and observed: "I've seen the future and it doesn't work." Anyone reading the headlines in our daily newspapers, this year, would probably echo the feelings of our British commentator and apply them to all our major cities.

News of riots and civil disorders have eclipsed some urban problems and distorted our view of others. We need to remember that the eruptions in our major cities have their roots in a variety of difficulties.

These problems are many, and serious. They include inadequate housing—especially for middle and lower income groups—education, poverty, discrimination, inadequate job opportunities, social disorganization, threats to public safety, pollution of our air and water, transportation and parking, beautification and public facilities. No one can deny their existence or their threat to the future of our cities.

As a result, we are confronted by a paradox. Our technology is capable of producing for us the wide range of opportunities for and the choices of living patterns that are the principal virtues of metropolitan life; but our attitudes, our social structures and the political machinery which responds to these attitudes and structures are changing with agonizing slowness.

As the events of the past few weeks have demonstrated, time is running out. The performance of our society has not kept pace with the promises of the Declaration of Independence and the Constitution. There is a breakdown in confidence in political institutions and respect for the law, civil strife is inevitable.

This leads to the chief domestic question confronting us in terms of our governmental system: Are we organized effectively to improve the quality of life for all Americans in a complex, rapidly changing and crowded society?

When our Constitution was drawn up, only 5 percent of our population was urban. We were a sparsely populated country of less than 4 million. The separations which existed between communities and classes simplified the problems of assigning responsibilities for public functions.

But, by 1900 the urban population of the United States had jumped to 40 percent of the population, or a total of 76 million people. Today, over 70 percent of our population lives in urban areas, and we have a total population of over 190 million.

At this rate, by the year 2000 we will have a total population of over 300 million. Eighty-five to ninety percent of these people will be crowded into our urban and metropolitan areas, which will comprise less than 15 percent of the country's total land area.

We have a foretaste of what this will mean in the megalopolis which stretches from Norfolk, Va., to Portsmouth, N.H., and the similar urban sprawl reaching from east of Detroit to Chicago and Milwaukee.

This development is natural. It has brought us many advantages—and disadvantages. We have learned, as Alexis de Tocqueville prophesied that "Great wealth and extreme poverty, capital cities of large size, lax morality, selfishness, and antagonisms of interests are the dangers which almost invariably arise from the magnitude of states."

Our society does not fit necessarily—if at all—into the three layers of the Federal system which were contemplated by the Founders. We need to find ways to adapt that system to the changes which have taken place in our society.

What are the specifics of our urban crisis?

First, it involves increasing numbers of people in urban areas—as I have already noted. That increase stems from the total population expansion and the movement of people from rural areas to the metropolitan centers.

Second, it relates to the impact of technological development and crowding, resulting in air and water pollution, noise, esthetic pollution, housing shortages, inadequate transportation, health, education, and other public services.

Third, it is marked by social disorganization caused by the cultural shock of the city on former rural residents; the psychological impact of crowding and environmental contamination on individuals; poverty in the midst of affluence—an affluence which gives the poor a chance to see how the other half lives through newspapers, magazines, and television; discrimination and blocked opportunities for Negroes and other minorities; and competition for jobs and housing between Negroes and whites in middle- and lower-income neighborhoods.

Finally, the urban crisis is underscored by the obverse problem of depopulated and disintegrating rural communities.

As a result of this crisis, human needs are unmet and human aspirations are stifled by deteriorating prospects for a better future. History and our own experience have taught us a bitter lesson: That when this happens in any society, under any system of government, discontent, unrest, and instability are inevitably followed by disorder and violence.

We have the resources in this country to make it possible for every member of our society to develop his potential, even in the crowded and problem-ridden metropolitan centers. But we have not been moving our resources from where they are to where they are needed.

The advances in our technology and management technique have added greatly to our capacity to change and to improve our society. The new techniques of acquiring, storing, processing, and using information offer ways out of one of the oldest dilemmas for man and his society—the gap between knowledge and the need for action. Now, sometimes in a matter of seconds, we can obtain large quantities of information to guide us through the thickets of complicated social or physical resource problems.

But, as our capacity to apply knowledge and to modify our society and environment accelerates, our margin for error decreases, and—as Atomic Energy Commission Chairman Glenn T. Seaborg has said—our "knowledge, and hence power, is so much greater—as are our needs for it—that every miscalculation in the type or scope of actions brings wider disruption in our society. Our civilization is now such a complex and organically interdependent system that almost every change reverberates through it, causing displacement and further change, sometimes where we least expect it."

This fact, and the insights we have gained into the consequences of inaction, have lent an urgency to our efforts to make more effective and responsive our development of public policy and to improve the operation of government to meet the present and future needs of people.

"THE URBAN CRISIS—AMERICA'S NO. 1 DOMESTIC CHALLENGE"—ADDRESS BY SENATOR MUSKIE

Mr. SPONG. Mr. President, on Wednesday, August 8, 1967, the distinguished junior Senator from Maine [Mr.

Put simply, we need to combine Federal, State, and local resources and planning to solve community environment problems for all—not just a few—of the people.

We need to set national goals of education, economic and social betterment and justice carried to the people through cooperative State and local governments.

We need to encourage State and local governments to the greatest extent possible to meet their growing needs and to develop their communities—through their own financing, planning, and modernization of government.

Many of the problems we are concerned with are national in scope. They require national strategies, but solutions must be tailored to specific local needs.

A second point to keep in mind is that attacking the major ills of our society—poverty, crime, pollution and decay—requires the interaction of many agencies working together at different levels of government.

Third, we need to remember that many of our urban problems transcend established boundaries. Air and water pollution, for example, respect no state or municipal lines. Neither does mass transit—with commuters moving in and out of central cities and across different state borders. Many of our programs, therefore, require new groupings of old jurisdictions, working together for the first time.

The Federal grant-in-aid system is the primary tool the national government has used in executing its domestic programs. This is a useful means of combining broad national strategy with local knowledge and administration. In addition, it leaves initiative where it belongs, at the levels of government closest to the people.

Federal aid programs have grown enormously in recent years. In 1946, they totalled less than \$1 billion. Their dollar volume tripled by 1956, reaching \$3.2 billion, and quadrupled again in the next decade, rising to \$12.9 billion. In fiscal year 1968, they will run close to \$17 billion.

This expansion has been voted by the Congress in response to public demands, because of urgent needs for which there was no other answer. State and local governments have not had the capacity, and in some cases have not had the interest or the will, to tackle them without financial initiative and Federal aid.

Nowhere is this more apparent than in the problems of our cities.

The central city carries the burden of maintaining many services for the surrounding communities and the industrial and commercial interests of the metropolitan area, of taking care of the poor and rebuilding their housing. At the same time, the cities face a declining tax base and discrimination at the hands of state governments who favor the suburbs in their allocation of state and Federal assistance.

This circumstance should caution us against too great optimism on the results of reapportionment, particularly if the result is a new and discriminatory alliance between rural suburban interests, leaving the central cities to fend for themselves.

Nothing could be more damaging to the future of the States themselves. The needs of the central cities are the single most pressing problem in the domestic affairs of our country. They cannot be left to decline into bankruptcy and decay with their crowded millions of the poor and deprived who are caught up in a "revolution of rising expectations."

One of the most important efforts we have made to help the urban centers of our country was the "Demonstration Cities and Metropolitan Development Act of 1966." That legislation was aimed at giving cities the resources and the flexibility they need to develop new approaches to their problems. I have been encouraged by the response from

the cities. I hope the Congress will respond with adequate appropriations for model cities, for rent supplements, and for pollution control—all programs essential to the development of improved cities where life is more than a struggle for existence.

You who are members of the labor movement know that decent wages came after long and arduous struggles. Your organization has contributed to the health and welfare of our Nation by broadening purchasing power, by your support of social security and medicare, by working for increased aid to education, and by pushing for conservation of our natural resources.

Many of you have benefited from the results of collective bargaining and the Federal aid programs. You are enjoying the fruits of our industrial society, as you should. I urge you not to slacken your efforts to help make the American dream come true for those who have not even got their feet on the first rung of the economic opportunity ladder. I urge you to encourage your State and local governments to meet the needs of our cities and their people.

For as long as there is misery and despair, as long as there are men and women who have known only rejection, hate and vengeance will threaten to break loose, tearing down all we have tried to build for ourselves and our children.

A CONSTITUENT VIEWS THE ECONOMIC OPPORTUNITY ACT AND THE ELEMENTARY-SECONDARY EDUCATION ACT

Mr. MUSKIE. Mr. President, recently I received a letter from a former schoolteacher, Mrs. Jack Werboff, of Bar Harbor, Maine. I am deeply impressed with Mrs. Werboff's insight and views of the Economic Opportunity Act and the Elementary and Secondary Education Act.

In the legislation creating the Office of Economic Opportunity and the Elementary and Secondary Education Act, President Johnson and the Congress began the task of meeting urgent social and educational needs of the Nation. The Economic Opportunity Act is a new and ingenious approach, developing Federal, State, and local resources to involve the poor in raising themselves from the misery of rural and urban poverty. The Elementary and Secondary Education Act is an investment in America's future by providing enriched educational opportunities previously unavailable in many communities to aid undereducated children. With the encouragement and assistance of perceptive Americans such as Mrs. Werboff, I am confident the goals of these programs can be achieved.

I ask unanimous consent that Mrs. Werboff's letter to me be inserted in the CONGRESSIONAL RECORD.

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

BAR HARBOR, MAINE,
August 2, 1967.

HON. EDMUND S. MUSKIE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MUSKIE: I am writing to urge your support of the poverty legislation currently under Congressional consideration. I refer to the Economic Opportunity Amendments and the Elementary and Secondary Education Amendments.

I am prompted to write because I feel that recent riots in our cities increase the urgency of the need for the "war on poverty." I believe that now is the time for renewed com-

mitment of ideas, energy and funds so that equality of opportunity can become a reality rather than a frustrating dream for millions of our poor. It may well be that these national disturbances are the result of our failure as citizens to carry through our commitment in spirit and in money. I recognize that this may be a long and arduous domestic war, but we will realize our victory in terms of human lives redeemed.

As a former teacher, I am especially impressed with our local use of money for compensatory programs for underprivileged children; the Teacher Aide program for the classroom teacher, the library assistants, additional teaching materials and equipment. These adjuncts to education may still be in experimental use, but they are expanding the educational horizons of disadvantaged children.

We also have a Job Camp in our community (Acadia Job Corps Center) which has literally provided a new start in life for several hundred young boys. It hasn't been an easy rebirth for them, socially, educationally or emotionally, but they are leaving our center with new learning skills, new work skills and new confidence in their own worth as self sustaining individuals.

I sincerely hope that these programs, as well as others with which I am less familiar, will continue to function under the Office of Economic Opportunity which encourages locally developed programs and experimentation. Despite its imperfections the OEO is an essential focal point for the difficult job of coordinating and evaluating programs to meet the needs of the poor.

How better can we insure that the poverty programs, administered by whatever federal agency, will be directed to the needs of the poor than through the offices of an agency created especially for that purpose?

Continued and substantial funding would seem necessary so that the defects and inadequacies of the poverty program can be pursued and corrected. We are just now realizing some of the benefits in human spirit and human worth. To stop short now would plunge us back again into the vastly more expensive welfare and relief programs. Our local relief budget has been noticeably decreased since the onset of the poverty programs. To many of us taxpayers a dollar spent to redeem an individual as a contributing member of society is a dollar returned twofold.

Thank you for your kind attention.

Very truly yours,

Mrs. JACK WERBOFF.

PROFILE OF A SUBURBAN POLICE "CHIEF"

Mr. RIBICOFF. Mr. President, an outstanding police officer and citizen is Assistant Chief J. Howard McInnis, of the West Hartford police force. He has brought to his most important post a great record, a great experience, and a great understanding. His personality, ability, and achievements are well set forth in an article by Peter Kilduff in the Hartford Times of August 9, 1967.

I ask unanimous consent that the article be placed in the RECORD at this point.

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

PROFILE OF A SUBURBAN POLICE "CHIEF": MC-INNIS NOT JUST A PROFESSIONAL

(By Peter Kilduff)

"When the chief is out, the chief is in" is a statement that seems more appropriate to complex mathematical logic than to police work, but it is a precise case in point.

In West Hartford, for example, when Police Chief William P. Rush is out of town, Assistant Chief J. Howard McInnis is in command of the local law enforcement agency. Having two "chiefs" as community officer and executive officer, respectively, is a common aspect of police administration as it helps firm up the lines of command in the semi-military municipal establishment.

But Howard McInnis has come a long way from choir boy in the old St. Joseph's Cathedral in Hartford to the office of assistant chief of police in West Hartford and, he says, "I've loved every minute of it!"

Chief McInnis's family moved to West Hartford in 1930, "just about when the bottom seemed to have dropped out of the world, during the depression."

He tried his hand at several jobs and attended Morse Business College, but McInnis settled into the police department in 1933, when he was appointed a supernumerary patrolman. In that capacity he did school traffic three times a day "for the lump sum of \$3 a day," he recalls.

But even in depression times that was not enough, so the neophyte policeman also served as the town's first and only truant officer (until 1939) and worked as a night watchman "from 9 p.m. to 5 a.m., seven days a week. All three jobs all at once.

"I enjoyed the work, though," McInnis says, "and I enjoyed working with the people. I think that's the key to success in any public service job: You have to like people."

Howard McInnis remained a supernumerary policeman for six years. "It was a lot different in those days," he says. "There was a long list of men waiting for appointments as regular policemen. It was one of the most secure jobs around. Nowadays the pay and benefits are comparable to or better than police work in industry."

Aside from the recruitment problem currently affecting all police departments, Chief McInnis has seen other sweeping changes in his line of work. "In the old days we had only five cars to cover the town; today we have 22. In years past the beat patrolman was pretty much on his own; now he is in constant communication with headquarters by two-way transistor radio."

Chief McInnis has not been a casual observer of the changes in police work, however. He has had supervisory training at the Connecticut State Police Academy and attended the Traffic Institute of Northwestern University, as well as the Connecticut Youth Traffic Safety Conference, the Governor's Conference on Children and Youth, and the Juvenile Delinquency School in Hartford.

In his long and colorful career McInnis has come up through the ranks with promotions to: Sergeant in 1956, lieutenant in 1958, captain in charge of the Juvenile Division in 1960 and, finally, assistant chief in 1966. During the recent vacation of Chief Rush, Assistant Chief McInnis was the acting chief of the department.

Chief McInnis has received a number of commendations, including one of outstanding duty at a church fire in 1942 and one for saving two people from a burning house in 1957.

In a professional affiliation, Chief McInnis has served as president of the West Hartford Police Mutual Benefit Association, and the West Hartford Police Revolver Club. He is currently treasurer of the State Police Association of Connecticut.

McInnis is well known outside of his various professional connections. Many townspeople are familiar with his activities as a member of the West Hartford Lodge of Elks and Msgr. Callahan Council, Knights of Columbus, where he is a member of the Bishop McMahon Assembly (fourth degree) and past grand regent of Royal Arcanum.

On Oct. 1 of this year, Assistant Chief J. Howard McInnis will wrap up 34 years of police service. He has no immediate retire-

ment plans but says he and his wife Mary plan to take a vacation for awhile. After that he may tend to some long awaited projects at his home at 302 Tunxis Rd.

He will be honored by his police comrades at a testimonial dinner to be held Wednesday, Sept. 20, at the Rabbi Morris Silverman Auditorium in West Hartford.

There, one and all will pay tribute to a man who says he will always maintain "You have to like people."

THE NEW DRAFT POLICY

Mr. TYDINGS. Mr. President, the draft has always been of great concern to American citizens, but in light of the Vietnamese war, it assumes even greater importance. The recent controversy and confusion over the new draft law signed by the President has raised many questions about what changes have been made in draft regulations.

An article published in the July 10, 1967, U.S. News & World Report gives a concise explanation of some of the most important changes in the new law. For example, more than 170,000 young men will be subject to the draft next year, men who would have been deferred under the former regulations. College students will find it easier to get deferments for full-time undergraduate work in an accredited college; but starting in the summer of 1968, no new deferments will be given to graduate students except in medicine, dentistry, and a few technical courses listed as essential to the United States.

Mr. President, because a thorough understanding of this law is of crucial importance and interest to most Americans, 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:

TWENTY QUESTIONS ABOUT DRAFT ANSWERED—HOW NEW LAW WILL WORK

(NOTE.—Draft rules are undergoing the biggest shake-up in years, under a new law just signed by the President. On these pages is a guide to the more important changes and their meaning to students, parents, others.)

Confusion over the military draft, never minor, now is increased as officials move to close some loopholes.

Under new regulations, flowing out of a law extending the draft four more years, an estimated 170,000 youths who would have been deferred in the past will be subject to call next year.

To obtain some guidance for young men and their parents, "U.S. News & World Report" posed 20 key questions to Selective Service and other officials in Washington.

The questions and official answers follow.

1. Briefly, what does the new law do?
Answer. It extends to July 1, 1971, the same basic draft system that Congress adopted in 1940 on the eve of World War II. Local boards remain in full control. Every American youth must register at age 18 and becomes draftable at age 19. An individual's chance of actually being drafted depends upon three things: size of draft calls, supply of nondeferred men in his local-board area and the youth's own status as a deferred or nondeferred person.

2. Are draft calls headed up, or down?
Answer. Up. About 15,000 men a month have been drafted in the first six months of 1967. In the next six months, calls are due to average about twice as high, around 28,000 a month, just to keep Army strength at

planned levels. Calls can go much higher fast if voluntary enlistments drop for any reason; or if there is a bigger build-up in Vietnam—which the armed forces urgently want; or if a new war flares, as in the Mideast, and involves U.S.

3. Who is first in line to be drafted, under the new law?

Answer. Youths who fail to register, or keep their draft boards informed as to their whereabouts, or otherwise become delinquent. Next in line are those who volunteer for induction, which is in effect a two-year enlistment in the Army. Third in line, and the big group that provides most draftees, are single men and those married after Aug. 26, 1965, who are between 19th and 26th birthdays and not deferred for some reason. A numerous group within that category are former college students who have lost deferment because they completed college or dropped out. Usually healthy and intelligent, they head many draft boards' lists.

4. At what age is a draft call most likely?

Answer. Around age 20, at least for the next 12 to 18 months, except for former college students, who usually are around 22 when their deferments end and the draft boards get them. Before the Vietnam-war build-up began in mid-1965, the average draftee was between the ages of 22 and 23. Since mid-1965, higher manpower demands have pulled average draft age down to between 20 and 21, with some local boards taking youths in the latter part of their 19th year.

5. What about the plan to take 19-year-olds first?

Answer. This is being postponed for at least the next 12 months. The Secretary of Defense gets authority to call 19-year-olds first, but probably will wait until January, 1969. At that time the age priority may be juggled so as to focus draft calls among the 19-year-old group. Any shift to 19-year-olds as the "prime group" will lessen draft pressures on men who pass through age 19 without being drafted, even though students would be dropped back to the prime group regardless of actual age, when their deferments end. During the next year or so of transition policies, the oldest-first principle will apply. This means that draft chances stay high for able-bodied men in the 20-to-26 age group who leave college as graduates or dropouts.

6. Will it be easier to get college deferments now?

Answer. Easier for undergraduates, much harder for graduate students. The new law guarantees deferment, on request, to any youth who is a full-time undergraduate student in any accredited college, as long as he is making satisfactory progress toward a degree. So a student no longer has to be in any certain class rank, or have a certain score on a test, to stay deferred. But the new law specifies this deferment ends as soon as the student gets a degree, or at age 24, at the latest, although even a 24-year-old can finish a school year.

7. Will part-time college study provide deferment?

Answer. Usually, no. A youth trying to hold a job and attend college at night, for example, will have a hard time qualifying. However, the local board is the judge in each case. Some are rigid. Some bend rules to favor a student. Generally, a student has to take at least 12 semester hours to keep his deferment.

8. Where do graduate students stand?

Answer. Those already accepted for a graduate school by Oct. 1, 1967, will be deferred for one year and then become vulnerable to the draft. Those with one year toward a master's degree will be deferred for one more year to get their degrees. Those with one year toward a Ph.D. will be deferred up to four more years to get that degree. Starting next summer, there will be no new defer-

ments for graduate students except those in medicine, dentistry, allied health fields, and a few other technical courses listed as essential to the U.S.

9. Do you have to attend summer school to stay deferred?

Answer. No. The standard college course leading to a bachelor-of-arts degree, for example, including a three-month vacation each summer, qualifies a youth for deferment.

10. What if a student drops out for a year, then re-enters?

Answer. Draft boards generally feel a student is entitled to no more than four years' deferment, from the date of his high-school graduation. A student who goes to college for two years, drops out for a year, then returns to college can find himself drafted at the end of his junior year.

11. Is anyone exempt from service, under the new law?

Answer. Technically, no able-bodied man under age 35 is exempt unless he is the sole surviving son of a family in which the father, or a son or daughter, has died as a result of duty in the armed forces. Actually, barring an all-out war that nobody foresees, the following groups are so far down in the "draft pool" that they are virtually exempt: men who have passed their 26th birthday, men who become fathers before July 1, 1967, and are supporting their families; men who were married on or before Aug. 26, 1965, and are supporting their wives; men who convince their draft boards induction would cause extreme hardship on a dependent such as an aged parent. Also exempt, in practical terms, as long as they maintain present activities, are ministers, divinity students and key workers in essential industries. There were about 4 million in all these virtually exempt groups in June.

12. What about men becoming fathers after July 1, 1967?

Answer. Those who have received no deferment, as students, for example, will automatically get a father's deferment, which means virtual exemption, like fathers before them. Those once deferred as students will gain a father's deferment only if they convince the draft board that their induction would cause extreme hardship on their wife or child. The intent is to narrow the loophole created by the "daisy chain" of the past: deferment as a student, followed by marriage and fatherhood.

13. Is there any change in deferments for apprentices?

Answer. Opportunities for this kind of deferment are going to be widened. Apprentice and job-training deferments now are limited to approved programs training men for a few critical occupations, such as tool and die maker. Liberalizing to include more technical training is planned.

14. Can Peace Corps or VISTA service bring deferment?

Answer. Perhaps. Practices vary with different draft boards. Some defer youths who get overseas before their numbers come up, then draft them when they get back. Others have called youths back from overseas. Still others have put the files of Peace Corpsmen at the bottom of the pile because they had plenty of other youths available. The Peace Corps law says that service "shall not in any way exempt" a youth from "any obligations or duties" under the draft.

15. Has the outlook changed for men in 4-F and 1-Y?

Answer. No. The 3 million 4-F's, disqualified for mental, physical or moral reasons, will not be called in any foreseeable circumstances. The 3 million 1-Y's, disqualified for lesser physical defects or low mental-test scores, will remain subject to re-examination if needed in an emergency. No significant changes are expected in standards for these classifications.

16. If drafted, how long must a youth serve?

Answer. For 24 months on active duty. Only the Army takes draftees now, although the Marines and Navy have taken some in recent years and may do so again if volunteering lags. Each man is guaranteed by law a minimum of four months' basic training before going overseas, and there is a move in Congress to extend that to six months. After 24 months on active duty a veteran is in the reserves for 48 months. On June 27, the Defense Department announced that veterans will not have to serve in the active, drilling reserves, as some have been required to do in the past.

17. Can you still enlist in the National Guard or other reserves and escape the draft?

Answer. Yes, if you can find a vacancy. You buy "escape from the draft" by signing up for six years in the National Guard or reserves. That includes six months of active-duty training followed by five and one half years of weekly drills, summer camps, and the chance of being called out for riot duty, floods and other emergencies. Some reserve programs, as in the Navy, require two years of active duty. Under the new law you can enlist in the Guard or reserves as late as the day you are ordered for draft induction. Formerly, you had to enlist before any induction order.

18. Are rules for conscientious objectors changed?

Answer. Yes. A conscientious objector will be required to show that his case rests upon a religious belief.

19. Does the draft of doctors go on?

Answer. Yes, with liability extended to age 35 for physicians, dentists, health specialists. Also, military credit cannot be claimed for service in civilian units except Public Health Service and Bureau of Prisons.

20. What about the draft-by-lottery proposal?

Answer. A system still is being studied. Any proposal will be linked with a shift to 19-year-olds as the prime age group, and must be approved by Congress.

URANIUM BOOM

Mr. HANSEN. Mr. President, the number of nuclear powerplants ordered to be constructed in 1966 was 22—more than seven times the number required in 1965. Nineteen nuclear powerplants have already been ordered during the first 6 months of this year.

These powerplants require tremendous amounts of uranium, and our country is presently in the midst of a uranium ore boom. According to Ken Coates, Petrotomics official, approximately one-third of the known uranium source in the United States today is located in the Shirley Basin area of Wyoming which lies in the midsouthern portion of our State.

The United States can certainly expect to have a continuing interest in its uranium industry because of the increasing demand for nuclear powerplant construction throughout the country and the demand for electric power.

I ask unanimous consent that an article published recently in the Rawlins, Wyo., Daily Times concerning the Shirley Basin uranium area be printed in the RECORD.

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

COATES TELLS OF SHIRLEY BASIN URANIUM AREA

The Shirley Basin Uranium ore area, located in Carbon County, contains about a third of the known resources in the United

States today, according to Ken Coates, Petrotomics official, who led off a program to the combined Rawlins Rotary, Lions and Kiwanis clubs Tuesday noon.

Coates said that his firm is ready to expand with the present Uranium ore boom, and plans to double its operating plant during the next 12 months. The expansion will involve about \$25 million dollars new capital in the area, Coates added.

In explaining the projected size of the coming operation Coates said that his firm plans to extract \$500 million from the ground during the next 20 years. He added that 200 employes are currently on the Petrotomics payroll at Shirley Basin and that this number will triple, to 600 employes by 1972.

Coates added that he expects the other firms active in the field to experience similar expansion during the coming years.

Electrical power is the customer that will provide the expected expansion of the industry, the service club members were told, as Coates listed figures of proposed nuclear power plant construction that showed three plants ordered in 1965, 22 in 1966 and 19 already during the first six months of 1967.

The additional plants, being built throughout the country will give an almost unlimited market for uranium products from Carbon County.

The Uranium industry has not always had such a bright future here, according to Coates. Shirley Basin was discovered in 1957, only two years before the U.S. Uranium industry hit its peak in 1959. Petrotomics got in too late to receive a market quota from the Atomic Energy Commission, and from 1959 until 1965 had a very limited market for its product.

This changed in 1965, though, because the Atomic Energy Commission at that time allowed private ownership of U308, the concentrate of Uranium ore.

Mack Tilley, Utah Mining and Construction official, also from Shirley Basin, followed Coates on the program at Adams Restaurant, telling the men of the experiences of his company in the fields north of Medicine Bow.

The Utah firm, which is one of the largest producers of U308 in the nation, started in Shirley Basin in 1958, using shaft mines. This method of mining has proved too expensive and the company switched to a method of leaching the ore in place and shipping the leached product to the Gas Hills area for final processing.

When the price of U308 dropped from about eight dollars a pound to four dollars in 1965, the company largely stopped production in the Shirley Basin area. However, Tilley told the men that his company expects the price to recover and some expansion to take place in the mines here.

The mine executives added a plea for support in improving the 12 miles of road from state 487 to the mines. Explaining the coming growth of the area, and the half million dollars to be paid in county taxes, the men said that the mines need an all-weather road into the area, and that the county should provide this. They added that the area is presently producing heavy traffic on a road largely built by the mines, with some help from the county. Included in the traffic cited by the men were school buses, ore trucks, acid trucks, and about 2 million pounds of merchandise consumed by the community each year.

Eph Johnson was in charge of the program which was largely arranged by county assessor Reino Hakala. Hakala introduced the speakers.

ATTENTION: RIOTERS, LOOTERS, BURNERS

Mr. LAUSCHE. Mr. President, I have received a copy of a letter addressed to

the editor of the *Fostoria, Ohio, Review Times* newspaper, written by A2c. Douglas A. Purkey, U.S. Air Force, stationed in Vietnam, in which he deplors the destructive activities of lawless gangs in our cities.

I ask unanimous consent that this serviceman's letter be printed in the *RECORD* as a part of my remarks, but before that is done, I shall quote briefly from it:

Here we are, fighting in Vietnam for freedom and the American (?) way of life, or Democracy and the belief that every country should have the right to decide how it wants to be governed, and our people in the States fight among themselves, and riot, loot, burn, and kill. We might as well pull out of Southeast Asia and let the Communists have it, because those people who riot are tearing down everything I've learned to believe in.

He further states:

I, along with other G.I.'s, realize that living conditions are deplorable in some, rather most, of our cities. We realize this. But can't they realize that fighting, rioting, looting, burning, and killing isn't any way to solve a problem? If they think they have problems, they should see how some of the people here in Thailand and all of Southeast Asia live.

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

DEAR SIR: I was reading in the *Pacific Stars and Stripes* about the strife and turmoil in the States. I was shocked.

Here we are, fighting in Vietnam for freedom and the American (?) way of life, or Democracy and the belief that every country should have the right to decide how it wants to be governed, and our people in the States fight among themselves, and riot, loot, burn, and kill. We might as well pull out of Southeast Asia and let the Communists have it, because those people who riot are tearing down everything I've learned to believe in.

It makes me, as well as all the servicemen here, sick to our stomachs. It is depressing to our morale, and tends to make us ashamed, which we should never, never be, of our countrymen. Actually it angers us more than anything else.

If those people want to fight so bad, why don't they join the armed forces and volunteer for Vietnam duty. There is enough fighting there for everyone.

Why do they (the rioters) fight? I, along with other G.I.'s, realize that living conditions are deplorable in some, rather most, of our cities. We realize this. But can't they realize that fighting, rioting, looting, burning, and killing isn't any way to solve a problem? If they think they have problems, they should see how some of the people here in Thailand and all of Southeast Asia live.

There are people here who haven't enough clothing to cover themselves. They live in "homes" that are nothing but shacks, with more holes in them than Swiss cheese. Some of the people are lucky to eat one meal a day. So, if those people in the States think they have it bad, they should come to Southeast Asia or anywhere where there is lack of housing and sometimes no housing at all, not enough clothing or food. I think they'd see that they are better off than they think.

Sir, do they (the rioters) realize what they are doing to the image of our country? They're making a laughing stock out of the United States. I myself have been scorned for being an American. A Thai came up to me and said, "How can you Americans ever hope to win the war in Vietnam, when you can't even keep peace in your own country?" Sir, how do I or any of us answer that? I can't.

There's a war over here to fight, and its

a war that we have to win, if the United States is to remain on top. If Southeast Asia falls, who knows what will be next. Europe, the United States itself? I shudder to think. So why can't the rioters simmer down and remember what the United States is? It's their country, and they don't have time to fight among themselves. I'd hate to think that when I come home from Thailand, I'll have to help fight another war in my own beloved country.

I don't know if this letter makes any sense, and I didn't send it to just to get publicity. I sent it because I wanted someone else beside my family to know how I feel—rather how we servicemen feel about the shameful waste of life and property because of riots in our cities. It depresses us very much, and it hampers our efforts in Vietnam a little too, where we really can't afford to have such things affecting our fighting men.

Whether this letter is printed or not makes no difference. If I used you for a crying towel, sir, I apologize. I only wanted to get a lot off my chest.

So I'll close this letter with this question that was put so bluntly to me: "How can we Americans ever hope to win the war in Vietnam, when we can't even keep peace in our own country?"

Sincerely yours,

A2c. DOUGLAS A. PURKEY,
U.S. Air Force.

BOY SCOUT WORLD JAMBOREE

Mr. JORDAN of Idaho. Mr. President, I have on several occasions spoken to the Senate regarding the 12th Boy Scout World Jamboree stating the great pride which Idahoans feel at being chosen to host this event, and emphasizing its immense potential for the advancement of brotherhood among men.

Now the jamboree is over, but I have confidence that its impact on those who attended will be a lasting one. The theme was "For Friendship," and I am encouraged to read the words of Andrew Nash, a British scout, who, I believe, reflected the feelings of most jamboree participants when he said:

For friendship is not just for show. It means something.

Or the words of Mr. Sangolo, from Zambia:

If the friendship shown here in Scouting at the Jamboree is taken home with the boys, it will be a push toward peace throughout the world.

These quotations are taken from an excellent article by Lucia Johnson, published in today's *Christian Science Monitor*. I invite the attention of Senators to the article, and ask unanimous consent that it be printed in the *RECORD*.

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

"FRIENDSHIP" ECHOES FROM SCOUT JAMBOREE
(By Lucia Johnson)

FARRAGUT STATE PARK, IDAHO.—The African chief entered the tent and sat down at the table. Through the door flaps, you could see hulking Idaho mountains and Massachusetts Boy Scouts tussling and laughing in their dusty camp area.

It was the 12th Boy Scout World Jamboree, in Farragut State Park, Idaho—the first world jamboree held in the United States.

"We almost boycotted the jamboree when we found out the Union of South Africa was coming," said the chief, D. Griffith from Lesotho, formerly Basutoland.

ZAMBIANS CHEAT

Across the table, the Boy Scout leader from Nairobi, Kenya, nodded in agreement.

"But the South African Scouts are going out of their way to be nice to us here," the chief continued. He smiled. "The jamboree is a very good thing."

Some nations did boycott the jamboree, however. Israel came, but the Arab nations, except for Iran, canceled out.

On the far side of the subcamp—one of the 10 subcamps at the jamboree—two Zambia Scout leaders stopped to talk. Behind them, a sign over the gateway to the camp area of Troop 11 from Chicago read, "Welcome."

"The jamboree's theme is 'For Friendship,'" said Kenan Ng'ambi, Chief Scout Commissioner for Zambia. "But we hope the friendship doesn't end when the jamboree does."

The jamboree ran Aug. 1-9. Foreign Scouts now are staying with families throughout the United States on their trips back home.

"If the jamboree were just a great gathering of boys, it would not be justified," said Joseph A. Brunton Jr., administrative director of the jamboree and Chief Scout Executive of the Boy Scouts of America. "But overtones of breaking down the barriers of misunderstanding and building up brotherhood do justify the jamboree and give it impact."

PENPAL PROD

An incentive for the 12,000 scouts from 105 countries is the Jamboree Adventure Award. One requirement is to exchange addresses with Scouts from six other nations.

"I'm not that good of a pen pal," said 15-year-old Bill White from Lima, Peru. Bill's father is American, his mother Peruvian. In his dark-haired troop of "Scouts Peruanos," towheaded, freckle-faced Bill is easy to spot.

"But my troop sees the way the American Scouts act, and they will remember Americans by the way these boys act," Bill explained. "They didn't have a very good impression of Americans before they came," he added. "But that's different now."

"I didn't know I was going to feel like this," said Javier Patron, a fellow scout from Lima. "We are all friends even though we don't know each other. It is a very pretty thing."

When you ask the boys who some of their new friends are, most can't remember names. But they remember that they made lots of friends easily, sometimes without speaking the same language.

"We invited an Argentine troop to our campfire one night," said Tom Sullivan, a long-legged Scout from Detroit. "We could only speak a few words together, but we became very close. They danced and sang for us. We did American cheers for them."

"We'll remember how easily we made friends," said Tim Talbott from Snohomish, Washington. His comment was echoed—in different accents—throughout the jamboree.

The Scouts like to talk about their new friends. And they like to talk almost as much about what projects they're doing in their own hometowns.

"Going about wearing a uniform makes no difference to the local people. We have to make Scouting practical," said Andrew Songolo, a Scout district group commissioner from Zambia.

EARTHQUAKE AID

Daniel Mwangi from Nairobi, Kenya, like many other Scouts at the jamboree, has carried his Scouting into the heart of his community.

"To become a Lion Scout [the highest rank in Kenya Scouting], I had to perform a community service for six months. So at night, I taught a course in adult literacy," Daniel explained.

Peruvian Boy Scouts helped rebuild houses and erect tents in Huaral and Huacho, Peru, hit by an earthquake last October.

In the United States, practical Scouting includes making Scouting relevant to slum children.

"The Boy Scouts of America have always been interested in making their programs available for all boys," said Mr. Brunton in his headquarters tent at the jamboree.

He described the "non-Scout camping project" to get children out of the slums into camps. The boys don't have to become Boy Scouts to participate in these programs.

"The camps aren't like the city streets, and sometimes the boys are frightened at what they find. But they become acclimatized to Scouting and to the rules. It becomes acceptable because it's what they see their peers doing."

WASHINGTON PROGRAM

The National Capital Area (Washington, D.C.) Boy Scout Council has such a program, for instance. This summer it has invited some 1,600 inner-city boys to participate in its Chesapeake Bay camp.

Making Scouting practical, making friendships last beyond the jamboree. These appear to some—like the Scout leaders from Zambia—to be the challenges of the jamboree.

At the jamboree, there were swimming and hiking and trading Scout badges (everybody's favorite way for making friends). There were shared meals, educational displays on conservation, and demonstrations of Scouting skills.

And there were Scouts like Andrew Nash from the British channel island of Jersey saying, "For Friendship' is not just for show. It means something."

Mr. Songolo from Zambia put it this way:

"If the friendship shown here in Scouting at the jamboree is taken home with the boys, it will be a push toward peace throughout the world."

A PRESIDENT'S PLEA FOR SANITY—AN END TO RIOTS, A NEW BEGINNING TO PROGRAMS

Mr. TYDINGS. Mr. President, the Baltimore News American of July 31 called President Johnson's address to the Nation on the urban riots, "A plea for sanity."

It was indeed that, but it was more.

It was a plea not to sound "the ugly drumbeats of hatred."

It was a plea for a restoration of racial harmony, where it has been damaged.

It was a plea to place ourselves in the midst of these riots, and then to plan new programs, fund existing programs, expand old programs to see that the riots never ever happen again.

I urge all of us to join that plea for a return to sanity.

I ask unanimous consent that the Baltimore News American editorial which praises the President's speech and his position be printed in the RECORD.

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

A PLEA FOR SANITY

President Johnson's address to the nation on the epidemic of racial rioting was a forceful reaffirmation of basic principles. On the one hand he declared violence and lawlessness cannot and will not be tolerated. On the other he sounded the theme made famous by Lincoln: a nation cannot survive divided—its members must work together in mutual respect if problems are to be solved.

The overwhelming majority of Americans—whites and Negroes alike—certainly will agree with the President there is no excuse whatever for mass outbreaks of looting, fire bomb-

ing, and sniping. They are intolerable crimes performed by criminals and encouraged by criminal anarchists posing as civil rights champions. Significantly, all major responsible leaders of the legitimate civil rights movement jointly condemned the violence in words virtually the same as used by Mr. Johnson.

In his call for restoration of racial peace and a renewed unity of constructive efforts, the President named an 11-man commission to explore the causes of the disorders and recommend means of averting them in the future. Congress has begun similar probes. For best results, we recommend all the analysts be locked up for their sessions in a condemned, blistering hot, rat-infested Harlem tenement for the rest of the summer, compelled to eat and sleep there on pallets in one room together when not deciding what's wrong. On especially hot nights they might be permitted to sit on the front stoop near the garbage cans.

The President's address, in essence, was an urgent plea for a return to sanity. As such, the speech inevitably had to single out for special denunciation the comparative few who are guilty of the worst insanity. They are those who have been sounding the "ugly drumbeat of hatred." We could not agree more with the President in his assessment that the hatred of all whites being preached by certain Negro militants could eventually be the most damaging and tragic aspect of the whole racial crisis.

It will take all the available good will and common sense of both races to overcome the poisonous damage already done by these vicious men.

SMALLEST COTTON CROP SINCE 1921

Mr. BAKER. Mr. President, on Tuesday of this week the Department of Agriculture released its first estimate of the 1967 cotton crop. The projected yield is even lower than had been expected. The estimated 1967 crop is 8,332,000 bales, as compared with 9,575,000 bales last year and a 1961-65 average of 14,935,000 bales.

This critically small crop will have economic repercussions in many parts of the country, including my own. Only one of the 19 States which produce an appreciable amount of cotton will see a larger crop this year. Diversion programs and unusually heavy rainfall are cited as the predominant reasons for such a low yield.

Mr. President, many people are going to feel the impact of this situation. The farmers themselves—many of them small and entirely dependent on this single crop—will obviously be hard hit. It may well prove necessary to provide some sort of emergency relief for the grower.

First, processors, or ginners, will also feel the direct pressure of this, the smallest crop since 1921. On July 17, I introduced a bill (S. 2127) which would provide assistance to ginners in the form of long-term, low-interest loans. While it would be desirable if the situation could be met by ordinary means—in this case, the Small Business Administration—it seems unlikely that this will be the case.

I ask unanimous consent that an article dealing with the crop estimate, published in the Wall Street Journal of August 9, be printed in the RECORD.

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

U.S. COTTON CROP EXPECTED TO BE SMALLEST SINCE 1921—WEATHER, LAND DIVERSION CITED

WASHINGTON.—The U.S. this year is expected to produce the smallest cotton crop since 1921.

The Agriculture Department, in its first estimate of this year's probable production, placed the crop at only 8,332,000 bales. The estimate is based on the condition of the crop as of Aug. 1.

The department said poor weather and increased land diversion by farmers brought the reduction from last year's output of 9,575,000 bales and 1961-65 average production of 14,935,000 bales.

U.S. cotton supplies reached their peak on Aug. 1, 1966, when the 1966-67 crop year began with a carryover of nearly 17 million bales. A new Federal cotton program, featuring reduced price-supporting loan payments to cotton farmers and increased land-diversion incentives, which took effect last year, cut 1966 production sharply and helped trim the estimated Aug. 1, 1967, carryover to a little under 12.5 million bales. Some department cotton experts expect the carryover to tumble another 3 million to 4 million bales by the end of the current crop year.

Because of adverse weather, farmers abandoned an estimated 12.1% of the 9,724,000 acres planted this year, up from a 7.7% abandonment last year and a 1961-65 average abandonment of only 4.7%. The 8,545,000 acres remaining for harvest this year are the fewest since 1871.

"In most Eastern and Central states, continued cool, wet weather since late April interfered with planting and limited germination and stands," the department stated. It said that "considerable acreage has been devoted to soybeans" and that with the exception of South Texas the cotton crop generally is running about three weeks late.

Based on the forecast of 8,332,000 bales of 500-pound gross weight, 1967 ginnings are expected to total 8,312,000 running bales, and cottonseed production is estimated at 3,422,000 tons.

The Census Bureau said 256,540 bales of this year's production were ginned prior to Aug. 1, up from only 9,916 bales for the 1966 crop and 180,053 bales for 1965.

ELECTRIC POWER RELIABILITY ACT: NEW HOPE FOR AMERICA'S CONSUMERS

Mr. TYDINGS. President Johnson, in his message on consumer affairs, recently pointed up the necessity of protecting the American consumer against massive power failures. The events of last month indicate that such protection is desperately needed.

On June 12, the Senator from Maine [Mr. MUSKIE] introduced, and I cosponsored, the Electric Power Reliability Act of 1967. This act stresses the need for strong coordination and planning among electric power systems in the United States. And by so doing, it expresses the conviction of most electric power experts that such planning and coordination is the best safeguard against power failures.

Where a strong and well-planned interconnection exists, electric systems can assist each other in case of a failure or emergency. Many electric companies have recognized this fact. In some cases, however, progress has not been rapid enough. This proposed legislation will insure that the planning and operation of electric power systems achieve the highest level of efficiency and skill.

The need for this legislation is self-evident. The emergency in New Jersey

and Pennsylvania on June 5 proves this point. Yet, it is only the latest in a series of failures. Since the November 1965 failure in the Northeast there have been a 6-hour failure in the Port Arthur-Beaumont, Tex., area less than a month ago; an equipment failure in southern California in which only quick action prevented a prolonged and total collapse of the electrical system; a curtailment of power use in St. Louis in order to prevent a blackout. There were no adequate interconnecting transmission lines from other nearby areas to provide emergency service; nearly a dozen other cascading failures in other sections of the country, including one affecting my own State of Maryland.

Study of these failures demonstrates that the Electric Power Reliability Act will provide a sound basis for improving the reliability of our Nation's electrical systems. Experience has shown that well constructed and carefully planned interconnections can achieve maximum reliability without excessive cost.

This act would establish regional planning organizations to insure that adequate backup and emergency facilities are available to power sources on a cooperative basis. It would make the Federal Power Commission responsible for insuring that whatever extra-high-voltage lines are built will be adequate to provide the best possible public service.

The electric utility industry has made substantial progress toward achieving adequate interconnection and coordination. But more remains to be done.

All segments of the industry—the investor-owned utility companies, the municipal systems, the rural electric cooperatives, and Federal and State power agencies—must join together in cooperation to plan and build safe and reliable power systems for the American people.

That is the intent of the new act. We should act promptly on this measure to provide the American people the safeguards they need for our national power supply.

COL. DANIEL JAMES, ACE NEGRO FIGHTER PILOT, DENOUNCES BLACK POWER

Mr. ALLOTT. Mr. President, the "long hot summer" we hear so much about these days has generated not only smoke and fire in our cities, but it has produced much heat in the form of the debate which has followed the riots. I have listened with interest to all shades of opinion and divergent views on these urban rebellions. Through it all has emerged one strong, though virtually unknown voice, who has spoken with more clarity on the black power movement and its leadership than anything I have yet heard, including various contributions from this body.

I refer to Col. Daniel "Chappie" James, Jr., of Tucson, Ariz., who is now serving his country in Vietnam as an ace fighter pilot. Colonel James is a Negro, but what he had to say about the riots and the challenge facing America was in my view, spoken for every responsible citizen, wealthy or poor, Negro or white.

He said:

If something is wrong with my country right now, then I'm willing to hold her hand for a while until she pulls out of it and gets right.

James recited simply and without fanfare the point about this question which many of us have been trying so desperately to make. He said:

We're fighting to get laws passed to protect civil rights. You've got to obey laws. You can't have a double standard.

Strip away the verbiage from the comments by those of us who still believe in law and order, and you have just what Colonel James said.

He denounced without equivocation the black power movement and those who are running it. His comments were set forth in a dispatch by Los Angeles Times reporter William Touhy, which was printed in the Washington Post of August 10, 1967.

I am aware that this news story has already been printed in the Appendix of the RECORD of August 10. However, to add emphasis to what has already been said, I ask unanimous consent that this article be printed again in the RECORD, at the conclusion of my remarks.

Before I yield the floor, however, I should like to make this point. It is truly tragic that the type of leadership which Colonel James obviously personifies is so lacking along the battle lines of our cities. While the tremendous record he has established in Vietnam is of great importance to the United States, his clear and decisive thinking is just what is needed at this time on the home front.

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

[From the Washington Post, Aug. 10, 1967]
NEGRO FIGHTER PILOT HITS CARMICHAEL, BLACK POWER

(By William Tuohy)

DANANG, SOUTH VIETNAM, Aug. 9.—"Stokely Carmichael is a big-mouth who is making a profession out of being a Negro, and he's got no damn business speaking for me," said the tall, impressive-looking Negro pilot. "This Black Power garbage is for the birds."

Col. Daniel James Jr., 47, carries his 230 pounds on a 6-foot, 4-inch frame covered by a distinctive black flying suit with silver colonel's eagles on the shoulders. There are command pilot's wings on his breast just above the name: "Chappie James."

Chappie James, the biggest fighter pilot in the Air Force, has become something of a legend in the air war in Vietnam. He flies an F-4 Phantom fighter and is vice wing commander of the 8th Tactical Fighter Wing based in Thailand. The commander is James' closest friend, Col. Robin Olds, the Air Force's top ace.

In Danang on a short visit, Col. James said in an interview, "These riots are the worst thing that could happen to the Negroes' cause. This could set the civil rights movement back 100 years. A lot of the fence-sitters are jumping off on the wrong side now."

Col. James emphasized that he did not speak for the white establishment.

"We're fighting to get laws passed to protect civil rights," James pointed out. "You've got to obey laws. You can't have a double standard."

James is especially critical of Stokely Carmichael, the former head of the Student Nonviolent Coordinating Committee.

"I resent Stokely's setting himself up as a spokesman for Negroes," he said. "This S.O.B.

is leading too many kids astray. And when he advises Negro servicemen to come back and fight at home—that's sheer stupidity."

In case anyone should question his own credentials in the civil rights movement, James added, "Hell, I was in the original sit-in back in 1943."

He and nearly 100 other Negro Army Air Corps cadets refused to accept segregation at Selfridge Air Force Base in Michigan. They were all arrested and threatened with court-martial, but they held their ground and the charges later were dropped.

"What I really don't buy is that back-to-Africa stuff," James concluded. "I'm not an African immigrant. I'm an American with several generations behind me in my country."

"If something is wrong with my country right now then I'm willing to hold her hand for a while until she pulls out of it and gets right."

Born in Pensacola, Fla., and a graduate of Tuskegee Institute, James now lives in Tucson, Ariz. He has two sons, one in Air Force ROTC at the University of Arizona, and a daughter who was formerly an airline stewardess.

PENNSYLVANIA GOVERNOR ACCELERATES MODEL CITY PLAN

Mr. SCOTT. Mr. President, yesterday Gov. Raymond P. Shafer announced that planning funds will be made available immediately by Pennsylvania to accelerate the model cities programs within the Commonwealth. This is another tangible step in keeping with his administration's pledge of "action now for our troubled urban centers."

The Governor said:

Any community which has filed an application for a Federal Model Cities Planning Grant and contains a sizable area vulnerable to disorder would be eligible for such assistance.

This means that cities such as Philadelphia, Pittsburgh, Reading, Erie, Harrisburg, and Chester would be eligible to request funds immediately.

He directed Secretary of Community Affairs Joseph W. Barr, Jr., to eliminate all "redtape" in making the department's funds available at once for this program.

The Governor made this decision to move ahead on his own, after an earlier discussion with Dr. Robert C. Weaver, Secretary of the U.S. Department of Housing and Urban Development, who indicated that Federal funds would not be immediately available. It was previously indicated that such funds would be released by July 1.

The Governor stated:

This program, which so sparked the imaginations and aspirations of the people most affected by the problems of the ghettos, cannot and must not be delayed further.

The Model Cities Act states—

Improving the equality of urban life is the most critical domestic problem facing the United States. The persistence of widespread urban slums and blight, the concentration of persons of low income in older urban areas, the unmet needs for additional housing and community facilities and services arising from rapid expansion of our urban population have resulted in a marked deterioration in the quality of the environment and the lives of large numbers of our people while the Nation as a whole prospers.

NEW YORK IS HERE TO STAY—ADDRESS BY THOMAS J. DEEGAN, JR.

Mr. KENNEDY of New York. Mr. President, an address entitled "New York Is Here To Stay" was delivered by Thomas J. Deegan, Jr., at the Statler Hilton Hotel in New York City, on April 13, 1967. Mr. Deegan is chairman of Thomas J. Deegan Co., Inc., and vice chairman of Interpublic, Inc. His remarks were made before the Greater New York Safety Council, an organization which has well served the citizens of my State.

Mr. Deegan's address highlights some of the prospects for prosperity and some of the problems which face New York City. I think his remarks are most worthy of the attention of the Senate. I ask unanimous consent that they be printed in the RECORD.

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

NEW YORK IS HERE TO STAY—AN ADDRESS BY THOMAS J. DEEGAN, JR., CHAIRMAN, THOMAS J. DEEGAN CO., INC., VICE CHAIRMAN, INTERPUBLIC, INC., BEFORE THE GREATER NEW YORK SAFETY COUNCIL

About two centuries ago, Adam Smith said this about the times he lived in: "When people in the same trade meet together, even for merriment and diversion, the conversation usually ends in a conspiracy against the public or in some contrivance to raise the prices."

If this Smithian statement were updated to our present era and applied to The Greater New York Safety Council, it would be dead wrong.

Adam Smith would have to mend his verbal bridges and say something like this: "When people in the same trade meet together, they had better seek ways to serve the public more faithfully and more cheaply—or else they will not be meeting together much longer."

In the field of safety, there is no group who surpasses yours in its concern for the American public—not only regarding the money it spends for safety equipment, but the conditions required to use it.

I salute your efforts, I pay homage to your achievements and I work with you in attaining your goals.

I want to speak to you about a subject which is close to me and I am sure is close to you—New York City. Although it runs on a different motor than the Safety Council, it is oiled by the same lubricant—people. Usually that is the last item on this city's list that we think of. But after you penetrate all the impenetrable buildings, or after you clear away the kudzu underbrush of traffic or dim the glare or silence the hum, you are left with human beings. Like the ingredients of an exotic dish by a French chef, it is people who give flavor to New York, it is people who season it, it is people who add the tang.

As one who was born in New York and has had a continued love-affair with her ever since, I grow deeper every day in my conviction that New York is here to stay. Outside of countless personal memories that are too deep for telling, I believe New York is here to stay for a simple reason—the kind of people who have brought it this far are still around to make it go further.

Who are these people and where are they? I will name a few.

Five blocks south of here are the 800 doctors of the world's most famous hospital—Bellevue.

Thirty-five blocks north of here is the Sloan Kettering Institute where over 200 professional scientists are finding that each dis-

covery is new and each newness is a discovery.

Thirty-three blocks from here is William Schuman, who presides over Lincoln Center, the Hope Diamond of the cultural world.

Ten blocks north is Arthur Ochs Sulzberger, president and publisher of the New York Times.

About a mile away is first base at Yankee Stadium, where Mickey Mantle is making a new career for himself.

About a mile east is Shea Stadium, where our local folk heroes—the Mets—are beginning another season. They will set records of ignominy, but they will make legends of glory.

Under us are 236 miles of instant travel—the New York subways.

Over us—if you need a quicker ride—is the Pan Am heliport.

Around us are 650 miles of waterfront. And with us anywhere on this island is the world's most sought-after mailing address: New York, New York.

Yet every day, I get invitations to become a player in the currently popular sport of down-grading New York. I am asked to become either a critic or a griper—and then pick my subject. I suppose that if a person is so inclined, he can always criticize City Hall, under any administration, for not doing enough. I can gripe about the Greenwich Village crowd for doing too much. Or I can complain about the police for doing nothing. The options are countless, but the undertow is always the same: New York is being pulled down by its own weight.

These grippers about New York have a Waste-land outlook. And as they travel about the city, they are usually accompanied by an entourage of dark paradoxes.

The people who sound as if they can't stand another minute in New York have been staying on for years.

The people who condemn the rebels in Greenwich Village are often the same ones who raise their own children with neither rule nor reason.

The people who complain there aren't enough police are the cleverest and sneakiest in getting away with petty traffic violations.

The gripes of these people don't stand up. They are throwing stones from the biggest glass houses in town.

But the solution is not always that simple. What about the non-throwers who live in brick houses? What about their complaints? What about the many sincere citizens who are able to articulate New York's faults without, nevertheless, throwing out our Gotham baby with the wash? New York's faults are commonly known and the anguish they cause is commonly endured.

No one can deny the city has a serious problem of air pollution.

No one denies the crime rate is critically high.

No one denies that traffic is often unbearable.

No one denies that some businesses and companies have left New York.

I am aware of these faults and I am saddened by them. But my awareness and my sadness is that of a father who loves the child. No matter how deep that love may go or how much sacrifice it may demand, the father is not blind to the faults of his child. Rather, as though it was a psychological boomerang that returns to his heart, he works to correct those faults—not that his love cannot tolerate them, but that he wishes his child to be free of them.

For that reason, and also because I am a chronic lover of longshots, I refuse to despair about New York. I refuse to look on it as anything less than the most exciting city on our planet. A thousand faults in New York does not equal one doubt that it is here to stay.

Steps are being taken by public officials and private industry to make the air clear, clean and breathable. New York's commerce and industry, huge as it is, occupies less than 6 per cent of the City's total land area. More than 17 per cent of New York's 319 square miles—35 thousand acres—is devoted to parks and outdoor recreation.

Crime is being fought in New York—by the best equipment and the most daring men the police force can find. Ranked according to population, New York's crime rate stands 10th among U.S. cities.

Traffic is being untied and unsnarled. The city's tow-away program has induced many second thoughts among those tempted to take a chance in a no parking zone.

A few businesses are leaving New York, but many more are moving in. Eleven new office buildings will be completed by year's end, with 96 per cent of the space already rented. The proposed World Trade Center will include two of the largest office buildings in the world. And the business man in New York City is at the heart of a market of eight million people who spend \$12 billion a year on consumer goods.

Despite the prospects for prosperity and security, New York problems still exist: air pollution, crime, traffic and big business. They threaten to give New York a severe case of civic hemophilia, where all social meaning bleeds away. The cure cannot be effected by doctors of the hard sell, nor by hidden persuaders with transfusions of the soft sell.

Rather, New York's problems must be solved by New Yorkers.

They must face the warning Brutus gave Cassius in Act IV of Shakespeare's *Julus Caesar*:

"There is a tide in the affairs of men,
Which, taken at the flood, leads on to
fortune;

Omitted, all the voyage of their life
Is bound in shallows and miseries:
On such a full sea are we now afloat;
And we must take the current when it
serves,
Or lose our ventures."

New York, assuredly, is floating on "a full sea." But we must ask ourselves if we are prepared to "take the current."

This is a movement that cannot come about by a change in laws, nor even by a changing of the political guard. It must happen, simply, by a change in attitude.

In the past few years, I have had several opportunities—some of them golden, some only gold-plated—to observe the New York attitude.

As chairman of The New York World's Fair, I was deeply involved in its planning. Long before opening day in April, 1964, I roamed the world seeking participants, arousing interest and selling the idea. I had favorable responses from the Vatican to the Kremlin, from Franco in Madrid to Macapagal in Manila. But the hardest place to sell The New York World's Fair was New York.

After going around the world and returning to my home town as both a prodigal and a native, I was overwhelmed by its indifference to a World's Fair. Often this indifference was disguised as pseudo-sophistication—probably because New York is the world headquarters for pseudo-sophisticates. Often this indifference was New York's blasé way of telling the world it was above it all. Or possibly New York was really honored by the idea—but was fearful that today's pat on the back would be tomorrow's pain in the neck.

Whatever reason for New York being the hardest place to sell New York, the World's Fair was held here. New Yorkers *did* participate and they *did* share in its success. In two seasons, 51 million people attended the Fair. Let me repeat that: 51 million people.

But again, I cannot be blind to the faults of the city I love. After all is said and *not* done, New York generally has a negative attitude. It is an attitude that often is self-important, self-deceiving and, worse, self-damaging.

Without assuming the role of a hatchet man, let me suggest a few ways both the city's image can be improved and its faults eliminated.

First, we need to improve our manners. New York has over 90,000 retail establishments—yet the rarest commodity on the market is a civil answer. We often act as if the town's money crop was rudeness. We are what the poet Wallace Stevens called "connoisseurs of chaos." Ask a citizen for directions and you may get either a stare, a shrug, a smirk or a shove. We have been able to get away with this barbarity for one reason: unlike other world cities like London, Rio or Tokyo, politeness is not a prime condition for New York's survival. The tourists will come anyway, we think—so why not walk all over them. But we can? If our rudeness continues, we may no longer be walking over anyone. The rug of world interest will be pulled out from under us.

Second, we need to clean up our city. The subways are clogged with rubbish and our streets are like casseroles of neglect. It is not because the Sanitation Department does not supply refuse cans, but that the citizens do not supply the energy to use them. Cleanliness is both a goal to be worked for and an achievement to be enjoyed. But it must be worked for *before* it can be enjoyed.

Third, New York needs a few pints of leadership injected into the veins of its citizens. Certainly we have leaders, but right now we have more leaners than leaders. Instead of wanting to be better, we often prefer to be better off. In a large city like New York, leadership does not mean that you get other people to do what is good—but that you induce yourself to do what is best.

Fourth, we need to retain the newspapers that we have. We have a press that, by and large, observes with detachment, reports with accuracy and interprets with fairness. New York has some of the most readable papers in the world—but readability is not everything. The press must also be the combustible that fires the citizen's energy to make a better, not a worse, city.

Fifth, New Yorkers need loyalty. A person is loyal to New York not when he goes abroad and brags about it—but when he goes abroad and tells about it. New York is a part of his conversation, not a part of his ego. The false patriot is the man who loves New York merely because he was born there. The true patriot loves New York because he wants the city to live up to its ideals.

In the beginning of my remarks, I said that New York is a mixture of people. To paraphrase Heraclitus, a city's character is the sum of its citizens. In the end, there is no way to juggle the figures, no way to balance the books so that only the good shows up. No one can fake it—both good and evil must be lived with. Ever since God made the first garden and Cain left it to make the first metropolis, that has been the problem of cities: men living with each other. Right now, New York is a current leaping to excitement between positive and negative poles. The energy of each citizen provides the voltage. For myself, I believe the positive will win out. We *can* live with each other.

I believe this city has enough persons of energy, honor and courage, enough persons with insight and foresight, persons who do not sweat the cost or count the change—I believe these persons are responsible for making New York the city of giants and the island of great deeds. These persons are not just New York's best hope, but New York's only hope. And because of them, New York is here to stay.

TEXAS AMERICAN LEGION EXECUTIVE COMMITTEE ENDORSES ON-THE-JOB, ON-THE-FARM, AND FLIGHT TRAINING FOR COLD WAR VETERANS

Mr. YARBOROUGH. Mr. President, it gives me pleasure to report that the newly elected executive committee of the Texas American Legion has unanimously approved and adopted a resolution recommending that the Congress of the United States include on-the-job, on-the-farm, and flight training to the veterans of the cold war. This resolution was presented by the fifth district, and adopted at a meeting on July 30, 1967, in Dallas, Tex.

I am also pleased that I can report to the Texas American Legion that the Senate was successful yesterday in conference with the House in having these three types of training kept in S. 16, even though the House did not pass legislation for this type of training.

To illustrate the interest in this training in the State of Texas and in the Nation, I ask unanimous consent that this 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:

ON-THE-JOB, ON-THE-FARM, AND FLIGHT TRAINING FOR COLD WAR AND VIETNAM VETERANS

Whereas many of our present-day veterans are unable to attend college or universities upon their return from service due to various reasons; and

Whereas over 2,100,000 Americans who served in our Armed Forces in previous wars have increased their skills in on-the-job, on-the-farm, and in flight training programs under the provisions of earlier GI bills; and

Whereas current statutes do not provide for this essential training for those who served during the cold war period and those who are now serving in Vietnam and elsewhere in our Armed Forces, and

Whereas these programs are sorely needed and will prove beneficial to our country in meeting the needs for trained personnel in our modern-day economic and industrial development: Now, therefore, be it

Resolved, That the American Legion, Department of Texas Executive Committee, meeting at the Baker Hotel in Dallas, Tex., on July 30, 1967, strongly recommends that the Congress of the United States enact legislation that will include on-the-job, on-the-farm, and flight training for Americans who have served in our Armed Forces during the cold war period, and those who have served and are now serving in the Vietnam war and elsewhere in the service of our country.

Unanimously approved and adopted by the Department of Texas American Legion Executive Committee on July 30, 1967, at the Baker Hotel, Dallas, Tex., with Department of Texas Commander William G. Nami, of Cuero, presiding. Resolution presented by the fifth district, Department of Texas.

UAW ENDORSES S. 276

Mr. WILLIAMS of New Jersey. Mr. President, the United Auto Workers, under the leadership of Walter A. Reuther, has long been in the forefront of progressive social legislation intended to help Americans of all income groups enjoy secure, productive, and meaningful lives during and after their years in the national work force.

I have been impressed with the activities of the retired UAW workers in causes that serve others. UAW volunteers, for example, recently gave invaluable assistance to the elderly in a program that provided counseling service on the provisions of medicare. Many important lessons can be learned, incidentally, from that project.

Walter Reuther, president of UAW, made several important points about service opportunities for the elderly on July 26, when he submitted a statement to the Subcommittee on Retirement and the Individual of the Senate Special Committee on the Aging. The Senator from Minnesota [Mr. MONDALE], chairman of the subcommittee, has been good enough to forward excerpts from that testimony because he feels—as I do—that Mr. Reuther's comments are especially pertinent and timely.

Early in his statement, Mr. Reuther said:

Retirement can be made more acceptable when there are meaningful activities available to retirees at levels comparable to their skills, education, and experience and when the pre-retirement programs help the retirees to seize these opportunities in retirement. It will be necessary for us to be considerably more imaginative and inventive than we have been until now in providing a range of useful activities for the retired person. Most retirees are ambulatory and are able and willing to become involved in community and organization activities. "Operation Medicare Alert" is one illustration of a meaningful new activity. Acting as foster parents, providing voluntary social service, serving as school aides, are but a few of the many imaginative programs that this nation should be encouraging to assist the retiree in continuing to lead a useful and productive life.

Mr. Reuther's comments are timely because the Special Subcommittee on Aging in the Committee on Labor and Public Welfare is now preparing for hearings on Senate bill 276, which would establish an older Americans community service program. The hearings, to be conducted on August 22 and 23, by Subcommittee Chairman EDWARD KENNEDY, will consider the need for providing Federal incentives to existing or new programs that will enlist the services of the elderly in worthwhile programs that will provide service to the young and old of this Nation. S. 276, when it was introduced on January 16, had 20 cosponsors in all, including the Senator from Massachusetts [Mr. KENNEDY] and the Senator from Minnesota [Mr. MONDALE]. I am proud to be the chief sponsor of the bill and its predecessor in the 89th Congress, S. 2877, which was passed by the Senate in the closing hours of the session.

Mr. President, Mr. Reuther specifically endorsed S. 276 in his testimony before the Mondale subcommittee. I ask unanimous consent to have excerpts from his statement printed in the RECORD because I believe Mr. Reuther has given very solid arguments in support of the bill and because I believe his words have considerable meaning for today's and tomorrow's generations of older Americans.

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

RECOMMENDATION V. GREATER FEDERAL FUNDS SHOULD BE ALLOCATED TO COMMUNITIES FOR PROJECTS INVOLVING RETIRED PERSONS

I endorse the bill, S. 2877, introduced in the Senate in 1966 by Senator Harrison Williams of New Jersey, which would authorize the establishment of an "Older Americans Community Service Program," under which the Administration On Aging would provide funds and technical assistance to municipalities and counties, as well as States and non-profit private organizations, for community service programs utilizing the talents, abilities and energies of men and women age 60 and over.

The retired worker has a stake in the community in which he has grown up, worked and reared a family. Although there has been some trend to relocation, many retirees want to remain in their own homes and surroundings. The reasons for relocation by the elderly have been shown to be health, desire for lower cost-of-living, in order to be with close relatives, and more liberal state or local welfare programs.

I believe that removing or minimizing the economic problems of our elderly retired workers will do much to discourage permanent relocation and retain the aging within their home communities. Gerontologists have long pointed out the advantages to the elderly of remaining in their own milieu where they have social ties. There is a greater possibility of successful, happier retirement years for the retiree in his own community than if he moves to a new, often totally different area and atmosphere with probable difficulties in making new social contacts. In addition, since he is unfamiliar with the community resources, he has great difficulty in finding satisfactory medical services and health facilities; it takes him longer to find less costly supplies and general services; and he rarely becomes a factor in general community life.

While many of us believe that the home community has a great deal to gain by keeping the older person in the community, we need the incentive provided in S. 2877 to make the home community more attractive. The older citizen has the wisdom of long experience, the perspective of years of trial and error and the time for community work that can mean major strengths to the community in which he lives.

On the other hand, we are also familiar with the fact that in many communities it is the retirees whose children are grown, who frequently cast the votes which defeat school bond issues, community recreation programs and other measures designed to improve the general well being of the community. This is regrettable and also understandable. The retiree living as he does on a very restricted income finds it exceedingly difficult to make ends meet. The prospects of increased taxation, for any purpose, can only be regarded by him as an added threat to his ability to survive. Community programs which recognize his unique role and his unique needs can change these attitudes in constructive ways.

THE ANTRIRIOT BILL

Mr. MORSE. Mr. President, the July 26 issue of the International Woodworker contains an editorial on the subject of the so-called anti-riot bill pending before the Senate Judiciary Committee. I say "so-called" because, as the editorial points out, what is proposed to be done in the name of curbing rioting in urban ghettos can have effects in many other areas, including union organizing activities.

The International Woodworker is the

publication of the International Woodworkers of America, AFL-CIO. I ask unanimous consent that the editorial be printed at this point in the RECORD.

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

ANTRIRIOT BILL DANGEROUS

Organized labor may be the true target of the so-called anti-riot bill that was pushed through the House of Representatives last week against a background of racial violence in big city slums.

The bill would make it a federal crime to cross state lines "with the intent" of inciting a riot. Conviction would bring fines up to \$10,000 and/or five years in prison or both.

Although backers of the measure orated loud and long about professional agitators who incite slum dwellers to riot, the bill quite obviously is intended to punish civil rights workers who may become involved in protest demonstrations, and to restrict the activities of even the most peaceful civil rights advocates by the threat of severe punishment.

We hope the U.S. Senate will see through the smoke screen and kill the bill. The potential danger of the measure is frightening.

If enacted into law, the bill would cover use of a phone or radio across state lines, or activities of anyone who crosses state lines, to incite a riot.

A riot, under the definition in the bill, is "a public disturbance, involving acts of violence by assemblages of three or more persons, which poses an immediate danger of damage or injury to property or persons."

With this definition in mind, let us suppose that an international or regional officer of the IWA goes into another state to assist a local union in contract negotiations during a legal strike.

During his visit, the employer hires a number of strikebreakers and disturbances break out on the picket line.

Although the visiting officer was not directly involved in the picket line incidents, and his advice and counsel to the local union had nothing to do with the disturbance, he could be charged under the proposed anti-riot law and would be subjected to harassment and a court fight to prove his innocence.

The built-in danger of this bill to the trade union movement was called to the attention of the Industrial Union Department several weeks ago by International President A. F. Hartung and Secretary-Treasurer William Botkin, members of the IUD Executive Board.

In an alert to all affiliated unions, the IUD called for appeals to members of Congress not to adopt such a "blunder-buss" approach to the problem of urban riots.

"Congress in this instance seems to think with its blood. Instead of dealing with the origins of urban riots, in lives embittered by stinking houses, bad schools and lack of jobs, it acts as if all it needs to stop disturbances is to go out and round up ringleaders," the IUD stated.

The anti-riot bill, HR 421, passed the House by a topheavy vote and now is before the Senate. A similar provision was tacked onto the 1966 Civil Rights Bill, but died when the measure failed to receive Senate approval.

With the strong possibility of more violence in city slums this summer, the Senate may be bulldozed into passage of the House bill by a tide of public demand for an end to the rioting.

Each member of this union should take the few minutes necessary to write his Senators and express opposition to HR 421. Urge your Senators to work instead for slum clearance, decent housing and education,

and more jobs for the underprivileged. These programs are desperately needed and would help eliminate the basic causes of the rioting.

MASSIVE BUILDUP OF PERSONNEL IN DEPARTMENT OF DEFENSE

Mr. TOWER. Mr. President, Editor Louis Stockstill, of the authoritative Journal of the Armed Forces, has presented a second article in the Journal's August 5 issue detailing the continuing massive buildup of personnel in the McNamara Department of Defense.

Mr. Stockstill's patient research from Federal budget accounts has succeeded in bringing together figures normally so spread out and illusory as to defy discovery, let alone interpretation.

The real significance of this article rests in the fact that even though Secretary McNamara has shifted about 73,000 civilians from the services to the defense agencies and related DOD activities, he has produced no economies in civilian employment within the services.

Today, all four services have more civilians than they had before he initiated the shifts. I find this especially interesting in light of DOD testimony earlier this year to the House Armed Services Committee that—

Rather than increasing the size of the Defense establishment we have already achieved overall manpower savings. (Page 3645, House Armed Services Committee hearings on FY '68 Military Construction Authorization bill.)

Contrary to DOD claims, the facts as pointed out by the Journal of the Armed Forces are that the number of permanent civilian employees of the Defense Department have been increased about 200,000 under Secretary McNamara; super-grade jobs have been almost tripled; and the civilian payroll is \$2.3 billion higher today than it was when Mr. McNamara took office.

Mr. McNamara is fond of pointing out his dedication to cost-effectiveness and savings. I find his personnel policies neither cost-effective nor a savings.

As I pointed out in remarks in the Senate last May, when Mr. McNamara took office, some 1,500 men and women were under the direct control of the Secretary. Today, just 6 years later, Mr. McNamara personally commands a work force of more than 67,000 civilians.

I commented in May that I know many Senators are concerned about undue substitution of civilian suggestions for professional military judgment in the Pentagon; and I, for one, believe that while always preserving the American concept of ultimate civilian control, we also must give very great weight, particularly in time of conflict, to the views of trained military men. Certainly we must not blanket and stifle military views under ever-thickening layers of civilian bureaucracy.

I commend the Stockstill articles to the review of the Senate, and I ask unanimous consent, that the current article be printed at this point in the RECORD complete with accompanying and separate explanatory tables. I also ask that

my remarks and the first Stockstill article from the RECORD of May 16 be reprinted in the RECORD, so that all of the facts and figures on this matter may be gathered in one place and readily accessible for Senators and others who wish to study them.

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

AND STILL THE YELLOW PAGES GROW: THE BIG DOD BUILDUP—PART II
(By Louis Stockstill)

Top brass civilians within the Defense Department have mushroomed like an atomic cloud during the tenure of Secretary Robert S. McNamara.

In the six and one-half years he has been in office, the powerful Defense chief has added more than 200,000 civilians to the payroll and has almost tripled the number of "super grade"—GS-16, -17 and -18—positions in the defense establishment.

Civilian payroll costs within the Department currently are projected to be about \$2.3-billion higher in fiscal '68 than they were in the final Eisenhower budget submitted to Congress when Secretary McNamara took office.

Salaries for the "super grades"—an elite force which has zoomed from 359 in fiscal '62 to 931 in fiscal '68—also have risen sharply. In pay grade GS-18, alone, the increase amounts to as much as \$7,400 per year.

In addition to the three "super grades," the Defense Department, like other Government agencies, also has two other categories of top-paying jobs—"executive level" posts and "special positions" created by the Secretary.

Today, in the three categories, the Defense Department has one top-salaried position for each 800 permanent civilian employees.

By contrast, the military forces have approximately 2,600 uniformed personnel for each flag or general officer.

An earlier Journal survey (6 May) spotlighted the growth in the number of civilians who come under the "direct control" of Secretary McNamara. The article pointed out that when the Secretary first entered the Pentagon, he had about 1500 civilian employees in his own office and in DoD activities he controlled (apart from the individual services), and that he has since expanded this number into a work force of 67,000. In addition, funds to pay some 7,000 other civilians are included in the FY '68 budget for DoD.

These 74,000 civilian employees include only those in the "DoD" portion of the budget. Civilian employees in the Army, Navy, Air Force and Marine Corps are budgeted separately.

Data on each group—DoD, Army, Navy, Air Force and Marine Corps—is not collected under these five headings, however, but is spread out in each category over a number of activities.

For example, the Navy civilian personnel budget figures are strung across 13 separate budget accounts. Those for DoD are covered in six accounts.

To provide a simplified picture of the civilian payroll throughout the Defense establishment, The Journal has collated the data as it applies to each of the Services and to DoD, proper. No such simplified presentation of the statistics is available to the House and Senate appropriation subcommittee which must approve or disapprove funds requested for the civilian payroll. These funds, for FY '68, add up to more than \$8-billion, and cover 1.2-million permanent civilian employees as well as enormous numbers of temporary and part-time workers and foreign nationals employed overseas.

For "overtime and holiday" pay, alone, DoD

has budgeted \$318-million for its civilian work force in the current fiscal year. The biggest portion of these funds (\$165-million) will go to Navy workers. Army employees will get about \$96-million of the overtime and holiday pay; \$44-million is budgeted for the Air Force; \$9.6-million will go to DoD employees and \$3.2-million to employees of the Marine Corps.

In the overall Defense Department budget as it applies its civilian "personnel compensation," there are two main categories. One covers employees assigned to "military" activities; the other covers a much smaller number of employees who are assigned to "civil" activities such as administration of the Ryukyus, Panama Canal Zone activities, the Army Civil Engineer program, etc.

The detailed analysis given here is concerned solely with permanent civilian employees assigned to "military" programs in the FY '68 budget. All comparisons of fiscal 1968 data with earlier data are limited to the "civilian personnel compensation—military" budget accounts.

Employees who work in the immediate office of the Secretary of Defense, or in the offices of his Deputy, or the Assistant Secretaries of Defense, the JCS, the Defense Agencies, Defense RDT&E, etc.—all of whom are budgeted within the Defense Department, proper—are pulled together in this analysis and in the accompanying charts under the broad category of "DoD civilians."

Similarly, employees in the various Army activities are lumped under the single heading of "Army employees." The same applies to Navy employees, Air Force employees and Marine Corps employees.

Where "Defense-wide" employees are mentioned, all five groupings are covered: DoD, Army, Navy, AF and Marines.

This distinction is essential inasmuch as a high-ranking Defense Department official who was questioned on Capitol Hill about the earlier Journal article on "The Big DoD Build-Up" denied that the report was accurate. He said OSD does not have 67,000 civilian workers. He was correct only in the sense that he confined his disclaimer to OSD. However, OSD is merely the hub of the much larger DoD civilian payroll, which is separate and distinct from the payrolls of the Army, Navy, Air Force and Marine Corps. The Journal article was addressed to "DoD," not just "OSD."

Not only does Secretary McNamara personally control the 67,000 employees who fall within the DoD offices and the Defense Agencies, but, as this article already has noted, he controls an additional 7,000 civilian workers in the DoD research program and other DoD budget accounts.

Although vast numbers of the employees assigned to the DoD Agencies originally were transferred to DoD from the Services, overall civilian employment throughout the Defense establishment has been expanded rather than diminished.

When Secretary McNamara took office, he inherited from the Eisenhower Administration a total civilian work force of about 1,008,000 people—Defense-wide. Of these, only 327 were "super grade" employees. Another 359 fell into the "executive level" or "special position" groups at the top of the pay scale.

However, DoD employees constituted only a small fragment of the 1,008,000 total. They added up to 1492, plus 95 in the Advance Research Projects Agency and about 200 assigned to the military assistance program. At the time, DoD "super grade" employees numbered 105, plus 9 in ARPA. The other top-level DoD jobs numbered 52, plus 13 in ARPA.

Today, Defense-wide, the civilian work force totals more than 1,200,000, including 931 "super grade" employees and 612 other top-paying positions.

Of this number, 74,000 are assigned to DoD,

including 294 in the super-grades and 113 in other executive-level or special positions.

The figures disclose that DoD today has almost as many super-grade employees as existed Defense-wide when Secretary McNamara took office, and that the total number of civilian employees under his immediate control has mounted astronomically.

In clustering larger and larger numbers of civilians under his own control, Secretary McNamara has, at the same time, added heavier layers of civilian employees in each of the Services. Consolidation of former Service functions into "Defense Agency" functions did not result in reduced forces for the Services. In fact, the Armed Forces ended up with more civilians than they had to start with and with an overall total which is higher than the Defense-wide total in 1962.

Today, the Army, Navy, Air Force and Marine Corps have 1,162,224 permanent civilian employees. In 1962 they had 1,013,680. Numerically, the biggest increase has occurred in the Army; proportionately, the Marines have experienced the largest growth.

In round figures, in 1962, the Army had 353,000 civilians, the Navy 338,000, the Air Force 306,000 and the Marines 16,000. Today, the Army total is 429,000, the Navy 386,000, the Air Force 324,000 and the Marines 21,000.

In the super-grades in 1962, the four Services had 215 employees. Today, the number of employees in grades GS-16, 17 and 18 adds up to 637 (chart, page 32). In pay grade GS-16, alone, the Navy today has more employees than the number in all super-grades in all four Services six and one-half years ago.

The numbers are even more significant in light of two additional factors: (1) Pay for the super-grades today ranges—in round figures—from a low of \$20,000 to a high of \$26,000, and (2) the number of employees in the top grade—GS-18—has been almost doubled. Pay for a GS-18 in 1962 was \$18,500 and the four Services had only 13 civilians in this grade at the time. Today, the Air Force has 9, the Navy 7, and the Army 6.

Growth in the GS-16 rating has been most marked, however. In 1962, the four Services employed only 150 civilians in this grade. Today, they have 548 GS-16 employees—or almost four times as many. The present pay range for this group is \$20,075 to \$25,435.

The big build-up of civilian employees within DoD and the Services is paralleled by publication of heftier and heftier Pentagon telephone directories. The earlier Journal article pointed out that the DoD yellow-page section of the directory (which lists mostly executive employees) covered three and one-half pages when Secretary McNamara took office, but had grown to 10½ pages with issuance of the "Spring 1967" telephone book.

The Directory is still growing. The new, "Summer 1967" issue is now off the press and the number of DoD yellow pages has again been expanded—by about 70 listings. Similarly, the total size of the "yellow" section (including all DoD and Service listings) increased from 124 pages in the "spring" 1967 issue to 158 pages in the "summer" 1967 issue.

In the six and one-half years he has been in office, Secretary McNamara has added 200,000 permanent civilian employees to the Defense-wide organization and has brought 74,000 of these employees under his direct control.

He has increased the number of DoD super-grade and executive positions from 179 to 407 and has similarly boosted the number of top-pay civilian posts in the four Services from 529 to more than 1,136.

Payroll costs for the overall civilian work force have mounted by about \$2.3-billion.

DEFENSE DEPARTMENT CIVILIAN PAYROLL,¹
FISCAL YEAR 1968

	Total, civilian compensation	Number of permanent civilian positions	Increase in personnel since 1966
Department of Defense.....	\$600,000,000	74,145	5,249
Army.....	2,900,000,000	429,289	59,071
Navy.....	2,300,000,000	386,689	49,601
Air Force.....	2,200,000,000	324,592	23,230
Marine Corps.....	113,000,000	21,654	3,899
Total.....	8,100,000,000	1,236,369	141,050

¹ Does not include "civil" activities such as maintenance of cemeteries, administration of the Ryukyus, Panama Canal Zone activities, Army Civil Engineers, Soldier's Home or wildlife conservation, which account for an additional 50,000 employees earning \$382,000,000.

AT THE TOP OF THE HEAP

More than 1500 employees are assigned to top civilian jobs within the Defense Department and the Departments of the Army, Navy and Air Force in the fiscal '68 budget. Those occupying the senior civilian positions are employees in the so-called "super grades" (GS-16, GS-17 and GS-18); those in Executive Levels I through V; and those in "special" positions created under Public Law 313.

The biggest group of top-salaried civilians is employed by the Navy. Second place goes to civilian employees who are under the "direct control" of the Secretary of Defense.

Among the four Services, the Navy also is well out in front in all but one category of civilian employment, and is far ahead in the number of employees with GS-16 ratings. In the GS-16 group (top salary, \$25,435), the Navy has more employees than the Army and Air Force, combined.

The Air Force holds a slight Service-lead in the GS-18 category, and outdistances the Army in all but the lowest of the high-paid groups.

The combined total of top civilian positions in DoD and the four Services adds up to 1,542 super- and super-super-grade jobs within an overall civilian work force of about 1,200,000. The statistics do not include civilians employed in "civil" DoD functions—such as the administration of the Ryukyus—or the super-grade jobs held by such employees. The latter group are carried in separate accounts in the budget documents from civilian employees charged to the "military" programs of the Defense Department. If included in the overall total, the "civil"

function civilians would boost total DoD employment and the total number of super-grade jobs.

Here is a complete picture of the top-paying civilian jobs budgeted for each of the Services in fiscal '68 (under "personnel compensation—military"), together with those under the "direct control" of Secretary of Defense McNamara:

	GS-16	GS-17	GS-18	Others ¹	Total
Department of Defense.....	179	78	37	113	407
Army.....	142	17	6	140	305
Navy.....	276	25	7	214	522
Air Force.....	130	23	9	144	306
Marine Corps.....	0	2	0	1	3
Total.....	727	145	59	612	1,543

¹ Includes Secretaries, Deputy and Under Secretaries, Assistant Secretaries, all executive level I through V employees and "special" positions created by Public Law 313.

AN INCREASE OF 13,000 IN GS-11 TO GS-15 GRADES IN 2 YEARS

In the five top civilian pay grades immediately below the super-grades, the Defense Department FY '68 budget calls for a total of 167,634 employees assigned to "military" functions of the Defense Department. This is an increase of almost 13,000 since 1966.

Pay for these grades—GS-11 through GS-15—ranges from a low of \$9,221 for an employee at the bottom of the GS-11 rating (top pay in this category is more than \$12,000), to a high of \$23,000 in the GS-15 rating (where the lowest pay is \$17,550).

The Army is the biggest employer in the GS-11 through GS-15 grouping, with a budget for almost 60,000 workers in these ratings during FY '68.

The Navy is second with 47,000; the Air Force is third with almost 41,400; DoD is fourth with 18,500, and the Marine Corps is in last place with a total of 871.

Growth of employment in the GS-11 through GS-15 ratings has been heaviest in the Navy during the past two years, with the addition of 5700 new workers in the five grades. The Army has added almost 4500, and the Air Force and DoD have both added more than one thousand.

Here is a complete breakdown of the number of employees in the four grades for each of the Services and DoD, showing the actual 1966 total (top line) and the budgeted FY '68 total (bottom line), together with the overall increase for the two year period:

	GS-15	GS-14	GS-13	GS-12	GS-11	Total	Increase
Department of Defense.....	66	988	1,339	2,600	4,656	7,924	1,006
Army.....	168	1,109	1,599	2,823	4,887	8,095	4,462
Navy.....	66	1,705	4,498	10,282	17,407	21,350	5,715
Air Force.....	168	2,110	5,143	10,685	18,510	23,256	1,326
Marine Corps.....	66	1,412	3,416	8,665	12,088	15,855	193
	168	1,854	4,202	9,604	13,513	17,978	
	66	1,127	2,920	7,320	12,231	16,471	
	168	1,260	3,146	7,434	12,484	17,062	
	66	14	26	115	182	341	
	168	31	64	135	216	425	

THE BIG DOD BUILDUP

Mr. TOWER. Mr. President, the authoritative and professional Journal of the Armed Forces has printed in its May 4 edition an enlightening article tracing the massive personnel growth of the civilian forces in the Department of Defense during the tenure of Secretary McNamara.

It should be noted that when Mr. McNamara took office some 1,500 men and women were under the direct control of the secretary. Today, just 6 years later Mr. McNamara personally commands a work force of 67,000 civilians.

I know all Senators are concerned about continuing growth of Federal bureaucracies,

and I also know many Senators are concerned about undue substitution of civilian suggestions for professional military judgment in the Pentagon. I, for one, believe that while always preserving the American concept of ultimate civilian control, we also must give very great weight, particularly in time of conflict, to the views of trained military men. Certainly, we must not blanket and stifle military views under ever-thickening layers of civilian bureaucracy.

I commend this article to the attention of the Senate, and ask unanimous consent that it be printed in the RECORD.

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

"ESCALATION OF THE YELLOW PAGES—THE BIG DEPARTMENT OF DEFENSE BUILDUP

(By Louis Stockstill)

"What started out 20 years ago as a small office to 'coordinate' the activities of the Army, Navy and Air Force, has emerged on the eve of manhood with hardly a recognizable feature of its infancy.

"The once small-boned, diminutive creature has muscled-up, fleshed-out, and grown into a towering endomorph. Characteristically, most of the growth took place during the teen years—the years since Secretary of Defense Robert S. McNamara became housemother.

"When he took office in 1961, the present Secretary of Defense inherited from the Eisenhower Administration an organization whose civilian work force—those under the direct control of the SecDef—totalled about 1500 men and women.

"The changes that have since taken place in the DoD civilian payroll are staggering.

"Today—after an unprecedented six years in office and numerous organizational changes which have added hefty layers to the Pentagon's manpower biceps—Secretary McNamara personally commands a work force of 67,000 'headquarters' civilians.

"The outer skin consists of 150 ranking aides who earn \$25,000 to \$30,000 per year.

"Next comes a layer of muscle composed of 300 civilian employees whose pay is \$20,000 to \$24,280, and more than one thousand others whose average salary is about \$19,000.

"Descending layers of tissue are held together by some 24,000 employees who are in pay brackets with a top-salary range of \$10,000 to \$17,000. For this group, alone, salaries total \$252 million.

"The 67,000 men and women who now crowd Secretary McNamara's payroll (an increase of 5,000 in the past year) constitute only DoD civilians. Not taken into accounts are the thousands of military personnel assigned to DoD offices. Nor does the number embrace the million civilians or the three-million uniformed personnel directly under the Army, Navy, Air Force and Marine Corps.

"The DoD civilians have bloomed with the speed of a spring crop of dandelions.

"Shortly after Secretary McNamara first took office, he complained (February 1961) that there were too many Pentagon 'executives' reporting directly to him and the Deputy Secretary of Defense. He said 15 Presidential appointees fell into this category, and the situation was 'impossible.'

"The only major way it has since changed, however, is that the number of top civilians has proliferated.

"At the time of Secretary McNamara's 1961 statement, the DoD Secretariat included—in addition to the SecDef and Deputy SecDef—the following officials: Director of Defense Research & Engineering (\$22,000); seven Assistant Secretaries of Defense (\$20,000); the DoD General Counsel (\$20,000) and an Assistant to the SecDef (\$20,000). In addition, there were 13 DoD civilians earning \$19,000 each.

"Today, the top jobs still exist, but the wages have been upgraded and large numbers of other high-salaried executives have been added.

"Current data shows that the Secretariat now includes Secretary McNamara (\$35,000), Deputy SecDef Cyrus Vance (\$30,000), the Director of Defense R&E (\$28,500), seven Assistant Secretaries of Defense (\$27,000 each), the DoD General Counsel (\$27,000), the 'principal' Deputy Director of DR&E (\$27,000), and 11 assistants who earn \$26,000.

"Those in the \$26,000 bracket include the Assistant to the SecDef (Legislative Affairs), the Special Assistant to the SecDef, the Chairman of the Military Liaison Committee to the AEC, the Deputy Assistant SecDef (Comptroller), the Deputy General Counsel, the Director of the Advanced Research Proj-

ects Agency, and five more Deputy Directors of DR&E.

"In addition, today there are 128 other top DoD aides who earn \$25,800-\$25,890 per year.

"This group includes 25 Deputy Assistant Secretaries of Defense (one of whom has just been added), five Deputy DoD Comptrollers, four Assistant DoD General Counsels, Special Assistants and Assistants to the SecDef and Deputy SecDef, and dozens of others who hold titles as directors, deputy directors, assistant directors, assistant deputy directors, deputy assistant directors, assistants for . . . , chiefs of . . . , assistant chiefs and special assistants.

"(The Defense Department civilian manpower budget also covers funds to pay a 'staff assistant' for President Johnson—\$22,085—and an 'aide' for Vice President Humphrey—\$22,755.)

"The next biggest DoD civilian-employee group includes almost 300 in the \$20,000 to \$24,280 bracket, plus more than 1,000 others whose pay is not specified on an individual basis (in data which has been furnished to Congress), but whose average salary is about \$19,000. A spot-check of 340 of the jobs in the latter group disclosed an average salary of \$19,573.

"For 23 'digital computer systems administrators' alone, the average salary is \$19,661.30. For three 'historians,' it is \$19,775.67.

"But this is not the end of the list.

"The largest group of Defense Department civilian workers who come under Secretary McNamara's direct control—some 24,500—fall into pay grades GS-9, 10, 11, 12 and 13. Of these, more than 11,000 are in pay brackets where the top-salaries range from \$12,000 to \$16,905.

"Growth of the GS-9 to GS-13 group has been spectacular. Although much of it can be attributed to initial transfers of personnel for the individual Services to the new Defense Agencies created under Secretary McNamara, this offers only a partial explanation. In the past two years, alone, there has been an increase of more than 8,600 DoD employees in the GS-9 to GS-13 group—from 23,806 in fiscal '66, to 32,414 budgeted for the new fiscal year which starts 1 July.

"When Secretary McNamara took office, there were less than 150 such positions in DoD.

"In providing Congress with a breakdown of the DoD civilian employees, the Administration, purposely or otherwise, has concealed the specific DoD activity to which they are assigned, except where job-title (Deputy Director DR&E, for example) is self-explanatory.

"The salaries for the entire group of DoD civilians—including Secretary McNamara, himself—are budgeted, incongruously, under the Department's appropriations account for 'Operations and maintenance, Defense Agencies.' This makes them somewhat difficult to digest, since several six-course meals are spread on the banquet table at once. And it will suggest to some that the practice may have been designed more to confuse than clarify.

"Isolated examples from long lists of civilian employees in pay grades GS-14 and GS-15, alone, show that DoD has 271 auditors earning \$4.7-million annually; 69 digital computer systems administrators earning \$1.2-million; 23 digital computer systems analysts earning \$390,000; 30 systems analysts earning over \$500,000; 56 management analysts earning \$960,000; 64 program analysts earning \$1.3-million, and 15 management evaluation officers earning about \$290,000. There's no evidence to indicate how many of these employees are assigned to the Office of the Secretary of Defense, how many to the Defense Supply Agency, Defense Intelligence Agency, Defense Communications Agency, or other DoD activity.

"And, the isolated examples barely scratch

the surface. At levels of employment below GS-14, there is no break-down even by title. The DoD civilian employees in the latter groups are simply lumped into numerical designations. If listed, separately, they would take up as much space as the entire telephone book for a good-sized city. Those in GS-9 through GS-13 pay grades, for example, number more than 24,000. Their combined pay exceeds a quarter of a billion dollars.

"As previously indicated, growth of the DoD civilian manpower force can be attributed in part to the establishment of central agencies to direct such functions as supply, intelligence and communications. Many of the employees of these agencies were transferred from Army, Navy and Air Force payrolls to the DoD payroll. But the agencies have continued to grow.

"The average number of civilian employees in DoD in fiscal '66 was 53,206. In the fiscal '68 budget, the Department has estimated an average total of 68,193—an increase of about 15,000. Funds requested for the DoD civilian payroll in FY '68 add up to almost \$600 million.

"Much of the DoD civilian manpower buildup has taken place within the Office of the Secretary of Defense.

"In the fiscal '61 Defense budget, submitted to Congress just before Secretary McNamara took office, \$20-million was sought for 'direction and coordination of defense activities (total obligations).'

"At the time, there were in OSD, 11 Deputy Assistant Secretaries of Defense and two Deputy Directors of Defense R&E. Today, Secretary McNamara has seven Deputy Directors of Defense R&E, one Deputy General Counsel and 32 Deputy Assistant Secretaries of Defense. (Five of the posts are held by military officers.)

"Also at the time of the FY '61 budget presentation, OSD had 46 Public-Law 313 civilian employees, including eight in ARPA. Today, the Department has 81 of the special 'positions established by the Secretary of Defense.' About half of the group earn more than \$25,000 per year.

"A comparison of the listings in the Pentagon telephone directory illustrate to some extent what has been happening. In February 1961, the Defense Department section of the book's yellow pages (where mostly executive-types are listed) took up three and one-half pages. The same section in the 'Spring 1967' issue of the directory covers ten and one-half pages.

"The increase in the DoD civilian payroll over the six years of Secretary McNamara's tenure has been prodigious, both in overall numbers and in the number caliber of top-salaried workers. And, regardless of where the employees came from—whether by transfer from the individual Services or by creation of new jobs—the big work force dramatically underscores the extent to which the Secretary of Defense has brought the direction of Armed Forces activities under the centralized control.

"A Capitol Hill source who has been un- easily eyeing Mr. McNamara's big build-up, recently commented: It's true, he has accomplished a lot—but he didn't do it without assistance.'

"Nor, as the DoD manpower data attests, without assistants."

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, the period for the transaction of routine morning business has expired.

EXPORT-IMPORT BANK ACT AMENDMENTS OF 1967

Mr. BYRD of West Virginia. Mr. President, I ask the Chair to lay before the Senate the unfinished business.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business which will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 1155) to shorten the name of the Export-Import Bank of Washington, to extend for 5 years the period within which the Bank is authorized to exercise its functions, to increase the Bank's lending authority and its authority to issue, against fractional reserves, export credit insurance and guarantees, and for other purposes.

The Senate resumed the consideration of 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 assistant legislative clerk proceeded to call the roll.

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

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

CALL OF THE ROLL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum. This will be a live quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

	[No. 213 Leg.]	
Baker	Gruening	Mundt
Bartlett	Hansen	Muskie
Bayh	Hickenlooper	Proxmire
Boggs	Holland	Ribicoff
Byrd, Va.	Hollings	Smith
Byrd, W. Va.	Jackson	Sparkman
Carlson	Javits	Spong
Case	Jordan, Idaho	Stennis
Clark	Kuchel	Talmadge
Cotton	Lausche	Williams, Del.
Dirksen	Long, La.	Young, N. Dak.
Fong	Mansfield	Young, Ohio

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Missouri [Mr. LONG], and the Senator from Wyoming [Mr. MCGEE] are absent on official business.

I also announce that the Senator from Nevada [Mr. CANNON], the Senator from Tennessee [Mr. GORE], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Montana [Mr. METCALF], the Senator from Minnesota [Mr. MONDALE], the Senator from Utah [Mr. MOSS], the Senator from Rhode Island [Mr. PELL], the Senator from Georgia [Mr. RUSSELL], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Colorado [Mr. DOMINICK], the Senator from Iowa [Mr. MILLER], the Senator from California [Mr. MURPHY], and the Senator from Illinois [Mr. PERCY] are necessarily absent.

The Senator from Utah [Mr. BENNETT], the Senator from Massachusetts [Mr. BROOKE], the Senator from Arizona [Mr. FANNIN], and the Senator from Oregon [Mr. HATFIELD] are absent on official business.

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:

Allott	Hartke	Morton
Anderson	Hayden	Nelson
Brewster	Hill	Pastore
Burdick	Inouye	Pearson
Church	Jordan, N.C.	Prouty
Cooper	Kennedy, Mass.	Randolph
Dodd	Kennedy, N.Y.	Scott
Eastland	Magnuson	Symington
Ellender	McCarthy	Thurmond
Ervin	McClellan	Tower
Fulbright	McGovern	Tydings
Griffin	Monroney	Williams, N.J.
Harris	Montoya	Yarborough
Hart	Morse	

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

The question is on agreeing to the amendment offered by the Senator from Illinois.

Mr. DIRKSEN. Mr. President, I modify my amendment as follows: In the bill itself, on page 3, in line 23, strike out the word "Bank." The rest of the language has already been stricken in that line as a result of an amendment by the distinguished manager of the bill. Then I submit new language to follow on page 3, and I send it to the desk.

The PRESIDING OFFICER. The clerk will state the modified amendment.

The legislative clerk read as follows:

On page 3, at the end of section 2, strike "Bank." and insert in lieu thereof "Bank, unless, prior to the expiration of the first period of sixty calendar days of continuous session of the Congress following the date on which such determination is reported to the Senate and House of Representatives, there is passed by either of the two Houses a resolution stating in substance that that House does not concur in such determination. For the purposes of this paragraph, (1) the continuity of a session of Congress shall be considered as broken only by an adjournment sine die, but (2) in the computation of the sixty-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than three days to a day certain."

Mr. DIRKSEN. Mr. President, in this amendment there is a matter that is a little more fundamental than has been discussed at any time in the course of our attention to this measure. In my judgment, it is really fundamental and it goes to the authority of the people's representatives to have some voice in the approval of a project when the President may have waived the provisions of this bill in the national interest.

I point out, first of all, that in the Con-

stitution it was no accident that the legislative branch was dealt with first. It is article I in the Constitution that creates the legislative branch. Thereafter come the executive and the judiciary.

In setting up the powers of the legislative branch, we could well understand that those framers, being frugal and thrifty people, who were watching over the purse strings, and upon whom was conferred the power of the purse, as against the power of the sword, were going to make pretty sure that, constitutionally, no money would leave the Federal Treasury except in pursuance of an appropriation made by law.

That language is clear as crystal, and they did it, I am sure, because they knew the abuses that might creep in unless they kept tight rein upon the revenues that were derived from the people.

That is what is involved in this amendment. It provides, in substance, that when the President has made a finding and a determination that the national interest would be served by waiving the provisions of paragraph 2 of the bill, the people's representatives ought to have a right to waive any such purchase or program of insurance or guarantees or the extension of credit, because those are things which are inherent in the people's representatives, and they should not be pledged or hypothecated unless Congress itself, under the Constitution, has an opportunity to evaluate the program.

So this amendment provides that when the President has made that finding, has made that determination, it is still within the province of the Congress to take a look and have 60 days in which to determine whether or not it would like to consider a concurrent resolution, and, in the event it does, if one House disapproves, then, of course, this project, this purchase, this extension of credit, cannot be consummated by the Export-Import Bank.

What I seek to do is to regain, recapture, and keep for the people themselves the constitutional power and the necessary surveillance of money that goes out of the Treasury in one form or another.

This is not a new formula by any means. It is something which, after all, we have used in every reorganization bill that has been presented to the Congress. When the proposition is submitted, Congress simply has an opportunity to introduce a resolution, and if one House says, "No," that ends it.

I need not labor the amendment, because that is the whole story. It would take care of a case like the Fiat Motor Car Co., because the President might, in his wisdom, see fit to say such a matter is in the national interest and therefore, notwithstanding the provisions of the instant bill, give it his approval and say that he will notify the appropriate committees of Congress.

Of course, the trouble with the language in the bill is that it comes into play, and only modestly and moderately, after the horse is stolen from the barn. I would like to take a look at it before that happens. That is the purpose and the purport of the amendment.

I am quite glad, Mr. President, to stop my discussion of the matter right there.

Copies of the amendment have been made available to all Senators, and I rest the case there.

The PRESIDING OFFICER. The Senator from Maine.

Mr. MUSKIE. Mr. President, the first point I should like to make is this: With the legislation which is now on the law books, and this bill as it has been amended up to this point, it seems to me that we have covered most of the situations or potential situations involving trade with Communist countries, either directly or as third-party countries, which have been of concern to Senators participating in this debate. There has been discussion, Mr. President, especially about the so-called Fiat deal, or the so-called Fiat-type deal, as illustrative of the kind of situation which is of concern to Senators.

The Byrd amendment to which the Senate agreed yesterday, Mr. President, in my judgment effectively prohibits the use of Export-Import Bank credit for trade with Communist countries for the duration of our preoccupation in the South Vietnamese war. In my judgment, it was clearly intended to cover the Fiat-type deal. So, in terms of the problems which have been of concern to Senators, and which prompted them to support the Byrd amendment, the Senate appears already to have acted effectively.

With that as background, then, Mr. President, it seems to me that we ought to be very careful about dealing with the kind of involvement in the exercise of Executive authority which the proposed amendment represents. If we have already taken care of the problem of trading with Communist countries which has preoccupied the Senate for 2 days, then it seems to me we ought not to indulge in an exercise with obvious constitutional implications.

The Dirksen amendment, Mr. President, would give the President discretion, but then would permit either House of Congress to overturn his determination. It represents an effort to give Congress the authority to exercise Executive and not legislative power. In my judgment and in the judgment of people in the administration who are concerned with that problem, such a procedure is of doubtful constitutionality, for the following reasons:

First of all, it would be an attempt to shortcut the executive process by permitting one House of Congress to reverse an executive determination made pursuant to law, without following the legislative process prescribed by the Constitution. It represents, in short, the granting to the President of authority, by proper legislative process, and then withdrawing that authority without following proper legislative process; and it would do so in that field of Executive responsibility—foreign affairs—as to which the Constitution of the United States gives the President the greatest power. Furthermore, a resolution which was adopted by either House of Congress pursuant to the Dirksen amendment would not be subject to a presidential veto.

So what the Dirksen amendment, in effect, would amount to, Mr. President,

would be a means of giving Congress a veto on administrative and executive acts of the President, exercised pursuant to legislative authority, rather than the reverse.

Second, Mr. President, the amendment would require inaction on any matter subject to presidential discretion for at least 2 months, and possibly for as much as a year, if Congress is not in session. This delay could well hamstring the executive process, and would perhaps prevent action determined by the President to be in the national interest.

President Johnson commented on this point when he vetoed the Military Authorization Act of 1965, by saying:

We cannot commit ourselves, for the prolonged period required by this bill, to delay action necessary to meet the realities of the troubled world in which we live.

This amendment, Mr. President, would place Congress in a seat at the Export-Import Bank, administering executive authority given to the President of the United States with respect to these important responsibilities in the world.

Yesterday, Mr. President, we rejected an amendment undertaking to prohibit the exercise of the Presidential discretion provided in the bill, because, presumably, the Senate was influenced by the argument that we could not afford to so tie the hands of the President for 5 years into the future, that change was going on in the Communist world, and that we ought to equip ourselves to influence that change and to take advantage of any opportunities created by that change.

Obviously, then, the Senate yesterday was moved by a very sensitive and delicate question involving the exercise of presidential discretion, and decided that it ought not to presume to look 5 years ahead, and say in advance that it could not conceive of an instance where it might be in the national interest for the President to exercise such discretion.

Now, having made that decision, the Senate must consider this method of making the exercise of the President's discretion inflexible.

Assume that the President does identify a moment or a change or an opportunity, at some point in the next 5 years, when the exercise of that discretion would be in the national interest—an opportunity that it might be necessary to take advantage of with a minimum loss of time. The Dirksen amendment would say, "In that instance, the President will not be permitted to act as the circumstances might indicate, but he must bring Congress into the decisionmaking process for a period that could extend for as long as 2 to 5 months.

So what we refused to do yesterday—hamstringing the President with respect to the unknown future—we are again asked to do, in a different form, today. And may I say, Mr. President, that we are asked to do it notwithstanding the fact that already, with the adoption of the Byrd amendment, the Senate has acted to deal effectively, I think, from the point of view of those who supported the Byrd amendment, with the problems which have stimulated these amendments and so much of this controversial discussion.

Mr. President, President Johnson and his predecessors have taken a strong position against proposed legislation containing provisions attempting to shortcut the legislative process.

As Attorney General Mitchell advised President Hoover, carried to its logical conclusion it would enable Congress, through committees or persons selected by it, gradually to take over all executive functions, or at least to exercise a veto power upon executive action, not by legislation withdrawing the authority which would have to follow, I may say parenthetically, the legislative process, but by action of committees or, in this instance, of either House acting separately from the other.

That is not a proper exercise of the legislative authority. It is an attempt to participate in the exercise of executive authority, neither of which alternatives is within the spirit of the Constitution.

As President Johnson stated in the veto message to which I have referred:

By the Constitution the executive power is vested in the President. The President cannot sign into law a bill which substantially inhibits him from performing his duty. The times do not permit it, the Constitution prohibits it.

The President in that language was discussing a bill relating to the military, but the same considerations apply to his duty to conduct the foreign affairs.

Mr. President, today, as has been true for so much of the time in the course of the debate on the pending bill, it is difficult to present the issues which are involved when Senators are preoccupied elsewhere. It is especially difficult to do so when one is dealing with a subject which is highly charged with emotion, in which the emotional argument is so obviously clear and evident that when one counters it, he must resort to dull, dry constitutional arguments.

What we are dealing with here is a constitutional problem. It is a constitutional problem as to which there are precedents relating to the view of the President—and not just one President—with respect to the view of other authorities.

In the Constitutional Convention of 1787, there was a great deal of discussion, in that long hot summer, of the wisdom of providing for a sharing of executive authority by a committee instead of by a single executive. And there was before that Constitutional Convention the example of an ineffective national government in the form of the Articles of Confederation which provided no executive authority, but only congressional authority. So, notwithstanding the fact that that Constitutional Convention was sitting a few years removed from a war against executive tyranny, it finally decided that if liberty and the affairs of a free country were to be effectively administered, it was essential to provide for a single executive armed with effective authority. And that Convention found it to be especially important in the field of foreign affairs.

The issue now is whether, having given the President authority, we should permit him to exercise it as an unfettered executive, representing an independent

arm of the Government, or whether at this stage—180-odd years after the Constitutional Convention decided to the contrary—we will provide that Congress shall participate in the exercise of a function which is by its nature executive.

What we are talking about is the day-to-day administration of the affairs of the Export-Import Bank.

We are saying, under the Dirksen amendment, if the amendment is agreed to, that Congress shall participate in that day-to-day overview of the affairs of the Export-Import Bank.

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

Mr. MUSKIE. I yield.

Mr. TOWER. Mr. President, since the distinguished Senator from Maine has injected the name of the Constitutional Convention, are we to assume that a vote against the Dirksen amendment would be a conservative vote?

Mr. MUSKIE. I will have to review that observation a little in my mind, but if the Senator from Texas is persuaded that it is, there is a prima facie case in support of his authorization.

There really is not much profit in making a constitutional argument with a full Senate attendance. I do not know that there is much in making a constitutional argument with most Senators absent. This is a serious argument, however, and I would like to emphasize once again that it seems to me pointless to raise this issue and to create this constitutional problem when for all practical purposes we have already covered the potential situations which appear to have been of concern to those Senators who voted for the Byrd amendment or for the Dirksen amendment of yesterday and who indicated an interest in supporting other legislation of that kind.

We have done the job, anyway. For all practical purposes, I see no reason why we should get ourselves tangled up in this constitutional problem.

Mr. TOWER. Mr. President, I think that the Dirksen amendment is certainly a wise and a reasonable amendment. Looking at it from the constitutional point of view, it is the responsibility of Congress to exercise oversight over the acts of the executive branch, particularly in regard to the treatment of public moneys.

I think that this is a reasonable step in the exercise of congressional oversight over activities of the Export-Import Bank. And I think, too, that it will impress on the very able officials of the Export-Import Bank the necessity for maintaining liaison with the Congress and the necessity of keeping Congress informed of what it is considering.

I think, too, that it will serve to enable Congress to be better prepared to act on legislation that does affect the operation of the Export-Import Bank.

For that reason, I intend to support the Dirksen amendment.

Mr. KUCHEL. Mr. President, the pending amendment constitutes a part, an integral part, of the amendment which the distinguished senior Senator from Illinois [Mr. DIRKSEN] offered on yesterday, and which I supported. I support the pending amendment which I am pleased to cosponsor.

I was most persuaded by the logic which the distinguished Senator used yesterday.

Let me summarize. The Senate Committee on Banking and Currency by a unanimous vote wrote a policy section into the pending bill by which it determined that the Congress opposed the use of Export-Import Bank credit or facilities for the purchase of products by Communist countries or by any foreign country which, with the knowledge of the Bank, was going to transmit it by sale or otherwise for the use of a Communist country.

The Senator from Illinois illustrated completely that a policy statement in a bill is a nullity. A policy statement is meaningless. It has no force or effect whatsoever.

The Department of Justice in the past has held that a policy statement has no binding effect at all, and has sheared it completely away as a guideline for the executive branch of the Government. Thus, the policy statement, unanimously adopted by the Committee prohibiting bank credits to Communist countries, would be an idle act. The minority leader, therefore, offered an amendment which changed a meaningless statement of policy—however well intentioned—into a statutory guideline for the Export-Import Bank. That part of his amendment was approved yesterday in a series of perfecting amendments.

Mr. MUNDT. It was really a statutory prohibition, unless it is released by this escape clause.

Mr. KUCHEL. The Senator from South Dakota is precisely correct. What we did yesterday is write a guideline prohibition—and I mean to say that—which clear statutory prohibition against the use of Export-Import Bank credits for financing purchases by Communist nations. Our language cannot be rendered a nullity by any interpretation in the Department of Justice or otherwise. Today, we are dealing with the question of what kind of escape clause ought to be provided.

The distinguished minority leader asked yesterday why should Congress lay down a statutory restriction or interdiction or prohibition and then authorize the President—any Chief Executive—to disregard it, simply by informing Congress, after the fact, that he had disregarded it? What kind of procedure is that?

The Senator from Illinois told me that after the disposition of his amendment of yesterday, he would offer an amendment by which the President might seek an exception from the prohibition provisions, and that this second amendment would have language similar to the techniques of the Reorganization Act. And that, to me, makes monumental sense. As the Senate knows, that Act provides that a Presidential decision to reorganize governmental agencies must be given to the Congress in advance, and that either house may veto it.

It has been suggested in this debate, by the distinguished floor manager of the bill, that the procedures laid down in the Dirksen amendment are open to

serious constitutional question. But these very procedures are already the law, and have been the law for years. May I observe, for the RECORD, that a few scant days ago, that very procedure was the means by which the President of the United States was vindicated in the House of Representatives when he offered his proposal, under the Reorganization Act, to improve the government of the District of Columbia.

As the present occupant of the chair [Mr. MONTGOMERY] knows, having participated in the vote by which the Reorganization Act became law, the Reorganization Act procedures are precisely those which are enunciated in the pending amendment; and thus the interdiction written into this bill against the use of Export-Import Bank credit in any fashion in connection with purchases by a Communist country cannot lightly be set aside by the President, but must follow, if our amendment is adopted, a tested statutory formula under which, within 60 days, the President must report his intention to set aside, or his desire to set aside, the prohibition of Congress. Under those circumstances, either House will have an opportunity to sit in judgment on it, to approve it or to reject it, before it becomes a fait accompli.

The amendments we offer would facilitate and not hamper an able auxiliary to American free enterprise in the free world market.

The Export-Import Bank is an institution which facilitates trade with the rest of the world. I have examined the testimony of bank officials and representatives of private business. The Bank operates at commercial market rates here and abroad. It helps provide credit support for American exports which could not otherwise go abroad. There is no question that its services meet with the overwhelming approval of the American business community. This is particularly important to industries, such as the aircraft industry of my own State of California, whose contracts run into the millions of dollars for each sale.

Mr. President, I ask unanimous consent that at the conclusion of my remarks a number of letters which have been sent to the Senate Committee on Banking and Currency be printed in the RECORD to demonstrate this point.

There is no question that the Bank's activities are considered vital by free competitive enterprise in our country.

What is the service that is rendered by the Bank? We have been engaged for the past few days in a semantic ping pong game to determine whether we are talking about "trade" or "aid." What the Bank does is to facilitate trade. But for its services important parts of our trade could not take place, and our balance of payments would suffer accordingly. We are talking then about credit. We all know that without credit economic forward movement is impossible.

The services of the Bank are necessary. What makes this debate so critical is the world atmosphere in which our international policy is being made.

First of all, the United States is engaged in a major conflict in Southeast

Asia. The annual cost of this conflict is already greater than twice the total amount of loans, guarantees, and insurance which the Bank may have outstanding under the revisions of the bill we are now considering.

This ratio is important. It points up the enormity of the cost of the Vietnam war in relation to the Bank's activity. It also suggests a need to keep a weather eye on the Vietnam situation while considering the credit policy of the Bank. A high portion of the modern weapons received by North Vietnam come from the countries of Soviet Eastern Europe. Certainly, American policy must aim to curtail this flow.

Even while the conflict rages between communism and the free world in Southeast Asia, there are growing differences in the ranks of the Communists themselves. The Latin American Solidarity Conference just completed in Havana has advocated a policy of "revolutionism" in our hemisphere, at our very back door. What are now considered the more stodgy Soviet-type Communists have been criticized for not following this venomous militant policy. The old cold war differences have changed into a broader range of distinctions. Even our own free world is divided by the individualistic policies of De Gaulle and nationalism in other areas.

The correct policy for our Government is to assure that every effort is made to prevent the sinews of war from reaching our enemies in Communist North Vietnam. At the same time, we must exploit divisions within the Communist camp. In appraising the policy of the Export-Import Bank, it is therefore entirely necessary that the leadership in this country be given a flexibility in order to take advantage of changes as they occur. And the flexibility we provide in our amendment is the most which, in today's world, can be tolerated. We must make it clear that Congress will make every effort to prevent the flow of supplies into North Vietnam.

Mr. President, the pending amendment should be adopted.

I ask unanimous consent that selected portions of the printed hearings on the bill be printed at this point in the RECORD.

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

THE BOEING CO.,
Seattle, Wash., April 7, 1967.

HON. JOHN J. SPARKMAN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR SPARKMAN: I am writing in connection with the proposed legislation currently being considered by the Banking and Currency Committee to amend the statutory charter of the Export-Import Bank of Washington (Senate Bill S. 1155). The principal features of this bill are to extend the charter of the Bank for five years (to June 30, 1973) and to increase its lending authority by fifty percent or \$4.5 billion. The Bank has played an essential role in the financing of commercial jet transport aircraft and other industrial exports in the past. The prospective requirements for the type of financing being provided by the Bank will continue to grow. The role that the Export-Import Bank has

played in supporting the expansion of this country's exports was perhaps best demonstrated during 1966. Although the demand by foreign airlines for United States aircraft was growing rapidly, financing from the private sector by reason of the "tight money" situation was not available in many cases. In recognition of this problem, the Export-Import Bank made substantial commitments during 1966 which will support the export of U.S. jet transport aircraft and related equipment. Down payment requirements and manufacturer participation will result in the actual amounts loaned being substantially less than the aggregate sales value and the actual disbursement of funds will take place over a time period running into 1971.

However, as fine as the past record is, we are more concerned about the future. There is general agreement that a major consideration in solving this country's balance of payments problem lies in increasing the favorable balance of trade, and large jet aircraft represent one of the most rapidly growing segments of the export market. Since the beginning of the jet age in 1959, exports of large jets and spare parts have averaged about \$300 million annually. Over the next ten years, most forecasts show a potential for an annual average in the \$1 billion area. The achievement of this potential will strain the capacity of the entire financial community, both public and private.

In summary, the Export-Import Bank has been extremely helpful in the achievement of the dominant position of U.S. aircraft in the free world's commercial jet fleet. If we are to maintain this position, continued and increased Export-Import Bank financing must be made available. I therefore urge your Committee to give favorable consideration to this proposed legislation.

Respectfully,

WILLIAM M. ALLEN.

CHAMBER OF COMMERCE
OF THE UNITED STATES,
Washington, D.C., April 7, 1967.

Senator JOHN J. SPARKMAN,
Chairman, Senate Banking and Currency
Committee, U.S. Senate, Washington,
D.C.

DEAR SENATOR SPARKMAN: The Chamber of Commerce of the United States has long supported the purposes and objectives of the Export-Import Bank, and has viewed with favor its effective role in promoting U.S. exports and in financing economic development projects abroad through loans to U.S. and foreign firms and to foreign countries.

The National Chamber supports S. 1155, the bill to amend the Export-Import Bank Act. The bill would extend the life of the Bank for five years to June 30, 1973, and increase the ceiling on outstanding loans, guarantees and insurance to \$13.5 billion, including an increase in authority to issue guarantees and insurance on a 25% fractional reserve basis to \$3.5 billion.

The Bank requires repayment in dollars. Therefore, its economic development loans are made for projects which help the borrowing country to earn dollars. Credits available to foreign countries assist the recipient during temporary dollar shortages, thereby maintaining the flow of U.S. goods.

The Bank's guarantee program to assist private commercial bank financing of exports and its part in the program of the Foreign Credit Insurance Association, whereby an exporter can obtain insurance against risks of loss on both short-term and medium-term financing, have been carried out in a credible manner utilizing private institutions to the maximum.

Extension of the life of the Bank and an increase in its lending authority will further serve the national interest by helping the U.S. maintain its share of foreign markets and benefit our balance of payments situation.

The record of the Export-Import Bank shows that it is serving its statutory purposes of financing U.S. trade for which funds cannot readily be found in the private market and is being administered efficiently and in the national interest of the United States.

Cordially,

DON A. GOODALL.

THE CHASE MANHATTAN BANK,
New York, N.Y., April 10, 1967.

Hon. JOHN J. SPARKMAN,
Chairman, Committee on Banking and
Currency, U.S. Senate, Washington, D.C.

DEAR JOHN: I am writing to express to the Committee Chase Manhattan's support for your bill, S. 1155, which would extend for an additional five years the life of the Export-Import Bank, increase its ceiling on loans and increase the amount of the guarantees and insurance which it may issue.

Since its inception, the Export-Import Bank has been a vital adjunct to the financial facilities provided by private enterprise for the promotion of our foreign trade on a sound economic basis. The increase in the Bank's authorizations which have accompanied each extension of the Bank's term has increased the Bank's usefulness to the foreign trade of the United States and the significant support it has given to the credit side of United States balance of payments.

Each new program instituted by the Bank, in particular the institution of risk insurance through the Foreign Credit Insurance Association and the system of support for commercial bank loans to exporters through Eximbank guarantees, has demonstrated the ability of the Bank to work with and anticipate the needs of the business community in fulfilling its functions. On September 1, 1966, Export-Import Bank initiated a program under which it lends to commercial banks against their portfolio of certain export obligations. It is expected that this program will substantially increase the opportunities of exporters to finance sales abroad of United States goods through the cooperative efforts of private commercial banks and the Bank.

In our view Export-Import Bank has made a very substantial contribution to export trade and has cooperated in commendable fashion with private financial institutions in furthering the foreign commerce of the United States. We respectfully urge, therefore, that S. 1155 receive the favorable consideration of your Committee and of the Congress.

Sincerely,

DAVID ROCKEFELLER,
President.

NATIONAL ASSOCIATION OF MANUFACTURERS,
INTERNATIONAL AFFAIRS DEPARTMENT,
New York, N.Y., April 14, 1967.

Hon. JOHN SPARKMAN,
Chairman, Banking and Currency Committee
of the Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The National Association of Manufacturers, through its International Economic Affairs Committee, in which I serve as Chairman of the Export Expansion Program Group, is pleased to submit for the record its views supporting S. 1155. We have also submitted similar views supporting HR 6649 and HR 6650 currently before the Banking and Currency Committee of the House.

The support and encouragement our Association has expressed over the years for the Export-Import Bank is described in the attached statement which stands as the official policy of the Association which represents 15,000 member companies. We ask that this official statement also be included in the record of your hearings when they are held.

We note the major provisions of the measures before you providing for the extension of the life of the Bank for five years; increasing the Bank's lending authority from a present limitation of \$9 billion to \$13.5 bil-

lion dollars without increase in borrowing authority; and an increase within this overall ceiling of the authority to provide guarantees and insurance up to \$3.5 billion dollars from the existing \$2 billion dollars limitation.

Also, we note the two relatively minor changes pertaining to a change in the legal name of the Bank and to per diem allowances for the members of the Bank's Advisory Committee.

Our Association finds these requests reasonable and consistent with the purposes of the Export-Import Bank and in no way in conflict with any of the views of the National Association of Manufacturers, as expressed in its basic policies.

The business community applauds the recent action of the Export-Import Bank in assisting commercial banks by assuring them of the availability of "rediscount" funds for portions of their export credits, thus facilitating increased export financing.

For the above reasons, our Association supports the legislation before you and recommends its adoption by the Congress.

Sincerely yours,

PAUL DIETZ,
Chairman, Export Expansion Program
Group, International Economic Affairs
Committee.

NATIONAL ASSOCIATION OF MANUFACTURERS
IMPORT-EXPORT BANK

The Export-Import Bank under present world conditions continues to serve a useful purpose to American industry in carrying out its statutory objectives in aiding in financing and facilitating the foreign trade of the United States. As an exclusively American institution, the Export-Import Bank can continue to serve an important interest of the United States and of domestic industry in this critical period in world affairs by assisting in the development or expansion abroad of sources of strategic and essential material required for defense or industrial uses, and with development projects which will improve the economy of foreign countries and their trade with the United States.

The Association believes that:

1. A basic tenet of Export-Import Bank policy is and should continue to be the encouragement of private enterprise. Its extensions of credit should not promote the displacement of private by public operations. The Bank should continue its efforts to secure the maximum participation of private capital in its lending activities.

2. The Bank's authority to guarantee loans made by domestic commercial banks and other private agencies should be continued and utilized to the extent that the resources of the commercial banks and other private agencies make possible.

3. The Bank's operations should be directed towards encouraging the maximum participation of private capital without government guarantees; guarantees should be used to encourage the participation of private funds which would not otherwise be forthcoming. The Bank's criterion in credit extension, whether through making loans or through guaranteeing in whole or in part the loans of commercial banks or other private agencies, should be that the proposal in question meets sound standards of lending and constructive purpose in an international sense.

4. It is essential that any extension of credit by the Bank should bear a considered and prudent relationship to the future ability of the borrower to generate funds for repayment, including the question of foreign exchange availability.

The Export-Import Bank should function as a strong independent agency of our government, serving the exporters and importers of this country within the framework of the foreign economic policy of the United States.

WELLS FARGO BANK,

San Francisco, Calif., April 6, 1967.

HON. JOHN J. SPARKMAN,
Chairman of the Banking and Currency
Committee, U.S. Senate, Washington,
D.C.

DEAR MR. SPARKMAN: In connection with the proposed legislation pending in the Congress to extend the life of the Export-Import Bank of Washington to June 30, 1973 (S. 1155; H.R. 6649, 6650), we concur, without reservation, in its various provisions.

The tremendous impetus which the Eximbank's operations give to United States exports is daily evident to us in our international operations. This effect on our country's balance of payments is felt far beyond even the obvious statistical evidence. Eximbank's loan and guarantee programs provide a stimulus to our export production which cannot readily be supported by available, normal, commercial and banking channels.

Certainly our national interest requires the competitive tools provided by these programs. Our export customers, to an ever greater extent, are meeting the intensification of world-wide trade challenges, but they must be granted every edge within the nation's capability.

The specific provisions contained in the proposed bills, and particularly those relating to increases in the Bank's lending authority and its authority to issue guarantees, would appear to be most suitable under existing conditions. We consider it imperative that the Eximbank's operations continue to receive the utmost support of the Congress in the implementation of its activities.

Sincerely,

RICHARD P. COOLEY,
President.

Mr. ERVIN. Mr. President, I have been unalterably opposed to the idea that any credit made possible by the exertions of American taxpayers should be extended to the consummation of the proposition that the Fiat Corp., of Italy, should provide the means for Russia to make cars for the commissars. I voted for the Byrd amendment for that reason, and I welcome an opportunity to vote again for an amendment which will make it virtually impossible for the executive branch of the U.S. Government, or any agency of the executive branch of the U.S. Government, to extend credit to the extent of \$50 million, or a single cent, having the direct or indirect result of enabling Russia to obtain an automobile factory on the basis of credit furnished by Americans while Russia is using Russian rubles equivalent to \$50 million of American money, or a single penny of American money, to send weapons and munitions to South Vietnam to be used by the Vietcong to kill and wound American boys.

It should not be necessary for Congress to erect legal barriers to prevent any such action on the part of the executive branch of the Government or any agency of the executive branch of the Government.

If the Export-Import Bank makes a loan to the Fiat Corp. of Italy, or guarantees the credit of the Fiat Corp. of Italy, and thereby enables the Fiat Corp. to build a factory in Russia to build cars for the commissars, it means this: that Russia is thereby enabled to use \$50 million of its money, which the factory would otherwise cost it, and use such money to manufacture munitions and weapons to be used to kill and to maim American boys in South Vietnam.

I am very much intrigued by the constitutional argument of my good friend, the able and distinguished junior Senator from Maine.

I call the attention of the Senate to the portion of the bill set forth on page 3, which starts with the words "It is further the policy of the Congress." This portion of the bill—that is, line 6 through line 17—expressly declares:

(2) It is further the policy of the Congress that the Bank in the exercise of its functions should not guarantee, insure, or extend credit, or participate in an extension of credit (A) in connection with the purchase of any product by a Communist country (as defined in section 620(f) of the Foreign Assistance Act of 1961, as amended), or agency or national thereof, or (B) in connection with the purchase of any product by any other foreign country, or agency, or national thereof, if the product to be purchased by such other country, agency, or national is, to the knowledge of the Bank, principally for use in, or sale to, a Communist country (as so defined).

If that has the effect of law, it means that the policy declared shall be the law. Then, the following words contain this proviso:

Provided, That whenever the President determines that such guarantees, insurance, extension of credits, or participation in credits, would be in the national interest and reports such determination (within thirty days after making the same) to the Senate and House of Representatives, such guarantees, insurance, or extension of credits may be made, or participated in, by the Bank notwithstanding the policy herein stated.

In interpreting the bill, these two provisions must be read together.

When they are so read, they tend to support the proposition that this bill is an effort on the part of Congress to give the President power to legislate and, in his legislating, the power to destroy the policy which Congress declares in this section. Hence, a plausible argument can be made for the proposition that the bill is unconstitutional because it undertakes to vest in the President a power which the Constitution gives to Congress and Congress alone—the power to legislate.

Mr. President, I am not concerned about the constitutionality of the Dirksen amendment. As the able and distinguished senior Senator from California pointed out, it is simply an application of the legislative process illustrated by the provision of the Reorganization Act which enables the President to reorganize executive departments or executive agencies and reserves to Congress the power to reject his reorganizational plans by a majority vote of either House within the time specified in the Reorganization Act.

If this amendment is unconstitutional, then, as the Senator from California so ably remarked, the action permitting the President to reorganize the departments or agencies of the executive branch of Government subject to the right of either House to negate his action is also unconstitutional.

I do not believe that the resources of the American taxpayer or credit made possible by the American taxpayer should be used to make cars for commissars while the commissars are using their money for the purpose of making munitions and weapons for the slaying and

maiming of American boys in Southeast Asia.

Mr. President, I support the Dirksen amendment.

Mr. MUNDT obtained the floor.

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

Mr. MUNDT. Mr. President, I am happy to yield, with the understanding that I do not lose my right to the floor.

Mr. DIRKSEN. Mr. President, I would like to get some determination with respect to when we can vote on the amendment. I know there are Senators who have reservations and desire to leave, if they can. My understanding is that the distinguished Senator from South Dakota [Mr. MUNDT] will take only 5 minutes on the amendment. I have no other requests for time. Therefore, it would occur to me that we could vote rather soon on the amendment, or as soon as we can get a sufficient number of Senators for a show of hands.

Mr. MANSFIELD. There is a sufficient number of Senators now.

Mr. DIRKSEN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MANSFIELD. I do not know who is going to speak on this side I would like about 3 minutes.

Mr. MUSKIE. As far as I know, that would conclude the speaking on this side.

Mr. MUNDT. Mr. President, I shall be brief in stating my reasons for supporting this amendment, but I support it wholeheartedly.

I agree with the Senator from Maine [Mr. MUSKIE] and the Senator from Virginia [Mr. BYRD] that the Byrd amendment covers the Fiat amendment. To be candid, however, as a further precaution I am calling up my Fiat amendment later and I think the result will be precise, clear, and compelling about that transaction.

Mr. President, we have here the question of whether or not Congress wants to turn over to the Executive, without further consultation or authority, these funds to supply the resources of the Communist countries. The Byrd amendment does not cover that in its extent. It covers only Communist countries or non-Communist countries which are supplying our enemy in Hanoi or elsewhere where we are involved in a shooting war, the materials which strengthen their hands. It does that completely and splendidly. However, as pointed out this morning by many speakers, we have here an established constitutional and legislative procedure and relationship between the executive and the White House.

I was on the committee which reported the Reorganization Act. We heard all kinds of constitutional arguments. Then, it was enacted and its constitutionality never was challenged. Its effectiveness was demonstrated recently in the House. The House tried to upset the reorganization plan and failed. If they had had enough votes they could have succeeded. The operative formula is established and accepted by precedent.

Mr. President, if Congress is given the right to review a decision of the Presi-

dent on reorganization in his branch of the Government, in shuffling around people primarily responsible to him—if Congress is permitted constitutionally to participate in that—certainly if the constitutional phrase “advise and consent” it applies to the Senate means anything, then even more obviously we should have the right to participate and consult on these decisions. That is all this measure provides. It does not hamper the President one iota in using the escape hatch which remains in the bill authorizing extensions of credit to Communist countries except that it gives Congress the right, after 60 days, to say “No,” in which case his decision would not prevail.

Mr. President, I speak as one who believes that Congress is beginning, at long last, to reassert some of its authority to reestablish itself as an independent branch of Government. I think we took a great forward step yesterday in that direction. This in itself was a great victory, alone, quite apart from the other salutary effects of stopping the flow of American credits to countries aiding our enemies.

I am intrigued by the recent observations of the chairman of the Committee on Foreign Relations, on which I serve. He is a gentleman and an old friend with whom I frequently disagree. But when he talks about the fact that Congress should take a good look as to how far we have gone in permitting Presidents to commit us to war, and commit us irrevocably to foreign policies and solidifying treaties before we are called in to be consulted, and have our advice, he touches a responsive nerve, insofar as this Senator is concerned.

Mr. President, I am glad that I am going to be on the committee that is going to have those hearings and investigations. I think the chairman of the Committee on Foreign Relations reflects a growing feeling in this country that the Senate should stand on its feet and assert itself. That is all that is involved in the Dirksen amendment, in that if we feel a deal with the Communist countries is so reprehensibly bad that it is inimical to the interest of the people living in this land of the free, then, after 60 days one House or the other, by vote, can say, “No, sir, the money of the people of the United States shall not be used in this manner.”

What is wrong with giving Congress the right to control the purse? The constitutional forefathers said we should have that right. But, if we are going to exercise our constitutional authority to control the purse, we have to have something to say in the ultimate decision with respect to what is to be done with the people's money. This Dirksen amendment preserves some kind of partnership arrangement, some kind of congressional review of what is being done.

Mr. President, I hope that in a roll-call vote Senators who vote will reassert their independence and say, “Count us in on this monumental decision,” by supporting the Dirksen amendment. I hope few Senators will vote to vacate their constitutional responsibilities.

Mr. ERVIN. Mr. President, the argument of my good friend from Maine that what this amendment is designed to

accomplish has already been accomplished by the Byrd amendment reminds me of the story of the man in a distant part of the country who received a telegram from an undertaker informing him that his mother-in-law had died. The telegram of the undertaker closed with the inquiry, “Shall we cremate or bury?” This man wired back and said, “Take no chances. Cremate and bury.”

I would like to outlaw such transactions as the proposed Fiat transaction by both cremation and burial.

Mr. MUSKIE. Mr. President, in my long and cordial relationship with the distinguished Senator from North Carolina, I have always found him equipped with the ability to justify action he is going to take in about as engaging a manner as any Senator.

Mr. MANSFIELD. Mr. President, I had hoped that the amendment offered by the minority leader would not be brought up because it was my belief, or perhaps an assumption, that with the passage of the Byrd amendment on yesterday the matter had been concluded, not to the satisfaction of the manager of the bill, or the committee which reported the bill, or the Senator from Montana, but to those who were opposed to the measure in part as it applied to trade with North Vietnam.

It appears to me that the Dirksen amendment would give the President discretion in name only but, in effect, would make one or the other House of Congress the determining factor. It would not even bring in both Houses. Furthermore, it would tend to nullify what powers would be placed in the hands of the President, who is in charge of the conduct of the foreign policy of this Nation under the Constitution. The Senate is entitled to advise and consent, and that power has been limited by practices of recent years. Lately, we have tried, and I have joined in an effort, to broaden this senatorial responsibility.

But if we do this, I believe we will tie the hands of the administrators of the Export-Import Bank, and on that basis the hands of the President also, who may have to act within a relatively short period of time on a very important subject which might be in the best interests of the United States to pursue.

This could not only delay matters 60 days, but if my interpretation of the proposal is correct, it could also extend it for many months beyond that period, thus making the efforts of the Export-Import Bank that much more negative.

I believe that this is an attempt to break in on the power of the executive. I would remind my colleagues in the Senate that I was one of those who joined with the distinguished chairman of the Committee on Foreign Relations, the Senator from Arkansas [Mr. FULBRIGHT], several days ago, in which I stated that I thought too much of our power had been given to the Presidency—not to this particular President but to the Presidency—over the past few decades, and that something should be done to bring about a correction in the balance between the executive and legislative branches at least as represented by the Senate.

I joined, because of the fact that the Senate—and the House on occasions,

too—had allowed this power to be eroded voluntarily, because we acceded to, let us say, such matters as mutual security treaties. We acceded to so much and so voluntarily that today we have commitments with 42 or 43 countries or areas.

I do not blame the President for that. I do blame the Senate primarily, because we could have stopped them or decreased them had we so desired, but we voluntarily gave the power which is in those treaties to the executive branch.

Mr. President, I would hope that we would recall some of that power on the basis of giving much closer consideration to treaties and agreements and getting away from the idea of automatically approving the kind of mutual security treaties into which we have entered with such vim and vigor since the end of the Second World War.

If I may continue with respect to this amendment, it would bring about a period of inaction, as I have indicated, and would make it more difficult to achieve the kind of objectives which we would like to, under the aegis of the Export-Import Bank.

I would also hope, Mr. President, that the Senate would not approve this amendment, that it would not tie the hands of the President to such an extent, that it would not give the right to one house or the other to exercise a veto but would be satisfied with the damage which has already been done, in my opinion, to the bill now pending before the Senate, which was reported unanimously by the Committee on Banking and Currency.

Mr. President, that is about all I have to say at this time, but I do hope that the Senate will not be stampeded, in its desire to cut down the executive branch and vent its spleen on the Export-Import Bank, to the extent that it will adopt this amendment. I hope, rather, that the opposite will be the result.

The PRESIDING OFFICER. The question is on agreeing to the amendment as modified of the Senator from Illinois [Mr. DIRKSEN]. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MORTON (when his name was called). On this vote, I have a live pair with the Senator from Utah [Mr. BENNETT]. If he were present and voting, he would vote “yea”; if I were permitted to vote, I would vote “nay.” Therefore, I withhold my vote.

Mr. RIBICOFF (when his name was called). On this vote, I have a live pair with the Senator from Montana [Mr. METCALF]. If he were present and voting, he would vote “nay”; if I were permitted to vote, I would vote “yea.” I therefore withhold my vote.

The rollcall was completed.

Mr. HOLLINGS (after having voted in the affirmative). On this vote, I have a pair with the Senator from Minnesota [Mr. MONDALE]. If he were present and voting, he would vote “nay”; if I were permitted to vote, I would vote “yea.” Therefore, I withdraw my vote.

Mr. PEARSON (after having voted in the negative). On this vote, I have a live pair with the Senator from Nebraska

[Mr. HRUSKA]. If he were present and voting, he would vote "yea"; if I were permitted to vote, I would vote "nay." Therefore, I withdraw my vote.

Mr. BREWSTER (after having voted in the affirmative). On this vote I have a live pair with the Senator from Wyoming [Mr. MCGEE]. If he were present and voting, he would vote "nay"; if I were permitted to vote, I would vote "yea." Therefore, I withdrew my vote.

Mr. GRIFFIN (after having voted in the negative). Mr. President, on this vote I have a pair with the Senator from California [Mr. MURPHY]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." Therefore, I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Missouri [Mr. LONG], the Senator from Wyoming [Mr. MCGEE], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I also announce that the Senator from Nevada [Mr. CANNON], the Senator from Tennessee [Mr. GORE], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Montana [Mr. METCALF], the Senator from Minnesota [Mr. MONDALE], the Senator from Utah [Mr. MOSS], the Senator from Wisconsin [Mr. NELSON], the Senator from Rhode Island [Mr. PELL], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

On this vote, the Senator from Colorado [Mr. DOMINICK] is paired with the Senator from Alabama [Mr. SPARKMAN]. If present and voting, the Senator from Colorado would vote "yea" and the Senator from Alabama would vote "nay."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Colorado [Mr. DOMINICK], the Senator from Iowa [Mr. MILLER], the Senator from California [Mr. MURPHY], and the Senator from Illinois [Mr. PERCY] are necessarily absent.

The Senator from Utah [Mr. BENNETT], the Senator from Massachusetts [Mr. BROOKE], the Senator from Arizona [Mr. FANNIN], and the Senator from Oregon [Mr. HATFIELD] are absent on official business.

If present and voting, the Senator from Arizona [Mr. FANNIN] and the Senator from Oregon [Mr. HATFIELD] would each vote "yea."

The respective pairs of the Senator from Utah [Mr. BENNETT], the Senator from California [Mr. MURPHY] and that of the Senator from Nebraska [Mr. HRUSKA] have been previously announced.

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from Massachusetts [Mr. BROOKE]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from Massachusetts would vote "nay."

On this vote, the Senator from Iowa [Mr. MILLER] is paired with the Senator from Illinois [Mr. PERCY]. If present and

voting, the Senator from Iowa would vote "yea" and the Senator from Illinois would vote "nay."

On this vote, the Senator from Colorado [Mr. DOMINICK] is paired with the Senator from Alabama [Mr. SPARKMAN]. If present and voting, the Senator from Colorado would vote "yea" and the Senator from Alabama would vote "nay."

The yeas and nays resulted—yeas 34, nays 34, as follows:

[No. 214 Leg.]

YEAS—34

Allott	Gruening	Mundt
Baker	Hansen	Prouty
Bartlett	Hartke	Proxmire
Boggs	Hickenlooper	Randolph
Byrd, Va.	Hill	Smith
Carlson	Holland	Talmadge
Cotton	Jordan, N.C.	Thurmond
Dirksen	Jordan, Idaho	Tower
Dodd	Kuchel	Williams, Del.
Eastland	Lausche	Young, N. Dak.
Ervin	McGovern	
Fong	Morse	

NAYS—34

Anderson	Hayden	Montoya
Bayh	Inouye	Muskie
Burdick	Jackson	Pastore
Byrd, W. Va.	Javits	Scott
Case	Kennedy, Mass.	Spong
Church	Kennedy, N.Y.	Stennis
Clark	Long, La.	Tydings
Cooper	Magnuson	Williams, N.J.
Ellender	Mansfield	Yarborough
Fulbright	McCarthy	Young, Ohio
Harris	McClellan	
Hart	Monroney	

NOT VOTING—32

Aiken	Hatfield	Murphy
Bennett	Hollings	Nelson
Bible	Hruska	Pearson
Brewster	Long, Mo.	Pell
Brooke	McGee	Percy
Cannon	McIntyre	Ribicoff
Curtis	Metcalfe	Russell
Dominick	Miller	Smathers
Fannin	Mondale	Sparkman
Gore	Morton	Symington
Griffin	Moss	

The PRESIDING OFFICER. On this vote the yeas are 34 and the nays are 34, a tie vote. The amendment is rejected.

The bill is open to further amendment.

Mr. MUNDT. Mr. President, I call up my amendment No. 248, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment, which is as follows:

AMENDMENT NO. 248

On page 3, line 17, after "That" insert "subject to the provisions of subsection (d) of this section."

On page 5, lines 13 and 14, strike out "\$13,500,000,000" and substitute "\$13,450,000,000".

On page 5, after line 17, insert the following:

"Sec. 2. Section 2 of the Export-Import Bank Act of 1945 is amended by adding at the end thereof a new subsection as follows:

"(d) The Bank shall not guarantee, insure, or extend credit, or participate in an extension of credit in connection with the purchase of any product for the construction of a facility for manufacturing automobiles by the Union of Soviet Socialist Republics, or by any other nation or entity for use (to the knowledge of the Bank) in the Union of Soviet Socialist Republics."

Mr. MUNDT. Mr. President, exercising my right to modify my own amendment, I send to the desk a modification of the language, and ask that it be read.

The PRESIDING OFFICER. The modification will be stated.

The assistant legislative clerk read as follows:

On page 3, line 17, after "That" insert "subject to the provisions of subsection (d) of this section."

On page 5, after line 17, insert the following:

"Sec. 2. Section 2 of the Export-Import Bank Act of 1945 is amended by adding at the end thereof a new subsection as follows:

"(d) The Bank shall not guarantee, insure, or extend credit, or participate in an extension of credit in connection with the purchase of any product for the construction of a facility for manufacturing automobiles by the Union of Soviet Socialist Republics, or by any other nation or entity for use (to the knowledge of the Bank) in the Union of Soviet Socialist Republics."

Mr. MUNDT. Mr. President, we can expedite the discussion, I am sure, by two steps. First, I shall make a very quick explanation by saying that this is identical to the amendment which I offered on August 9, cosponsored by Mr. BYRD of Virginia, except that, now that we have made progress in connection with expressing the desire of Congress as to Export-Import Bank transactions, the amendment as now proposed does not deprive the Export-Import Bank of any of the money provided in the bill as reported.

This amendment, would do what I think we have in fact, already done. I believe I speak for the Senator from Virginia [Mr. BYRD] and the Senator from Maine [Mr. MUSKIE], who is in charge of the bill, as well as myself, in saying that the rollcall vote on the Byrd amendment certainly would have to encompass and include this kind of transaction.

I have tried to obtain from the Export-Import Bank Solicitor a statement to that effect to read to the Senate. However, he has replied—and I quite understand his reason—"This is pretty recent; we have not had a chance to properly reflect upon it, and we cannot write such a letter."

Furthermore, today's Washington Post contains a statement which, in my opinion, does not correctly reflect the effect of the action of Congress as reached yesterday by the rollcall vote, in that it says:

Harold F. Linder, president of the Bank, said last night it would be "reasonable to assume" that the countries covered would be mostly in the Communist bloc, including North Korea, Albania, Russia and some of the Eastern European Communist countries.

But, he added, the broad language of the amendment made it difficult to assess the impact.

I interpolate by saying that the Export-Import Bank told my office they would have to examine all the legislative history before they could issue any kind of opinion as to the meaning and effect of the Byrd amendment.

The article continues:

Under his interpretation, the amendment refers only to Governments that trade with North Vietnam. The amendment, under his construction, presumably would not cover the \$50 million Export-Import Bank loan to the private Fiat Company of Italy to provide machine tools for an auto plant in Russia.

It is hard to tell from the grammatical construction whether that is a statement

of Mr. Linder or whether this is an interpretation of Linder's position as Bob Albright believes it will be. I do not know. Coming from Linder, it would be serious. From Albright, it is just a reportorial statement appearing in the Washington Post. But in any case, I am grateful to Bob Albright for putting it in the paper, so that we can now make clear, by adding to the legislative history, and our record of action on this bill, that this is precisely what Congress had in mind.

Since I am sure, from discussions with the Senator from Maine, that he has the same idea and understanding that I have; namely, that the action we took yesterday did accomplish what I say it did, I am hopeful he will accept this amendment and take it to conference, with the general understanding that if the Export-Import Bank has by that time decided and agreed that the Byrd amendment means, that it does rule out the financing of the Fiat plant, we can drop it. I simply want to be sure the Senate decision to stop the Export-Import Bank from financing the Fiat loan for an automobile plant in Russia is both precisely clear and compelling. There must be no loopholes.

The PRESIDING OFFICER. The Chair wishes to inform the Senator from South Dakota that the proposed modification he has discussed is not in order, for the following reasons:

The first part of the modification states:

On page 3, line 17, after "That" insert ", subject to the provisions of subsection (d) of this section."

That language is already in the bill. Then, as to the subsequent modification:

On page 5, after line 17, insert the following:

To wit, section 2—
There is already a section 2 in the bill. It is then followed by a subsection (d). There is already a subsection (d) in the bill.

The further modification—
Mr. MUNDT. Mr. President, I suggest the absence of a quorum, and I will be happy to consult with the Parliamentarian and adjust the amendment during the quorum call.

Mr. President, I withdraw my amendment temporarily and yield to the minority leader.

The PRESIDING OFFICER. The amendment, as modified, is withdrawn.

Mr. DIRKSEN. Mr. President, yesterday I modified my amendment to include the word "lease" as well as purchase.

That appears in four different places in the pending bill. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendments will be stated.

The assistant legislative clerk read, as follows:

On page 3, line 9, insert after "purchase" the following: "or lease", and in line 12 after "purchase" insert "or lease", and in line 14 after "purchased" insert "or leased" and in line 16 after "sale" insert "or lease".

Mr. DIRKSEN. I have discussed the amendment with the manager and it is agreeable with him.

Mr. MUSKIE. Mr. President, I have discussed this with the representatives of the Bank and the administration.

The word purchase which was in the bill originally, I think, would clearly cover lease-purchase agreements anyway. The Bank does not get involved in straight leasing arrangements to any degree. However, to insure coverage of that kind of transaction, we have no objection to agreeing to the amendment of the distinguished minority leader.

The PRESIDING OFFICER. Does the Senator wish to consider the amendments en bloc?

Mr. DIRKSEN. Yes.
The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendments en bloc of the Senator from Illinois [Mr. DIRKSEN].

The amendments were agreed to en bloc.

Mr. MUNDT. Mr. President, I am happy to report to the Chair that as a result of my conference with the clerks at the desk we have worked out the difficulties in the amendment so that my section 2 is renumbered section 3, in order to conform with the presently numbered sections of the bill.

I send the amendment, as modified, to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment, as modified, will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. MUNDT. Mr. President, I ask unanimous consent, since the modified amendment has already been read, to dispense with the reading of the amendment at this time.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendment, as modified, will be printed in the RECORD.

The amendment, as modified, ordered to be printed in the RECORD, is as follows:

At end of the bill insert:
"Sec. 3. Section 2 of the Export-Import Bank Act of 1945 is amended by adding at the end thereof a new subsection as follows:
"(d) The Bank shall not guarantee, insure, or extend credit, or participate in an extension of credit in connection with the purchase of any product for the construction of a facility for manufacturing automobiles by the Union of Soviet Socialist Republics, or by any other nation or entity for use (to the knowledge of the Bank) in the Union of Soviet Socialist Republics."

Mr. MUNDT. Mr. President, I am happy to yield to the distinguished Senator from Maine. I think he will confirm what I have said. Perhaps we can dispose of the amendment very quickly.

Mr. MUSKIE. Mr. President, as the Senator knows, I vigorously opposed, or at least opposed with as much vigor as I am capable of, the amendment which has the effect which the distinguished Senator from South Dakota has described.

I think it is clear that the intent of the amendment offered by the senior Senator from Virginia and the cosponsors thereof covered the so-called Fiat proposal.

There having been a clear intent of the Senate, I so described it to the representatives of the Bank and the administration. It is my belief that the

amendment does cover it, but if there is any doubt, I think that the Senator from South Dakota is taking a perfectly proper action in offering his amendment. I would have no objection to it, considering the action taken on yesterday.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, of the Senator from South Dakota.

Mr. BYRD of Virginia. Mr. President, I concur in the amendment as modified, that has been sent to the desk by the distinguished senior Senator from South Dakota.

I am pleased to be the cosponsor of that amendment.

I think the Senator from Maine has rendered a great service this morning in making a part of the legislative history his belief that the Senate in agreeing to the amendment which it agreed to yesterday afternoon intended to cover such deals as the so-called Fiat deal.

The Senator from Maine correctly interpreted the view of the author of that proposal. I join with the distinguished Senator from South Dakota in urging the adoption of the pending amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, of the Senator from South Dakota.

The amendment, as modified, was agreed to.

Mr. HOLLINGS. Mr. President, I am not calling up my amendment No. 251 because it was first proposed as a back-up to the Byrd amendment. It answered the vagueness argument and bulls-eyed what was intended. In the event that we had not adopted the Byrd amendment, I wished to at least gain the support of those who refused to support the Byrd amendment in that it was vague and referred not only to war materials but to all materials. I supported the Byrd amendment because I believe it should pertain to all materials. I do not wish to limit the Byrd amendment or dis-color it, and therefore will not call up amendment 251.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.
The bill was ordered to be engrossed for a third reading and was read the third time.

UNANIMOUS-CONSENT AGREEMENT

Mr. MUNDT. Mr. President, I have had a prior conversation with the majority leader, and as the Senate knows we long ago exhausted all of the time on the bill during the course of the consideration of the amendments.

Because one or two Senators that I know of on this side of the aisle, and perhaps some others on the other side of the aisle, might want to say something on the bill now that we have finalized the action, I ask unanimous consent that not to exceed 1 hour, 30 minutes to a side, be granted on the bill, the time to be controlled by the distinguished Senator from Maine [Mr. MUSKIE], and the Senator from South Dakota.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. Mr. President, can the Senate be advised how much unexpended time remains on the bill on both sides?

The PRESIDING OFFICER. Under the previous unanimous-consent agreement, the Senator from Montana has 61 minutes remaining on the bill, and the Senator from Illinois has 42 minutes remaining.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the whole time, with the exception of 1 hour, be yielded back and that 1 hour be allocated between the distinguished Senators and to be used as they see fit.

Mr. MUNDT. That will be perfectly all right.

The PRESIDING OFFICER. Is there objection? There being no objection, it is so ordered.

Under the unanimous-consent agreement, the Senator from Illinois has one-half hour and the Senator from Montana has one-half hour.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. I yield myself 1 minute.

I wish to query the distinguished majority leader, now that we are about to finish action on a bill that has engrossed our attention for the last 2 days, to see what the program might be for the remainder of the day and the program for tomorrow, if any, and, hopefully, that there will be no program for tomorrow.

Mr. MANSFIELD. Mr. President, the Senator can be sure that the Senate will not be in session tomorrow.

As of now, I do not know which of two pieces of proposed legislation will be laid before the Senate when the pending measure is disposed of. We will either proceed with the consideration of the McClellan resolution this afternoon—and, if we do, we will come to a vote—or we will start on the Defense appropriation bill, and there will be nothing but an opening statement, if that is the case, and no votes. I will know in about 15 or 20 minutes. As to Saturday, we are in the clear.

Mr. DIRKSEN. I thank the Senator.

EXPORT-IMPORT BANK ACT AMENDMENTS OF 1967

The Senate resumed the consideration of the bill (S. 1155) to shorten the name of the Export-Import Bank of Washington, to extend for 5 years the period within which the Bank is authorized to exercise its functions, to increase the Bank's lending authority and its authority to issue, against fractional reserves, export credit insurance and guarantees, and for other purposes.

The PRESIDING OFFICER. Who yields further time?

Mr. DIRKSEN. I yield 5 minutes to the Senator from South Dakota.

Mr. MUNDT. Mr. President, since legislative history does form a part of what we do in the Senate, I desire to take 5 or 10 minutes, before we vote, to go back

over what we have been trying to evolve in the course of this debate and to pay a few words of well-merited salutation to some of those who have fought so valiantly and successfully in this significant battle.

Incidentally, as a byproduct of the part I played in leading the fight against the ratification of the Consular Treaty sometime ago, I have been cast in the role of one of those leading the fight against East-West trade. While I did not seek that leadership position, it is one which I am readily willing to accept, because I believe, as I have said during the course of the debate, that this is one of the great issues in this war era which must be decided very soon.

First, I wish to congratulate all Senators who voted yesterday in favor of the Byrd amendment, which was the subject of a great debate for about 2 days and a half. It seems to me that by so doing, we have taken a giant step forward in the direction of writing legislative mandates and establishing national policy against this kind of East-West trade or trading with the enemy in time of war.

I suspect that this means the end of the East-West Trade Agreement proposals and that such a proposal will not again soon come to Congress. But if it does, I am confident that it will be rejected, because it involves the same fundamental issues that we have decided with respect to the present measure.

I would hope that it would also be an end of other proposals to employ the people's resources in this hour of war to do anything whatsoever to strengthen the enemy, and that we could now get on with the formulation of policies and a discussion of issues which would help us to win this war and get it over with, to find some satisfactory solution, some way out, which will not have an acceptance of defeat as one of the consequences.

I desire especially to congratulate the minority leader, who played an outstanding role in formulating these policies, in establishing legislative history, and in offering amendments—some of which were accepted and some of which were rejected by narrow margins—which have resulted in a signal, loud and clear, to the other end of the avenue that those of us who have been supporting the President in his legitimate desire to bring the war to an early and successful conclusion have had enough of self-defeating economic and diplomatic policies coming from that same leadership.

We do not want to be forced into a position of opposition; but we cannot accept policies which cry loudly for public support of a war effort at one time and the next day, on the other hand, beckon fondly to the Communist camp and move in the direction of helping it to supply implements of war to our enemy in Vietnam.

The minority leader, because of his position and his logical argument, certainly contributed indirectly to the passage of every amendment we have enacted and directly to the legislative history which includes coming within a tie vote of establishing still another safeguard.

I suspect, Mr. President—while in the

business of prediction—that Members of the House who read the rollcall, who read the speeches, who read the newspapers, will have even more reluctance than they have displayed in the last 6 weeks, when they have refused to act upon a committee-approved bill in the House on the same subject, and that if they do act, they will continue to keep these amendments. I cannot imagine the House affirmatively voting to arm our enemy in time of war.

So, speaking as one of the so-called eagle element of the Senate—which is a new term, I suppose, coined by David Lawrence—I wish to say that this is an important forward step in our determined efforts to bring some realism into our conduct of this war. This may or may not develop as the last great decision that we argue on this subject, depending on what other measures come before the Senate. I believe it has crystallized the issue, placed the Senate on record, and affirmed emphatically our position.

I appreciate the appellations mentioned the other day, to use the terms that are applied to the various softball teams representing our offices. I do not care whether you are a member of "MURPHY'S Eagles" or "BYRD'S Battlers" or "MUNDT'S Minutemen." Whoever they are, I congratulate every one who played a part in formulating their policy determination as we have written it into this bill these past few days.

I wish to especially congratulate, together with the minority leader, the distinguished Senator from Virginia, who bears so ably a great name in the annals of the U.S. Senate, because of his contributions in that area. He, too, is a Senate eagle and on future issues much more will be heard from this element in this body.

I appreciate the courtesy of the majority leader, who worked with us yesterday on a formula which may be used again in the Senate to meet a problem which has plagued us all. What do you do in the course of a big debate, when issues are important and people are earnest, and you argue your heart out before half a dozen Senators? We found a formula yesterday for solving that problem, and, to the gratification of Senators on both sides of the issue, we were debating this matter before 30, 40, or 45 Senators most of the time.

I appreciate the patience and the cooperation of the majority leader. I said to him, "From now on, I object to unanimous-consent agreements on this bill unless we can contrive a way to put some Senator or some reasonable facsimile of a Senator in as many seats as we can reasonably expect to have occupied, at least to get someone to talk to." We worked it out. I believe we should do it again in the future.

The majority leader, always cooperative, always considerate of the position of the minority, helped bring about that kind of situation. So we are now about ready to vote, at 2 o'clock in the afternoon; whereas, had there been an insistence on limitations of time, I suspect that we would still be talking about this measure tomorrow and perhaps next week.

I am gratified with the results. If there is a rollover on final passage, I shall not support the Export-Import Bank, as I have done previously because I have thought it was supposed to be an organization to stimulate trade, to enhance and expand prosperity and to build up viable economies abroad. As it moved in the direction of becoming a world marketing agency for munitions, I lost confidence in it; and when it set itself up in the business of becoming a reconstruction finance corporation for Communist countries to build up their economy, I rejected it. We have it back on track again and I hope it continues to serve its established and noncontroversial purposes.

I am happy to support the pending bill.

Mr. DIRKSEN. Mr. President, I yield myself 2 minutes.

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

Mr. DIRKSEN. Mr. President, I wish to commend the distinguished Senator from South Dakota [Mr. MUNDT] for his very active participation in the debate on this matter and for the constructive suggestions he has made. He has been a tower of strength in that respect and I am grateful that even though he is not on the Committee on Banking and Currency he has undertaken this job on the floor of the Senate. It was not easy. I commend him and thank him.

I do that also for the distinguished Senator from Texas [Mr. TOWER] who, notwithstanding the fact that he was on the Committee on Banking and Currency and was the coauthor of that one controversial item in the bill as it came to us, nevertheless exercised a very constructive attitude with respect to that matter, its modification, and other suggestions he made, which were an improvement in the bill.

I am more than glad that they participated with such diligence and devotion.

I thank the Senator.

Mr. JAVITS. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield 5 minutes to the Senator from New York.

Mr. JAVITS. Mr. President, I cannot let the debate end on the note which is sought to be struck here that there is some generalized and universalized finding by the Senate against East-West trade. Perhaps those who read that connotation into the action taken by the Senate may be correct but I do wish to disassociate myself from this implication for reasons I shall state.

We are voting for credit to be extended or not by the Export-Import Bank. I shall hazard the guess that the Fiat transaction may be financed in the United States by a banking firm or banks other than the Export-Import Bank, or by European banks, anyhow. I make that statement because the business community of this country is a little wiser with respect to the matter of East-West trade than many of those whom I respect fully and for whom I have the greatest affection and fraternal admiration, but with whom I disagree, who believe that

East-West trade in nonstrategic goods is inimical to our progress, our success and the freedom of the world. I think precisely to the contrary. I think there are too many roads closed to the East. I do not think that the only alternative is nuclear war. I think that the alternative is leaving ourselves in the position of retaining all of the options we have.

Mr. President, I have had personal experience in this matter. The Russians would like to trade with us. The reason they would like to trade with us is not to get the goods. They can get the goods from other places in the world. We are not denying them a thing in connection with the Fiat deal or anything else. The Fiat deal, although not financed by the United States, will probably be financed elsewhere in the world. It will not have the effect of denying them the money but it will have the effect of slapping them in the face, which is all right because they do not deserve much more, but denying us the options is the real effect of this. One of the things that many of us have tried to do is to get a Soviet agreement to some kind of conduct with respect to trade so that the U.S.S.R. is not a dumper and disrupter in trade. By doing what we are doing, if this represents a policy, we deprive ourselves of this option.

Mr. President, my second point is that yes, the Soviets are shipping to North Vietnam today but she may stop tomorrow. This legislation does not contemplate that possibility. This legislation contemplates, if anything, that we are going to compel her to stop. We know that she will not stop, at least not on this account.

Mr. President, I see nothing in this matter but possibly making us feel better in that we do not like what they are doing—I do not either. But, it has no real effect and rates us as a power that does not know how to use power, and trade is power. It makes us a lot smaller than we are and deprives us of the very options that can enable us to wage this struggle a lot better than we are if we deny that opportunity and take that power away from the President.

The Senate has decided and that is that. The decision is not going to make the world over. I can assure the Senate that that is so, because this is strictly banking. I wish to disassociate myself, however, from the idea that East-West trade in nonstrategic goods is bad. I think it is good. I want to keep that option. I think that it can be used to enormous advantage for freedom and a peaceful world.

Finally, as one who has been very active in these affairs with Western European countries, one of the things which got us into mischief in Europe is the fact that we are out of step with respect to how to deal with East-West trade and it is one of the things that convinces them that we are immature to deal with.

In conclusion, we lose infinitely more than we gain.

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

Mr. JAVITS. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER. The Senator is recognized for 2 minutes.

Mr. JAVITS. Mr. President, if this indicates the thrust of the policy of the United States we have lost more than we gained. I hope it does not.

I have taken these few minutes, through the courtesy of the Senator from Alabama [Mr. SPARKMAN], to make clear my position—not on the bill, for I shall vote for the bill as many other Senators will. I did not have an opportunity to vote on the Mundt amendment because the action was taken when I was not in the Chamber. I wanted to declare myself on the wisdom or lack of wisdom in connection with East-West trade in nonstrategic goods and retaining the options or foreclosing them. In my opinion we hurt ourselves more than the Soviet Union by foreclosing ourselves of the use of these options on trade.

Mr. BYRD of Virginia. Mr. President, will the gentleman yield?

Mr. MUNDT. I yield 1 minute to the Senator from Virginia.

Mr. BYRD of Virginia. Mr. President, the vote yesterday on the Byrd amendment, followed by the vote today on the Mundt-Byrd amendment makes clear that the overwhelming majority of the Senate disapproves of any effort to use American tax dollars to build up the economy of the Soviet Union, at least during such time as Russia is supplying weapons and materials to North Vietnam. I think it is accurate to say the Senate dealt a deathblow to the Fiat deal, or any similar deals, by Senate action.

Mr. MUNDT. I appreciate the statement of the Senator. At this time I shall not go into the matter at great length, except to say that I disassociate myself with the statement of policy expressed by the Senator from New York. As far as New York bankers wanting to finance this plant for \$50 million, they may do it but not with a loan guaranteed from this country with taxpayers' dollars, which is all that this matter deals with.

I am willing to let the case be resolved and decided by what is in the RECORD of debate in the last 3 days by rollover votes on amendments adopted or which, on stricter amendments, failed of acceptance by narrow margins. If the administration, in the face of this kind of expression by the Senate, wants to bring in its East-West trade bill, let them come in. I challenge them to try it. It will not pass. I offer that as a prediction.

The PRESIDING OFFICER. Who yields time?

Mr. MUNDT. Mr. President, I yield 2 minutes to the Senator from New Hampshire.

Mr. COTTON. Mr. President, I, too, want to make it very clear that I am not in accord with nor am I content to have the sharp edge of the Senate action on this measure blurred by any other interpretation than that it was a forthright declaration of policy on a very vital issue.

I serve on the Commerce Committee, on which we have had occasion to discuss East-West trade. Able members of the committee have even been in some haste—at one time, at least—to take

steps at the present time to hold hearings on expansion of East-West trade.

Let me make it clear that I think every Senator probably desires to build bridges between the East and West, to take every step we possibly can, culturally and commercially, to bridge the gaps. All of us certainly wish to avoid, insofar as it can be avoided, the terrible possibility of a future world conflict. And trade expansion could help.

But, Mr. President, that begins when the last gun has ceased firing in Vietnam—and not until then.

Until then, my feeling about East-West trade is exactly the feeling my grandfather had about speculators during the Civil War. They bought cotton from our friends in the Confederate States, while both sides were shooting each other down, and then sent down supplies and money to aid those who at that time they regarded as our enemy.

I hope I may be forgiven for this illustration, as the bitterness and sting of those days have long since gone.

When we got off the track was when we sent our men into Vietnam. Until we get them out, so far as I am concerned, I am prepared to oppose any traffic with the enemy—with those supplying the weapons killing our boys.

Yesterday, the decision was clear-cut. Taxpayers' dollars in the Export-Import Bank would not be used to aid the enemy. It was better than a two-to-one vote. I have every confidence that the conferees, should the time come for a conference with the House of Representatives, will bear in mind that this was not an amendment to be taken to conference. It was an amendment with a record vote of better than two-to-one in favor, and the amendment means, to most of us, the life or death of the bill.

I do not say this as a threat. I merely say it in order that we may lay our cards on the table and be fully frank. If there should be—and I trust that there will not be, because I think our friends at the other end of the Capitol will feel as we feel about this—but should the Byrd amendment be weakened, I would debate for days before I ever consented to adopt a conference report.

I congratulate the Senator from South Dakota [Mr. MUNDT] on his leadership in this field. I also congratulate the Senate for a day which restores my faith in the Senate, and in humanity.

Mr. MUNDT. I thank the Senator from New Hampshire. He has been a tower of New England granite, exemplified by his strong support of our position.

Mr. RANDOLPH. Mr. President, will the Senator from South Dakota yield?

Mr. MUNDT. I am happy to yield to the Senator from West Virginia such time as he may desire.

Mr. RANDOLPH. Mr. President, I am grateful to the distinguished and eloquent Senator from South Dakota [Mr. MUNDT].

During debate on the legislation now nearing completion, I took no time to speak in this forum. Members of this body are charged with particular responsibilities in committees where they give attention to certain subject matter

and on other problems of concern they do not often rise to discuss the issue. In this Chamber. Perhaps we should address ourselves more often on matters that do not stem from committees in which we are active participants. Mr. President, before final passage of this measure, I shall hope to state succinctly my understanding of the rollcall which was taken yesterday on the amendment of the Senator from Virginia [Mr. BYRD], that vote reinforced by an agreement today with the Senator from South Dakota [Mr. MUNDT].

The test came yesterday. I think as Senators we acted responsibly. There was not total agreement—certainly not—on this point, or on other points which were raised during consideration of the Export-Import Bank bill.

But I joined those Senators in support of the proposal which bars credit to "any nation, the government of which is furnishing goods or supplies" to "any nation with which the United States is in armed conflict."

Mr. President, our fighting forces must be protected from equipment and facilities in the hands of Hanoi—and we seek to halt the flow of goods and supplies to our enemy.

I am not exercised when there are differences in the Chamber. I fear for the Chamber and for the country when Senators and citizens generally are indifferent to the issues before them. We must come to grips with problems of communism and we must realize that it is unfair and unsound to provide credit through the Bank to those nations who are aiding the enemy in Vietnam.

I say frankly, as one Senator, that this is a critical time and we must reappraise personal goals, and also the national and the international goals which can strengthen the cause of legitimate trade between nations and peoples. But we must not traffic with the enemy. I knew it was a declaration by the Senate. I knew it was not a mere gesture which in conference would be fragmented. I understood the issue.

I believe in trade. I believe in intercourse among nations. I believe in the concert of motives as we press forward to that desired day when we will prosper in a world in which we will have learned to live together as neighbors. I pray for that time.

But during a period like this, the Senate performed a wholesome act by committing itself again to trade but not to aid to the enemy; that is to say, we believe in trade. We believe in trade among peoples and nations, but we will not give trade credit necessary for the Soviet Union or others so inclined to cripple our commitment in the struggle of the United States against resourceful foes. We believe in justice and of equity in trade.

So I say to the Senator from Virginia [Mr. BYRD], who sits beside me today that there was no problem for me in voting for the amendment. I did so as a contribution to trade among nations, for trade should be continued, but as a real deterrent to the continual edging in of the Soviet Union toward a breaking down of the efforts of the United States

to maintain justice among peoples of the world.

I think we are realists. I believe that the Senate acted reasonably and realistically and I hope that what we have done will be effective.

Mr. MAGNUSON. Mr. President, will the Senator from West Virginia yield?

Mr. RANDOLPH. I am delighted to yield to the able Senator from Washington.

Mr. MAGNUSON. I join in the views of the Senator from West Virginia, who has stated succinctly the position of many of us on the amendment which was adopted yesterday. Perhaps the amendment could have been worded a little better. There may be some problem of interpretation, but I believe that the conference committee will take care of that.

No one has advocated more the necessity for looking ahead toward peaceful, legitimate trade in the world than has the Senator from Washington.

Mr. RANDOLPH. Yes, that is correct, and the record indicates leadership in this area by the Senator from Washington.

Mr. MAGNUSON. I introduced for the administration the East-West trade bill.

Mr. RANDOLPH. The Senate action yesterday on the Byrd proposal will not do violence to international trade.

Mr. MAGNUSON. It will not. Trade is a tool of peace in the world, a tool for better understanding among peoples.

Of course, we do business with Soviet Russia through proper channels. The amount of our trade is not much—perhaps \$90 million or \$100 million a year, back and forth. As a matter of fact, the Soviet Union sends us some strategic items. But the volume of our trade has been at that level for a long time. The amendment we have agreed to will not stop that trade. The amendment merely provides that we will not give the Soviet Union credit with American taxpayers' money so long as the Soviets continue to do what the Senator from West Virginia suggests they have been doing. I hope that that is definitely understood. Actually, we do not give them credit anyway, when we get right down to it. When the Soviet Union buys American goods, it almost always puts the money on the barrelhead.

The Soviet Union has a large potential market for consumer goods. Russia is suffering a little from creeping capitalism because of the consumer demand. I think that is a nice disease. But we are not affecting that; we are merely saying "under present conditions."

Behind the so-called Iron Curtain are other countries that do not subscribe to some of the actions that are taken in the Kremlin. I cite Romania as an example.

Mr. RANDOLPH. I agree that Romania is a good example. The ambassador from that country has visited West Virginia and spoken to our people with true understanding.

Mr. MAGNUSON. Those countries are now trading with the rest of the world. This has happened within the last 2 years.

We hope we can continue legitimate trade. We hope we can build some

bridges toward a better understanding, in our quest for peace. But we also suggest that so long as we are engaged in the Vietnam war, we will do everything we can not to give direct aid and comfort to those who are fighting American boys overseas. To me, it is as simple as that.

I thank the Senator for yielding me time. I think he is in agreement. He has been a long-time supporter of building bridges. We will do it. I am not a pessimist.

Mr. RANDOLPH. I thank the Senator from Washington. I also thank the Senator from Virginia and the Senator from South Dakota.

Yes, I, too, believe in building a better world. But as we build bridges toward peace we must not allow the use of a devious device by which the bridge is eroded by those who would tear down rather than build—build as we must—eventually in a partnership for progress and peace.

Mr. MUNDT. Mr. President, I am very grateful; the Senator from West Virginia is a long time, personal friend. We have worked together in international conferences. Though we belong to different political parties and have different constituencies, fundamentally we think alike on this issue. He believes we ought to face issues squarely; that we should not merely talk about policies or sense of the Congress; that we are here as legislators and we ought to act so that everybody knows the result.

As far as I am concerned, I am willing to yield back the remainder of my time.

The PRESIDING OFFICER. The Senator yields back his time.

Mr. SPARKMAN. Mr. President, I shall not delay the Senator. I have heard the comments, and gladly accepted them, of the Senator from New Hampshire, the Senator from Washington, the Senator from West Virginia, and other Senators.

The Senator from Maine [Mr. MUSKIE] has managed this bill throughout. I am not authorized to speak for him, but I am sure I can speak for the Senate conferees generally. When we go to conference we shall certainly be conscious of the obligation that rests upon the conferees to uphold the views of the Senate. These amendments have been agreed to. They are part of the bill. They are part of the Senate's action, and, of course, we know what our responsibility is.

With respect to the various statements that have been made about the vote yesterday, I attribute sincerity to all Members of the Senate, whatever their views may be. There were grounds for differences yesterday, and I think they were manifested in the various votes taken. I attribute to every Member of the Senate sincerity in the manner in which he votes.

I yield to the Senator from Kentucky such time as he may wish.

Mr. COOPER. Mr. President, I thank the Senator. I will be brief.

I listened with interest to the statement of my distinguished colleague and friend, the Senator from South Dakota giving his view of the policy which he

believes the final form of a bill expresses. I respect the Senator from South Dakota and Senators who supported the amendments which were offered by him, by the senior Senator from Illinois and the senior Senator from Virginia. I know their patriotism, and their devotion to our country.

Yet I would not agree that the action upon this bill represents a final expression of what this or any administration or the Congress will do about resolving our problems in the world, and particularly with the Soviet Union and the Communist states. There are two viewpoints as to how best to move toward a resolution of the issues that separate the United States and the free countries and the Communist countries. As I said, I have respect for the views of the Senator from South Dakota and those who agree with him. But those of us who disagree with him are no less patriotic or concerned about the war in Vietnam and about the ways we can move to secure our country and freedom.

I do not want to be simplistic, and yet I may be. But it is true that quite a large group in this country believes that there will never be any way in which the issues between the free world and the Communist world can be resolved; that there ought to be a continual state of cold war—the cold war which has gone on for 20 years; a cold war which holds always the possibility of confrontation between the Soviet Union and the United States, with the danger of a third world war and a nuclear war which, of course, would mean the partial destruction of our country as we know it today, and perhaps of civilization.

There are others—and I am one of them—who admit that the prospects are not too bright, and have not been so since World War II, for a settlement of issues between the United States and the Soviet Union and Communist countries. Nevertheless, considering the alternatives, we are confident in our country's strength and good purpose and are willing to take peaceful steps, such as the Nuclear Test Ban Treaty, proposed under the leadership of President Kennedy, many proposals of President Eisenhower, and the Consular Convention recently consented to by the Senate.

Another forward step, which many believe offers hope is a relaxation of trade. I believe this.

The Senator from South Dakota remembers that when the question of the sale of wheat to Russia arose in 1963, that I joined him in opposing it, because I thought it was a change in policy on an isolated sale without the consideration of Congress, and without consultation with our allies on the whole question of trade.

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

Mr. COOPER. In just a moment.

I have voted on this bill as I did—and I am glad that I did—because nothing is offered, there is no hope in the policy of just saying that the cold war will continue forever and ever. The alternatives to the continuation of the present cold war, or a larger war, is the positive effort to reach solutions and resolutions, of the issues that divide the Soviet Union and

the United States by peaceful methods, including an increase of trade.

I know, as does the Senator from South Dakota, that the chances of coming to any kind of accommodation with the Soviet Union immediately are not bright. I understand their purposes and their objective for the world. But things change. Their interests sometimes coincide with ours. My point is that we should be seeking accord positively.

If the Senator will permit me to continue a moment, I wish to say one further thing: I do not believe it is proper, in the discussion of a major issue, such as we have been discussing, and shall be discussing again and again, as if they bore heavily on the war in Vietnam, an emotional and tragic matter for our country. The war concerns me just as much as it concerns my friend from South Dakota; it concerns all of us. There is a tendency, which gives the implication—although not intended—that some are braver, more patriotic, more concerned than others. The Senator has served in war, as have I. Listening to the Senator's statement, I wanted to make my position clear.

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

Mr. COOPER. I yield.

Mr. MUNDT. First of all, I do not think there is any feeling in the Senate that we have forever resolved all the problems of the cold war or the shooting war by our action yesterday and today. We simply agreed among ourselves on an expression of realism through the amendments adopted that since the Soviet bloc and the Communist countries are supplying the weapons of war to our enemies in Vietnam, under those warlike conditions there must be no American credits extended which would in any way strengthen the economy of those countries which are stoking the fires and loading the guns of the people engaged in war against us.

It should also certainly indicate, however, to as astute a leader as we have at the head of our Government, an expression of our opposition on the part of the Senate concerning East-West trade in time of war.

Concerning the long pull—and the Senator from Kentucky keeps reminding us of that, and properly so, because we hope there will still be a world after this war is over; we hope there will be a great future for humanity—I recall it was just 20 years ago when, on the floor of the House of Representatives, I engaged in a far longer and more vigorous debate of a public issue than I have engaged in recently. The Senator from New York [Mr. JAVITS] and I were then arrayed shoulder to shoulder in support of what came to be known as the Smith-Mundt Act, Public Law 402 of the 80th Congress which set up our whole complex of exchange of peoples programs including cultural and information exchanges.

I felt then as I feel now, and as I am sure that the Senator from Kentucky does, that we have to have and to seek different rapprochements and better understandings between different peoples.

I support vigorously peaceful approaches and interchanges with areas of the world where we have differences, including the Communist bloc.

The Smith-Mundt Act established the magazine *Amerikanski* for distribution in the Soviet Union, and permitted *Sputnik* and *Soviet Life* to come over here from there.

Some people have resented that. I do not. I think we have to come around to an understanding. But, living out in the great Midwest, where you have to be a realist to live, where, when it does not rain enough, you have to dig an irrigation ditch to get water to your farm, I perhaps have had ingrained in me a sense of realism which makes me unable to disregard the fact that when we know this war is continuing, when we know that every single weapon added to the capacity of North Vietnam prolongs a war you and I would like to shorten, and escalates the casualties you and I would like to see reduced, and I think more importantly gives a certain stamina and conviction to old Ho Chi Minh, making him more reluctant to come to the conference table, if we can do anything, by adopting a Byrd amendment, to prevent the establishment of an automobile plant in Russia, and to let the people at the other end of the avenue know we do not want any more of our aid to strengthen the hands of our enemy, then we will be working toward the day when we will all be joined together, I hope, in trying to find ways and means of accommodation in an era of peace.

Mr. COOPER. Again I say I appreciate the Senator's statement very much. I can only make the comment that I do not think an amendment to the pending bill will stop the war in Vietnam.

Mr. MUNDT. Nobody has made that claim. But I think an amendment to this bill is likely to shorten the war in Vietnam, because it will decrease, at least, somewhat, the arms that the enemy has to shoot at us in order to continue it.

Mr. SPARKMAN. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, and the bill having been read the third time, the question is, Shall it pass?

The bill (S. 1155) was passed, as follows:

S. 1155

An act to amend the Export-Import Bank Act of 1945, as amended, to change the name of the Bank, to extend for five years the period within which the Bank is authorized to exercise its functions, to increase the Bank's lending authority and its authority to issue, against fractional reserves, export credit insurance and guarantees, to restrict the financing by the Bank of certain transactions, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Export-Import Bank Act of 1945, as amended (12 U.S.C. 635-635i), is amended by changing "Export-Import Bank of Washington", wherever that name refers to the legal entity created by the Export-Import Bank Act of 1945, to "Export-Import Bank of the United States".

(b) Section 2 of such Act is amended by

striking subsection (b) thereof and by substituting in lieu thereof the following:

"(b) (1) It is the policy of the Congress that the Bank in the exercise of its functions should supplement and encourage and not compete with private capital; that loans, so far as possible consistently with carrying out the purposes of subsection (a), shall generally be for specific purposes, and, in the judgment of the Board of Directors, offer reasonable assurance of repayment; and that in authorizing such loans the Board of Directors should take into account the possible adverse effects upon the United States economy and the desirability of safeguarding the international balance of payments position of the United States."

(c) Section 2(b) of such Act is further amended by inserting at the end thereof two new paragraphs as follows:

"(2) The Bank in the exercise of its functions shall not guarantee, insure, or extend credit, or participate in an extension of credit (A) in connection with the purchase or lease of any product by a Communist country (as defined in section 620(f) of the Foreign Assistance Act of 1961, as amended), or agency or national thereof, or (B) in connection with the purchase or lease of any product by any other foreign country, or agency, or national thereof, if the product to be purchased or leased by such other country, agency, or national is, to the knowledge of the Bank, principally for use in, or sale or lease to, a Communist country (as so defined): *Provided*, That, subject to the provisions of subsections (d) and (e) of this section, whenever the President determines that such guarantees, insurance, extension of credits, or participation in credits, would be in the national interest and reports such determination (within thirty days after making the same) to the Senate and House of Representatives, such guarantees, insurance, or extension of credits may be made, or participated in, by the Bank.

"(3) It is further the policy of the Congress that the Bank in the exercise of its functions shall not guarantee, insure, or extend credit, or participate in an extension of credit in connection with any credit sale of defense articles and defense services by the Government of the United States under the Foreign Assistance Act of 1961, as amended, or by United States exporters, the repayment of which is guaranteed under section 503(e) and section 509(b) of said Foreign Assistance Act: *Provided*, That whenever the President determines that such guarantees, insurance, extension of credits, or participation in credits, would be in the national security interest and reports such determination (within thirty days after making the same) to the Senate and House of Representatives, such guarantees, insurance, or extension of credits may be made, or participated in, by the Bank notwithstanding the policy herein stated: *Provided further*, That in no event shall the Bank have outstanding at any time, military export credits guaranteed under section 503(e) and section 509(b) of the Foreign Assistance Act of 1961, as amended, in excess of 7½ per centum of limitation imposed by section 7 of this Act."

(d) Section 2(c) of such Act is amended by striking out "\$2,000,000,000" and inserting in lieu thereof "\$3,500,000,000".

(e) Section 3(d) of such Act is amended by striking out the last sentence and inserting in lieu thereof the following: "Members, not otherwise in the regular full-time employ of the United States, may be compensated at rates not exceeding the per diem equivalent of the rate for grade 18 of the General Schedule (5 U.S.C. 5332) for each day spent in travel or attendance at meetings of the Committee, and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United

States Code, for individuals in the Government service employed intermittently."

(f) Section 7 of such Act is amended by striking out "\$9,000,000,000" and inserting in lieu thereof "\$13,500,000,000".

(g) Section 8 of such Act is amended by striking out "June 30, 1968" and inserting in lieu thereof "June 30, 1973".

Sec. 2. Section 2 of the Export-Import Bank Act of 1945 is amended by adding at the end thereof two new subsections as follows:

"(d) The Bank shall not guarantee, insure, or extend credit, or participate in an extension of credit (1) in connection with the purchase of any product by any nation with which the United States is engaged in armed conflict (whether or not there has been a declaration of war), or any agency or national thereof; or (2) in connection with the purchase of any product by any nation (or agency or national thereof) the government of which is furnishing goods or supplies to a nation described in clause (1).

"(e) The Bank shall not guarantee, insure, or extend credit, or participate in an extension of credit in connection with the purchase of any product for the construction of a facility for manufacturing automobiles by the Union of Soviet Socialist Republics or by any other nation or entity for use (to the knowledge of the Bank) in the Union of Soviet Socialist Republics."

The title was amended so as to read: "An act to amend the Export-Import Bank Act of 1945, as amended, to change the name of the Bank, to extend for 5 years the period within which the Bank is authorized to exercise its functions, to increase the Bank's lending authority and its authority to issue, against fractional reserves, export credit insurance and guarantees, to restrict the financing by the Bank of certain transactions, and for other purposes."

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. SPARKMAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized, in the engrossment of the bill, to make any necessary technical and typographical corrections.

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

Mr. SPARKMAN. Mr. President, before we get completely away from this matter, I should like to say a word of commendation for the very fine job done by the Senator from Maine [Mr. MUSKIE] in connection with this bill, throughout the hard days that it has been pending before us. The Senator from Maine, as chairman of the subcommittee of the Banking and Currency Committee considering the measure, presided during all of the hearings. He did an excellent job there, in getting the bill into its final shape for presentation to the Senate, and he has done an outstanding job in the handling of the bill on the floor. We should all take notice of that fact.

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

Mr. SPARKMAN. I yield.

Mr. MANSFIELD. Mr. President, I join in the statement of the Senator from Alabama about the magnificent skill shown by the distinguished Senator

from Maine [Mr. MUSKIE]. Passage of the Export-Import Bank Act extension represents another achievement for him in an already abundant record book compiled over the years. Both in the Committee on Banking and Currency and here in the Chamber, his quick grasp and clear explanation of the issues assured decisive approval.

Senator MUSKIE has consistently contributed his outstanding talents and leadership qualities to the handling of legislative proposals vital to our national interests. His handling of this measure was no exception. He has pursued the task diligently. He has sought to design a constructive and effective proposal. His advocacy has been vigorous and most persuasive. And above all he has met with success. The Senate is most grateful to Senator MUSKIE.

The chairman of the Committee on Banking and Currency, the distinguished Senator from Alabama [Mr. SPARKMAN] is likewise to be highly commended for typically strong support. His valuable leadership on this measure as on all measures gaining his endorsement, was essential to decisive Senate approval. The Senators, from Texas [Mr. TOWER] and Iowa [Mr. HICKENLOOPER], ably and eloquently supported the measure and other Senators as well deserve high commendation for offering their views. Noteworthy were the eloquent efforts of the senior Senator from South Dakota [Mr. MUNDT] and the strong and sincere urgings of the able and distinguished minority leader [Mr. DIRKSEN]. Both have contributed no small measure of their effective and outstanding talents to the foreign policy effects of this Nation's policies. That certainly applies with respect to this measure.

The Senator from Louisiana [Mr. ELLENDER] should likewise be praised for contributing his broad and deep appreciation of the issues involved. He exhibited a clear understanding of the operation of the Export-Import Bank. The Senator from Colorado [Mr. ALLOTT], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Florida [Mr. HOLLAND] are also to be highly commended. Their views are always most thoughtful, always most welcome. Regardless of the individual views expressed the debate remained on a consistently high level.

Finally, to the Senate as a whole, the leadership wishes to express its appreciation for the cooperation displayed by all Senators to assure the efficient and orderly disposition of this measure today.

Mr. TOWER. Mr. President, the Export-Import Bank of Washington was originally established by Executive order nearly three and a half decades ago. The Bank has operated soundly and efficiently, first as a banking corporation under the laws of the District of Columbia, and later as an independent agency of the U.S. Government. Four principles are set forth in S. 1155, passed by the Senate, to which the Bank's operations have conformed in the past. The Bank's loans, as in the past, will continue to be for specific purposes involving the export of goods and services of U.S. origin; the Bank will

continue to supplement and encourage private capital and endeavor not to compete with it; credit assistance is authorized only when the Bank finds that the transaction offers reasonable assurance of repayment; and fees and premiums for guarantees and insurance are charged at rates commensurate with the risk covered.

Since 1962 the Eximbank has been financing, at its own risk, military exports to certain financially strong and friendly industrialized countries. In establishing credits for these governments, the Bank has dealt directly with the borrower, but only after the Departments of State, Defense, and other interested agencies have approved arrangements for the sale and, in consultation with the Bank, the credit terms applicable.

Eximbank credits for military exports date from the period when the military assistance program, pursuant to directives of the Congress, began to shift away from grant-aid and toward sales arrangements. Since Eximbanks first concern is U.S. exports, it was natural for the Bank to consider financing such sales which, unlike grants but like the commercial exports financed by the Bank, represents a significant favorable contribution to the U.S. balance of payments. In 1964 and 1965, the Congress amended the Foreign Assistance Act in a manner that permits the Department of Defense to guarantee credits for military exports provided by the Eximbank.

Following and pursuant to these enactments, an arrangement was worked out between the Eximbank and the Department of Defense whereby the Bank would acquire from the Department of Defense obligations guaranteed by the Department of Defense arising from sales negotiated by it with certain countries to which the Bank was otherwise not prepared to extend credit directly for military goods. These countries constituted the developing nations. Under the arrangement with the Defense Department, the Eximbank has provided financing but has not dealt with the buyer nor been informed of the buyer's identity.

The Eximbank will continue to participate in financing such sales only after the most careful and prudent study at the highest level of government, taking into consideration the impact of such sales upon international security and upon the economic development of the nation involved.

As a member of the Banking and Currency Committee, I was one of those who recommended that in accordance with congressional policy, financing to less developed countries be continued only if in the national interest. The Bank is, in my opinion, a proper government instrumentality for financing military exports from American manufacturers to developing countries when such exports clearly are in the national interest.

As I have noted, Mr. President, Eximbank makes direct loans, to public and private borrowers located or operating abroad, to finance purchases and related services of U.S. origin. Direct loans have been made for many forms of industrial activity, as well as for mining, electrical power, transportation, and communica-

tions. Projects assisted by the Bank include the longest suspension bridge in Europe, mining operations in Latin America and Africa, powerplants on several continents, and the purchases of U.S. jet aircraft by foreign international airlines. As of last December, loans were outstanding for projects in 72 countries.

There is no unsound bank principle involved in the transactions of the Eximbank. The loans involved to developed countries are subject to the same credit-risk investigations as are all other Eximbank loans, and agreements are entered into by the Bank only with sound, solvent nations. The loans involving underdeveloped countries are entered into by the Bank only because the Department of Defense guarantees the loans and it is the best of banking practices to accept guaranteed loans. Thus the bank is continuing its sound banking practices.

The Senate, in the passage of S. 1155 will extend until 1973 the life of the Export-Import Bank, hereafter to be known as the Export-Import Bank of the United States. Along with its extended life, we will increase the Bank's lending authority, increase the Bank's authority to issue export credit insurance, while at the same time responsibly limiting military credits to less developed countries. The continuance of the Export-Import Bank, with the passage of S. 1155, will be of benefit to other nations of the world as well as the economy of our own.

HEARTENING PROGRESS IN NEGOTIATIONS WITH THE SOVIET UNION ON NONPROLIFERATION TREATY

Mr. MANSFIELD. Mr. President, I have just learned that the Director of the U.S. Arms Control and Disarmament Agency has this morning reported to the President heartening progress in the negotiations with the Soviet Union on the nonproliferation treaty.

Mr. Foster has just made the following statement at the White House:

I have been discussing with the President the progress in the negotiation of the Non-Proliferation Treaty at Geneva. In particular, I have been discussing with him the fact that I have been advised that it is possible that we may very soon be able to table a draft Non-Proliferation Treaty for the consideration of the Eighteen-Nation Disarmament Committee now meeting in Geneva. For that reason, I am returning to Geneva in the hopes that we can work out the final solution of the problems concerning the tabling of a draft Non-Proliferation Treaty before the Committee.

Mr. President, I say for the benefit of my colleagues that "to table" as used here means to take up.

There is every reason to hope that fulfillment of the promise of Glassboro—where President Johnson and Premier Kosygin agreed on the importance and urgency of an international agreement on a nonproliferation treaty—may come in the near future.

The Senate will recall that in his press conference following the Glassboro Summit, Chairman Kosygin said:

We are continuing our efforts aimed at finding a solution to this problem. I want to say that the Soviet Union is interested in

achieving a situation where there should be no dissemination of nuclear weapons. And we believe that the United States is seeking the same goals, as are the majority of the nations of the world.

I know that the Senate, which has given its overwhelming support to the President in his efforts to achieve a treaty in the Pastore Resolution of 1966, will welcome this news.

I may recall to you at this time the President's words in his state of the Union message this year:

We are in the midst of a great transition, a transition from narrow nationalism to international partnership; from the harsh spirit of the cold war to the hopeful spirit of common humanity on a troubled and threatened planet. . . . We are shaping a new future of enlarged partnership in nuclear affairs, in economic and technical cooperation, in trade negotiations, in political consultation and in working together with the governments and peoples of Eastern Europe and the Soviet Union.

Thus spoke the President of the United States.

STATEMENT OF SECRETARY McNAMARA TO SENATE PREPAREDNESS INVESTIGATING SUBCOMMITTEE

Mrs. SMITH. Mr. President, on March 1, 1965, in answer to my question, Secretary of Defense McNamara stated at the hearing of the Senate Preparedness Investigating Subcommittee:

There are no segregated State Guards today. This is one of the great strides that has been made by the Guard organizations in the past several years.

This statement is recorded on page 27 of the printed hearings of the Senate Preparedness Investigating Subcommittee on proposal to realign the Army National Guard and the Army Reserve Forces.

Today's Washington Post reports on page A4 that the President's National Advisory Commission on Civil Disorders has made a report revealing that of the officers and enlisted men in the Army National Guard on December 31, 1966, only 1.15 percent were Negroes and of the Air National Guard only 0.6 percent were Negroes. In other words, only 1 percent of the National Guard are Negroes.

Is 1 percent honest integration and nonsegregation?

Of course, it is not.

The truth is that the Secretary of Defense was not honest in his statement of March 1, 1965, to the Senate Preparedness Investigating Subcommittee.

Does 1 percent constitute "great strides" against segregation in the National Guard as represented by the Secretary of Defense on March 1, 1965, to the Senate Preparedness Investigating Subcommittee?

Of course, it does not.

This statement of the Secretary of Defense would be ludicrous if it were not so tragically dishonest.

Mr. President, this is but another illustration of the great difficulty of the Senate Preparedness Investigating Subcommittee, the Senate Armed Services Committee, and the Senate Appropriations Subcommittee on Defense in getting forthright and accurate information

from the Secretary of Defense and honest answers from him.

FORMER SENATOR JOSH LEE DIES

Mr. MONRONEY. Mr. President, it is with a feeling of deep sadness that I announce to the Senate the death of a former Member of this body: Senator Josh Lee.

Senator Lee was also a distinguished former Member of the House of Representatives, and served with distinction as a member of the Civil Aeronautics Board from 1943 until 1956.

Senator Lee's career spanned the early pioneering days of Oklahoma. As a small boy, he moved with his family from Childersburg, Ala. His family settled in the new country of Oklahoma, at a town called Rocky, in the western area of the State. There, on this pioneer farm, Senator Lee learned the trials of dryland farming, and at the country school he was prepared for a career as an educator.

Senator Lee's interest in government was rivaled only by his keen insight in teaching. His students were not only members of his class but also his friends. From them and to them, Josh Lee drew on the warm association of the classroom to instruct and to inspire them with his ideals and philosophy of government.

Because of this classroom experience, first at Oklahoma Baptist University, and later at the University of Oklahoma, his former students became a bulwark of admirers and followers that led him into his spectacular political career. His legions of ex-students gave him large numbers of admirers who could be found in every village and city in Oklahoma. These were the young men and women who later became the "Rover Boys" who boosted him into the House of Representatives and later into the U.S. Senate.

Senator Lee's career was marked with a dedication to legislation that helped to eradicate the curse of farm tenancy, of inadequate education, of juvenile delinquency, of lack of home ownership, and of excessively high interest rates to farmers and small business. He crusaded for most of the reforms of the post-depression period.

As an educator, orator, author, Representative, Senator, and dedicated public servant, Josh Lee was a man of respect. I enjoyed his friendship and help as a student. His tireless effort to educate and instruct me and other students in public speaking was as much a hobby and special interest in youth as it was a part of his profession as a teacher.

Judges, both Federal and State, learned their first principles of speaking in his classes. Others who have become officials of State and county government; high Federal officials, such as the present majority leader of the House, Representative CARL ALBERT; and leaders of industry and various professions owe much of their success to the teaching ability and inspiration of Josh Lee.

As a student, I knew his wisdom and his persuasiveness.

As a friend, I appreciated his loyalty and encouragement.

As an Oklahoman, I knew his leadership.

As a Member of the House of Representatives and the Senate, I felt the impact of his service in the affairs of state.

His interest in aviation and his long service on the Civil Aeronautics Board will long benefit our Nation's great aviation industry.

Oklahoma and the United States have lost a great statesman with the passing of Josh Lee.

Mr. HARRIS. Mr. President, it is my sad duty today to join with my distinguished senior colleague [Mr. MONRONEY] in informing the Senate of the passing of a warm friend of mine, a great Oklahoman, and a distinguished former Member of this body known to many Senators, Josh Lee, of Oklahoma.

All of use are a little better for having known him. He was an outstanding citizen and a dedicated American, and our State and Nation will miss him. We express our sincerest sympathy to his widow and family.

AUTHORIZATION FOR THE COMMITTEE ON GOVERNMENT OPERATIONS TO INVESTIGATE CRIME AND LAWLESSNESS IN THE UNITED STATES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 456, Senate Resolution 150.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 150) authorizing the Committee on Government Operations to investigate crime and lawlessness within the United States.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the resolution which had been reported from the Committee on Rules and Administration, with amendments, on page 1, line 5, to change the section number from "3-A" to "4"; on page 2, line 2, to change the section number from "3-B" to "5"; at the beginning of line 8 to strike out "causes, extent," and insert "immediate and long-standing causes, the extent"; in line 10 after the word "their" to insert "immediate and long-range"; in line 12, after the word "United" to strike out "States." and insert "States."; after line 12 to insert:

SEC. 6. The Committee on Government Operations or any of its duly authorized subcommittees shall make an interim report to the Senate on the investigations authorized and directed by sections 4 and 5 hereof no later than October 2, 1967.

After line 17 to insert:

SEC. 7. Sections 4, 5, and 6 of Senate Resolution 53, Ninetieth Congress, first session, agreed to February 17, 1967, are hereby redesignated as sections 8, 9, and 10, respectively.

In line 22 after the word "resolution" to strike out the parenthesis; and in line 23 after the word "thereunder" to insert "(redesignated as section 10 by this res-

olution"; so as to make the resolution read:

S. RES. 150

Resolved, That (a) Senate Resolution 53, Ninetieth Congress, first session, agreed to February 17, 1967, is amended by inserting therein, immediately after section 3 thereof, the following new sections:

"Sec. 4. The Committee on Government Operations or any duly authorized subcommittee thereof is authorized and directed until January 31, 1968, to make a full and complete study and investigation of all other aspects of crime and lawlessness within the United States which have an impact upon or affect the national health, welfare, and safety.

"Sec. 5. The Committee on Government Operations or any duly authorized subcommittee thereof is authorized and directed until January 31, 1968, to make a full and complete study and investigation of riots, violent disturbances of the peace, vandalism, civil and criminal disorder, insurrection, the commission of crimes in connection therewith, the immediate and longstanding causes, the extent and effects of such occurrences and crimes, and measures necessary for their immediate and long-range prevention and for the preservation of law and order and to insure domestic tranquility within the United States.

"Sec. 6. The Committee on Government Operations or any of its duly authorized subcommittees shall make an interim report to the Senate on the investigations authorized and directed by sections 4 and 5 hereof no later than October 2, 1967.

"Sec. 7. Sections 4, 5, and 6 of Senate Resolution 53, Ninetieth Congress, first session, agreed to February 17, 1967, are hereby redesignated as sections 8, 9, and 10, respectively."

(b) Section 6 of such resolution relating to the expenditures of the committee thereunder (redesignated as section 10 by this resolution) is amended by striking out "\$435,000", and inserting in lieu thereof "\$585,000".

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, it is the intention of the joint leadership after the pending business is disposed of to next make S. 1872, a bill to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, the pending business which will be before the Senate when it returns on Monday next.

AUTHORIZATION FOR THE COMMITTEE ON GOVERNMENT OPERATIONS TO INVESTIGATE CRIME AND LAWLESSNESS IN THE UNITED STATES

The Senate resumed the consideration of the resolution (S. Res. 150) authorizing the Committee on Government Operations to investigate crime and lawlessness within the United States.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, at this time with the full approval of the distinguished senior Senator from Kentucky [Mr. COOPER] I ask unanimous consent that there be a time limitation of 2 hours on the amendment to be offered by the distinguished senior Senator from Kentucky, the time to be equally divided between the senior Senator from Kentucky and the Senator from Arkansas [Mr. McCLELLAN], and that there be a time limitation of 1 hour on the resolu-

tion, the time to be controlled by the majority and minority leaders.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NORTH VIETNAM—PERCENTAGE OF MILITARY TARGETS ATTACKED

Mr. SYMINGTON. Mr. President, in the New York Times this morning appears an article by Mr. James Reston entitled "Washington: A Strategy of Strangulation."

This article could be construed to imply, if not actually state, that only 5 percent of the military targets in North Vietnam have not been attacked.

The truth is that many times that percentage of military targets have not even been touched; and others that have first been attacked, and then put back into commission, have not been attacked again.

Under the topic heading, "Dubious Assumptions," Mr. Reston states:

Second, General Westmoreland is authorized to hit 95 percent of the targets in North Vietnam on his list. The other 5 percent are off-limits not for military but political reasons—namely, that the civilian heads of the U.S. Government, who still make the political decisions here, believe the prohibited targets are too near civilian centers or too near the China border to justify the risk of wiping them out.

First of all, it is Admiral Sharp, as commander in chief, Pacific, who has the entire responsibility for the conduct of the air war against North Vietnam and not General Westmoreland, the commander of the Military Assistance Command in South Vietnam. However, in his capacity as the overall operational commander of U.S. forces committed to the war in Southeast Asia, Admiral Sharp has delegated to General Westmoreland the responsibility for the conduct of the air war against North Vietnam, a relatively small area of the southern part of that country, immediately north of and adjacent to the demilitarized zone. Except for this relatively small area of North Vietnam, General Westmoreland has neither the jurisdiction nor the responsibility for the conduct of the air war against North Vietnam.

Moreover, the delegated authority over this small southern portion of North Vietnam is such that General Westmoreland is authorized to strike any military target within it. Accordingly, General Westmoreland does not even submit a target list.

Again, it is Admiral Sharp and not General Westmoreland who recommends the military targets of North Vietnam which should be struck.

In another paragraph, Mr. Reston states:

First, a substantial amount of the enemy's ammunition is actually manufactured in the South or shipped in through Laos and Cambodia.

The Vietcong in South Vietnam do have a primitive and limited capability to manufacture some types of ammunition. In terms of the total ammunition requirements for the conduct of the enemy's war in the south, this primitive capability could hardly be called substantial in that it consists primarily of the manufacture of crudely made—but nonetheless effective—Claymore mines and grenades. It is generally agreed, on the basis of available evidence, that ammunition entering South Vietnam through Laos and Cambodia has, for the most part, come from North Vietnam which is used as a transshipment point, or as a conduit for ammunition received from Red China or Soviet Russia.

Mr. President, Mr. Reston is a responsible newspaperman. It would appear he has been misinformed. The American people should have the right to make their decision about the efficacy of airpower on the basis of the truth.

Mr. President, I ask unanimous consent that there be printed in the RECORD the article entitled "Washington: The Strategy of Strangulation."

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

WASHINGTON: THE STRATEGY OF STRANGULATION

(By James Reston)

WASHINGTON, August 10.—Two quite contradictory moves are now under way to influence the course of the war in Vietnam. First, the Administration is now probing very quietly again in Hanoi and elsewhere to try to end the fighting. And second, the old militant coalition of leading military and naval officers, Republican political leaders and Democratic committee chairmen is at work again to extend the bombing in North Vietnam.

Very little can be said about the first point without interfering with the peace feelers. Also, there is no evidence this time that the campaign for bombing new targets in the North is designed to interfere with the peace probes. In fact, the Republican leader in the House, Representative Gerald Ford of Michigan, apparently does not know that the President has renewed his search for a compromise settlement.

Nevertheless, the pressure for adding new bombing targets at this moment only adds to the difficulties of getting anywhere with the peace feelers, and Ford's strategy for victory makes more sense politically than it does militarily.

The Republican leader wants the maximum use of U.S. conventional air and sea power against North Vietnamese targets now on President Johnson's prohibited list; a sea quarantine or blockade of all of North Vietnam, and a prohibition against sending any more American troops to Vietnam until the bombing restrictions are lifted.

This has obvious political appeal. Mr. Ford is against higher taxes. He holds out the prospect of less ground war and fewer casualties. He opposes "matching the enemy body for body, bayonet for bayonet, grenade for grenade," but would hit him harder afar and seal off the sea routes into the North Vietnamese harbors.

Militarily, this raises a less attractive prospect. It suggests that the war in South Vietnam can be won by fighting it in North Vietnam. It rests on the assumption, which

is by no means proved, that the enemy in the South would be strangled by hitting a few more targets in North Vietnam, and that China and the Soviet Union would tolerate a sea blockade of the North Vietnam ports.

DUBIOUS ASSUMPTIONS

These are dubious and even dangerous assumptions. First, a substantial amount of the enemy's ammunition is actually manufactured in the South or shipped in through Laos and Cambodia. Second, General Westmoreland is authorized to hit 95 per cent of the targets in North Vietnam on his list.

The other 5 per cent are off-limits not for military but political reasons—namely, that the civilian heads of the U.S. Government, who still make the political decisions here, believe the prohibited targets are too near civilian centers or too near the China border to justify the risk of wiping them out.

UNANSWERED QUESTIONS

"Our first objective," says Representative Ford, "should be to impose a . . . sea quarantine on North Vietnam." This raises an awkward question, which the Republican leader does not answer. What happens when Soviet ships, bringing supplies to Haiphong by sea, are intercepted by our warships? Is it Mr. Ford's view that the Soviet captains will turn around and go home, or permit their vessels to be searched by the U.S. Navy? And if they do not turn around or submit to our orders, do we blow them out of the water?

This is not a formula for minimizing casualties; it is a formula for war with the U.S.S.R. And even if the Soviet Union agreed to Mr. Ford's proposition (namely, that Washington should be free to supply South Vietnam by sea while Moscow should not be free to supply North Vietnam by sea), the U.S.S.R. would then have to work out alternate supply route through China and other countries.

Mr. Ford criticizes President Johnson's conduct of the war, but his strategy, like the President's, assumes that Russia and China are going to allow North Vietnam and the Vietcong to be deprived of the means of carrying on the struggle. And this is precisely what Moscow and Peking have committed themselves not to permit. If sea supplies are blocked, then new land routes will be opened up, and then we will have the argument all over again for more bombing and new targets of the supplies reaching the Chinese-North Vietnamese border.

It is hard to imagine a worse strategy than President Johnson's, but Representative Ford may very well have found it. He apparently believes that major nations like the U.S.S.R. and China will submit to things he knows the United States would never submit to. He knows the U.S. would not tolerate a Soviet naval blockade of Saigon or Danang, but seriously thinks Moscow would tolerate a U.S. quarantine of Haiphong. His answer to the failure of the bombing is more bombing, and it will probably come to this, as usual, in the end, but at least the new peace talks might be given a chance before the President approves once more what he has disapproved in the past.

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

Mr. SYMINGTON. I yield to the distinguished Senator from Arkansas.

Mr. McCLELLAN. Mr. President, I have just noticed a headline in today's issue of one of the local newspapers. I did not read all of the article. The headline stated that some bridge within a mile and a half, I believe, of Hanoi, which is the main link of transportation from Red China to Hanoi, had just been bombed for the first time. I cannot understand why, if we are going to bomb, we do not bomb those targets which, if

destroyed, would hamper and hinder the enemy in its logistics and support of the war effort.

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

Mr. MANSFIELD. Mr. President, I yield 1 minute to the Senator out of the bill.

Mr. McCLELLAN. I thank the Senator.

Mr. President, I make that observation. We hear much about bombing and not bombing. If we are going to bomb, let us bomb to hurt. I am not in favor of just bombing little things and letting the big things stand undestroyed. If we are going to bomb, and bombing is necessary in this war effort, and we are going to continue the war effort, let us bomb where it hurts the most.

Mr. SYMINGTON. I thank the Senator for his remarks. The contributions of the Senator are always constructive.

I would hope, because of the way the air is handled in North Vietnam, the American people do not lose their faith in airpower because their advantage, if any, over the Communist world is qualitative rather than a quantitative one.

Mr. President, I ask unanimous consent to have printed in the RECORD an article which appeared in the Washington Daily News of today entitled "The Bombing Controversy."

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

THE BOMBING CONTROVERSY

Nothing about the Vietnam war is as controversial as the American bombing raids on the North. Some "doves," not to mention Ho Chi Minh, want them stopped. Some "moderates" want them reduced. The so-called "hawks"—and most of the American people, according to polls—want them increased. And the Administration argues they merely ought to be "continued."

The bombing controversy has flared again this week. Top brass from our Pacific military command are testifying in closed sessions of the Senate Preparedness Sub-Committee. And the Republican Minority Leader in the House of Representatives, Gerald Ford, accused President Johnson of "hand cuffing" our pilots and demanded restraints on targets be lifted.

Secretary of Defense McNamara lost no time answering Rep. Ford. But as usual his remarks do not have a convincing ring. He is the man who has told us, variously in the three years since the first airstrikes were made that their intention is to retaliate against Hanoi for its aggression against the South, to boost South Vietnamese morale, to force Hanoi to the negotiating table, to reduce infiltration of men and supplies from North to South, or, later correcting himself, to increase the cost to North Vietnam of continuing that flow.

This time, in an unusually defensive mood, the secretary admitted there are bombing restraints, but argued they have three aims: to save American lives, to "avoid unnecessary devastation and civilian casualties in North Vietnam," and to avoid "action that carries with it the high risk of widening the war . . ." We think he's off base on all three counts.

1. The longer the Administration restrains our pilots from more pressing attacks on North Vietnam ports, petroleum and power facilities—the longer it is content to strike merely at the infiltration routes and not the hubs of supply—the more Communist men and munitions are going to be shipped down

into the South, and the higher American casualties will be.

2. The communists are hell bent on inflicting as much "devastation and civilian casualties" as they can in the south. All of Vietnam is a war zone. To refrain from bombing certain Northern bases, installations, air defense centers, docks, and storage areas for fear of causing "devastation and civilian casualties" may be gallant, but it does not conform to the demands of war—and this one in particular. Nobody is advocating "unnecessary" or wanton bombings.

3. Despite the Administration's protestations, the American people have seen the war "widen" tremendously—and so have the North Vietnamese, Soviet and Red Chinese governments. What further risks can a more pressing bombing policy bring? Is Peking's divided army about to come in? The Red Guards? Soviet "volunteers"? Secretary McNamara ought to pinpoint what he's talking about.

The mood of the American public, as we sense it, is that we ought to get serious and try to win that war, or else stop fooling around and come home. If the latter is unthinkable, then let's get going with the former.

AUTHORIZATION FOR THE COMMITTEE ON GOVERNMENT OPERATIONS TO INVESTIGATE CRIME AND LAWLESSNESS IN THE UNITED STATES

The Senate resumed the consideration of the resolution (S. Res. 150) authorizing the Committee on Government Operations to investigate crime and lawlessness within the United States.

Mr. MANSFIELD. Mr. President, I yield myself 1 minute on the bill.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc and that the resolution, as amended, be treated as original text for the purpose of further amendments.

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

Mr. MAGNUSON. Mr. President, inasmuch as the Senator from Montana, the distinguished majority leader, and the distinguished minority leader are here would the Senator yield?

Mr. MANSFIELD. We are on limited time.

Mr. MAGNUSON. Would the Senator yield without losing his right to the floor?

Mr. McCLELLAN. What is the time limitation?

Mr. MANSFIELD. There is a limitation of 2 hours on the amendment, and 1 hour on the resolution.

Mr. JORDAN of North Carolina. Mr. President, I yield 1 minute on the bill.

Mr. MAGNUSON. Mr. President, some Senators would like to meet later this afternoon on appropriation matters. I was requested to ask the distinguished majority leader and the distinguished minority leader the schedule for the remainder of the day.

Mr. MANSFIELD. This is it. We will conclude the pending matter and then adjourn.

Mr. JORDAN of North Carolina. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator is recognized for 5 minutes.

Mr. JORDAN of North Carolina. Mr.

President, on August 1 five resolutions to establish a Committee on Civil Disorder were pending before the Committee on Rules and Administration. They were taken up on August 1 and acted upon. Some of those measures would establish a joint committee and some a select committee.

After considering all the resolutions that were before it, the Committee on Rules and Administration adopted the McClellan resolution, which is Senate Resolution 150, the resolution now pending before the Senate. That resolution was reported unanimously, and it was agreed to with the following amendments.

The Senator from Nebraska [Mr. CURTIS] offered an amendment, which was agreed to, with respect to page 2, line 8 of the bill, to insert the words "immediate and longstanding" before the word "causes". We thought that that language made the bill stronger, and the amendment was agreed to.

On line 10, page 2, there was inserted "immediate and long-range" before the word "causes". That language was a part of the amendment of the Senator from Nebraska [Mr. CURTIS].

Then, there was added section 6, which appears on lines 13 through 17, and which reads as follows:

"Sec. 6. The Committee on Government Operations or any of its duly authorized subcommittees shall make an interim report to the Senate on the investigations authorized and directed by sections 4 and 5 hereof no later than October 2, 1967.

Mr. President, the language to which I have just referred was the amendment of the Senator from Nevada [Mr. CANNON], and it was agreed to unanimously. It was the feeling of the committee that by including a time limit for an early report to the Senate, the Senate would be kept abreast of what was being done by the committee, and the public would know it was working and making progress.

Section 7 was added on page 2, on lines 18 through 21. It reads as follows:

"Sec. 7. Sections 4, 5, and 6 of Senate Resolution 53, Ninetieth Congress, first session, agreed to February 17, 1967, are hereby redesignated as sections 8, 9, and 10, respectively."

The only other change in the resolution is a pro forma amendment necessary in view of the other amendments.

The committee already has \$485,000 for its regular investigations. Senate Resolution 150 would provide an additional \$150,000 for its special inquiry into civil disorders.

Mr. President, that is a brief explanation of the Senate Resolution 150, which was reported unanimously by the Committee on Rules and Administration.

If the Senator from Arkansas [Mr. McCLELLAN] wishes to speak on this matter I yield to him at this time.

Mr. McCLELLAN. Mr. President, I have no amendment to offer. I am satisfied with the resolution as it is.

AMENDMENT NO. 232

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

Mr. JORDAN of North Carolina. Mr.

President, I yield for the purpose of amendment.

Mr. COOPER. Mr. President, I send to the desk amendment No. 232 to Senate Resolution 105 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. The Senator from Kentucky [Mr. COOPER] proposes an amendment:

On page 2, line 12, strike out the closing quotation marks, and insert in lieu thereof the following: "The Committee, or any duly authorized subcommittee thereof, is further authorized until such date to study and investigate the extent to which economic or social causes have bearing on such disorders, the community attitudes toward such causes in places where such disorders have occurred or may occur, and the response of local authorities thereto."

Mr. COOPER. Mr. President, I yield myself 15 minutes.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 15 minutes.

Mr. COOPER. Mr. President, I would point out, first, that the amendment I have offered does not change or amend any language in the resolution as reported. My amendment would add language to section 5 of the resolution. I have a short statement which I should like to make in connection with it:

Senate Resolution 150, the pending resolution, would authorize the Committee on Government Operations, or any of its subcommittees, to conduct a study and investigation of the riots and other public disorders which have swept the country, connected crimes, and their causes and effects. The committee is also authorized to study measures necessary for the prevention and control of such occurrences and crimes.

The Rules Committee, on which I serve, was informed that the investigation would probably be conducted by the Committee on Government Operations' Subcommittee on Permanent Investigations. As the Senate knows, this subcommittee is composed of able Members of the Senate. Its chairman is the distinguished Senator from Arkansas [Mr. McCLELLAN]. Its members are experienced in investigation. The committee has a capable staff and its is organized to begin work immediately.

In committee I voted to report the resolution. Maintenance of order throughout due process of law is basic. It is essential to a democratic system of government. The law must be enforced against those who incite riots and all manner of public disturbances. It must be enforced strictly against those who commit crimes in the shelter of such public disorders.

The strict and immediate enforcement of law against those who defy it is one of the elements and the immediate element upon which the maintenance of law and order depends. Without law, without its enforcement, there can be no civilized society, and we can have nothing but anarchy in our country.

The resolution directing the Committee on Government Operations to undertake this study and investigation emphasizes correctly this essential element of our

system—that law and order must be maintained.

While there is no excuse for the violation of law, I am sure that all of us know that there are conditions in our country, conditions which have existed for years, conditions which are a just reason for grievances and which have caused an environment both physical and mental in which the riots and disturbances we are witnessing are likely to occur.

These disparities and economic and social conditions are known to all of us. They are found in education, housing, and employment opportunities. This complex of conditions, particularly in our cities, erodes the discipline of family, church, and school life and inhibits and sometimes prevents a large part of our population from taking a full and equal part in the life of our country. These conditions do have bearing upon the attitude of the Negro people toward their government and society. They do have a bearing upon the riots, disturbances, and the crimes which trouble us today.

I hold that this first initiative of the Senate toward the investigation and toward recommendation of measures which we hope would prevent, inhibit, and control these disturbances in the future, makes it necessary to look into all aspects and all conditions which have had a part in their emergence.

It is for this reason that I offered in committee an amendment to section 5, which has been read but which I will read again, as follows:

The Committee, or any duly authorized subcommittee thereof, is further authorized to study and investigate the extent to which economic or social causes have bearing on such disorders, the community attitudes toward such causes in places where such disorders have occurred or may occur, and the response of local authorities thereto.

Let me say that similar language to accomplish the same purpose appeared in several resolutions which came before the committee: The resolution of the Senator from Oklahoma [Mr. HARRIS], the resolution of the Senator from Massachusetts [Mr. BROOKE], and the resolution offered by the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], bore some similarities.

The language which I have read to the Senate, and which is in the amendment which I offer, was rejected in the committee by a vote of six to two—with the distinguished Senator from Pennsylvania [Mr. SCOTT] and myself voting for it.

Mr. President, I know that members of the committee are in the Chamber at the present moment. I am sure they would agree when I say that the only argument made against the amendment was that it would condone lawlessness and riots, and that it would have the effect of saying, if it were to be adopted, that the Senate condoned lawlessness and riots.

That is wrong. The amendment which I have offered would not condone these disturbances, nor does it diminish in any respect the Senate's direction to the Committee on Government Operations to determine the immediate causes and recommend measures for their prevention and control.

The framing and passage of this resolution by the Senate will mark the first action of the Senate regarding one of the most critical problems our country has ever known.

I do not say that lightly. I cannot remember in my own life, and I cannot think in the history of this country of a situation since the Civil War which could have such grave consequences if there is a definite breach between the two major elements of our population. In many ways, it will be more difficult, because at least while conciliation after the Civil War, was long in coming, it was believed that it would come.

While the amendment, and the resolution, embody no substantive legislation, nevertheless, they do announce to the people of the country the scope of the investigation which the Senate intends, and the attitude of the Senate toward this very serious problem.

I have said the resolution expresses clearly by its enactment that the Senate intends that these public disorders must not continue. It emphasizes correctly that enforcement is an immediate and essential element in our system of law.

As I have said, without the maintenance of law, without enforcement, there can be nothing but anarchy.

The purpose of my amendment is to direct the committee specifically to study and investigate the extent to which the economic and social causes—of which we are all aware—have bearing on the public disorders, for in the long run—and we might as well face it—the public disorders will continue to break out again and again unless our country accepts the fact that there are conditions which have a bearing upon these disorders and moves as quickly as it can to correct the disparities of life which are found in so many communities throughout the land.

Violence is becoming too common an aspect of life in the United States. It has become commonplace for groups of our citizens, sometimes organized, to defy the law in their attempts to achieve their particular objectives. Among these have been groups of students, firemen, police, and—yes—some teachers, whose duty is to teach observance of law. And the riots and accompanying crime by Negro citizens is a development known before, but it has reached a stage and scope unparalleled in the history of our country.

I believe that the overwhelming majority of our country, Negro citizens as well as white, desire that these disorders be halted and that they do not emerge again. But they may continue unless the wisest as well as the firmest attitudes by our Government and people are directed toward their solution. Consent to law as well as enforcement is an element of our law and our system of government. In a very practical sense, the enforcement of law and the prevention of public disorders will be obtained and accepted by our fellow citizens if they believe that the Congress will consider their valid grievances and move urgently to correct them. Even if there were no riots or disorders, this should be a purpose and an obligation of the Congress and the country.

My amendment does not condone the breach of the law. It does not reduce the

emphasis which the resolution gives to the enforcement and maintenance of law and order. But it does state the recognition of the Congress that economic and social conditions and disparities exist which have bearing on public disorders and which make their occurrence more likely, and that the Congress intends to continue to correct these conditions as a matter of simple justice. Every effort must be made to enforce the law, but also every effort must be made to prevent the growing alienation of the two bodies of citizens, an alienation which would create a condition intolerable in the life of our country.

Mr. President, I have stated my position. I repeat that this is not a resolution which is substantive in nature in that it authorizes immediate legislation. But because it is one of the first steps the Senate is taking with respect to riots, I believe it is our duty to look into all the causes and all the conditions which bear upon this problem.

The Senator from Nebraska [Mr. CURRIS] offered an amendment, which will probably be referred to, which directs the committee to consider "immediate and longstanding causes." It was argued that because the word "longstanding" was placed in the resolution, there was no need for my amendment. If that reasoning is correct, why not put it in? If the word "longstanding" is meant to go to the deep-seated causes, what is the objection to stating these causes?

Mr. CASE. Mr. President, will the Senator yield me 5 minutes?

Mr. COOPER. Yes.

Mr. CASE. First, Mr. President, I ask consent, with the permission of the Senator from Kentucky, to be listed as a cosponsor of the amendment.

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

Mr. COOPER. Mr. President, I ask unanimous consent that the names of the Senator from New Jersey [Mr. CASE], the Senator from Pennsylvania [Mr. SCOTT], the Senator from New York [Mr. JAVITS], the Senator from Oregon [Mr. MORSE], and the Senator from Michigan [Mr. HART], be added as cosponsors.

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

Mr. CASE. Mr. President, it is impossible to overstate the importance of the amendment which the Senator from Kentucky has offered. As he states, in this first action taken by the Senate of the United States, responsive to the troubles we have been having in recent months in our great urban centers, it would be a shame not to have the Senate go on record as understanding that these troubles are not just based upon human perversity, or meanness, or other criminal tendencies, but that they also have causes for which the whole community must share the blame, causes which have their origin in actions and injustices that go back for centuries.

It would be wrong for two reasons: first, if the narrow attitude is, in fact, the attitude of the Senate, then the Senate, obviously, is not capable of doing the job that has to be done here; second, just as a matter of justice and keeping the record straight, it is important for

us to recognize the wrongness of the riots and disorders in the criminal actions, and, as well, the equal wrongness of the injustices and frustrations that have a great measure of responsibility for the riots themselves. They are not the sole measure. There are criminals; I am sure there are some who, for a number of reasons quite unrelated to a sense of injustice or desire to cure it, have stirred up, aggravated, and tried to make worse these disorders. For them there is no contempt too severe and no condemnation too strong. But they are few, I venture to say—this will be found to be true, I believe—and their power to affect the mass of the American people or any significant number of Americans would be absolutely nonexistent if the tinder were not there. It is the tinder we are concerned with, because it leads to civil disorder and may, if not corrected in real ways, lead to divisions between groups in this great country of ours so deep that they will make civilized life here impossible.

I hope very much that, on reconsideration, this amendment will be accepted, so that there will be no question that we are all after the same two things: First, dealing with the immediate troubles, without in any way condoning criminal actions, conspiracies, or anything else which may have a part here; and, second, not only because they lead to disorder, but because they are wrong in themselves, correcting those economic and social justices that have a large measure of responsibility for the troubles we have witnessed this summer and past summers.

Mr. SCOTT. Mr. President, will the Senator yield me 5 minutes?

Mr. COOPER. I promised to yield to the Senator from Michigan [Mr. HART] first. I yield to the Senator from Michigan.

Mr. HART. Mr. President, I, too, hope very much this amendment will be agreed to. I have listened to the Senator from Kentucky [Mr. COOPER], and I have now heard the Senator from New Jersey [Mr. CASE].

I return to the point the Senator from Kentucky [Mr. COOPER] made. If, indeed, it is our intention that the study that will be assigned to the Permanent Investigating Subcommittee of the Committee on Government Operations is intended to review and evaluate the several factors that are recited in the amendment of the Senator from Kentucky [Mr. COOPER], then let us say so—not so much as an instruction to the committee, in the event we are assured that it can accomplish this, as a definition, in general, of the scope of its study, but as assurance to the people of the country; assurance first to that segment of the community, small in number—20 million—virtually all of whom condemn the violence and regret the shrill voices that come from their own ranks, but who are anxious to know, too, that we understand this protest—protest in a legal form, but protest nonetheless—and anxious to understand that we hear and understand the causes behind it; and then as assurance further to all of the people of the country that Congress

senses that while nightsticks are cheaper and better riot guns are readily available, neither nightsticks nor riot guns will give us that domestic tranquillity which is the hope of all citizens, black, white, and pink.

Can we not remind ourselves that sometimes a community is annoyed because mosquitoes are biting? Some people say, "Well, go after the mosquitoes." Others would say, "Drain the swamps."

I think we had better tell ourselves we should be busy about both. Senator COOPER's amendment suggests that there are swamps to be drained.

It is fine that we upgrade police authority in this country, persuade parents to discipline their children, and go through the litany that all good men and true stand for. But we ought to make sure that in our committee study seeking to identify the causes of our civil disorder, we ask the other questions—questions, the answers to which have large dollar signs.

How many playgrounds were there in the city, and where were they located? At what hours were they open, and under what supervision? What is the average age of the school buildings in your city, and in what section are the oldest to be found? What are teachers' salaries, and what of special training programs? And, not only how many houses are there in the city, but how old are they and where are the oldest?

What is the response of the building inspection department to a complaint of a code violation? Is it true that in some cities you can get the police in the core center in 5 minutes, but you can never get the building inspector?

These are the swamps, and these are the things that we had better insure are reflected in the study that we are asked to authorize here. The Senate knows the rest of the aspects that come under the caption "Economic and Social Causes," the community's attitude toward them, and the responses of local authority to them.

Not those that I have listed alone. What is the quality of the police department? What is the experience of citizens, black and white, in connection with the police in that community? What kind of welfare program did your community run, and does it have an effect?

We think that we know that the answer is "Yes" to all of these questions, and all of these things are relevant. But more important, now, is not to guess what the answers will be. I think if anyone thinks there will not be surprises, all he has to do is go back through Senator RIBICOFF's hearings of a year ago, to prepare himself for the answers that any objective study will give us.

But let us make sure that we lay out clearly for the Nation to see that this is our response: Not alone to censure those who disobey the law—this we do, and it takes no courage, I might add, to do it—but we want also to show that we recognize that a Rap Brown can come into Bloomfield Hills where I live, and talk until he is white in the face, and nothing will happen; but he can go 4 miles down the road and not open his mouth, and something may very well happen.

What are the differences in conditions as between those two communities, downtown Detroit and Bloomfield Hills?

Having identified those conditions, would we not have a pretty clear indication of what causes riots?

That is the kind of report I hope we will get.

Mr. COOPER. Mr. President, I yield now to the Senator from Pennsylvania [Mr. SCOTT], who voted to report the amendment in the committee, and who is a cosponsor.

Mr. SCOTT. I thank the distinguished Senator from Kentucky. I am sure that we all appreciate and applaud his deep concern for this problem. I associate myself, as the Senator has noted, in the report, as a cosponsor of the amendment.

Mr. President, I rise because I am certainly aware of the many-sided aspects of the causes of civil disorders in this country. I think it rather significant that the first three Senators to rise in support of the amendment of the Senator from Kentucky are all from States in which cities have erupted in violence—Newark, Detroit, and Erie. Therefore we speak, perhaps, with more intimate knowledge of the events and the causes than if we were from areas where domestic tranquillity—so far—is the order of the day.

I have said there are many sides to this problem. I can illustrate it by the very old story of the elephant and the three blind men. The first blind man put his hand on the side of the elephant, and he pronounced that the elephant is like a wall. The next one grabbed the elephant's tail, and said that the elephant is like a rope. The third grabbed the elephant's trunk, and said, "The elephant is like a snake."

This mysterious menace of civil disorder combines all the elements: The wall, the rope, and the snake:

A wall which blocks the just aspirations of fellow Americans to an equal opportunity and an equal recognition of their dignities and their capacities.

A rope that confines them to neighborhoods where they are unable to live decently, or even in physical safety, whether from human or animal menaces.

A snake which slithers like the symbol of injustice, the serpent of discrimination, unfairness, and inequality.

If we are to thoroughly investigate—and indeed we should—all the aspects of what has led so many American cities to smoky violence—the smoke and violence of their burning buildings and their fired guns—I do not know why we should hesitate to say so, and to include the words "economic and social causes"; because that is what they are.

I have tried to be as evenhanded in my reactions to this whole question of cause and effect as I know how. I have tried to keep any political connotations out of it. I have been asked by the press whether I would criticize the President, and I have plainly refused, time and again, to say that I would criticize him, or the Governors, or the mayors, for this problem which besets all of us.

I have looked at it from various aspects. I have indicated in one hearing that the Government and its agencies must be extremely careful to make sure that Federal funds are not used to sub-

sidize or help any person who engages in riots or civil commotion.

I have urged the radio and television and press to present the news fairly and unhesitatingly and to present the bad news with the good, but to present it with a balanced treatment so that over-exposure of the individual who calls rabidly for riot, insurrection, or rebellion cannot by virtue of that fact be given too much opportunity to signal his intent to other cities and communities nor be made a creature of the media, and by that exposure become an instant leader and have a large following.

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

Mr. COOPER. Mr. President, I yield such time as he may require to the distinguished Senator from Pennsylvania.

Mr. SCOTT. I mentioned some of the various factors, and in doing it, as one Senator, it seems to me that I have been examining with a critical eye the Government, the press, and the economic causes.

I have joined with other Senators in seeking full appropriations for proposals to help the cities with their problems and to make them better places in which to live.

I have introduced a rodent extermination act, partly to highlight the fact that I do not think that the subject is a source of levity. It is not something for would-be comedians to cavort semantically about to the discredit of the program.

In all of this, as each of us has sought to meet his own responsibility, we have dealt with economic and social causes.

Mr. President, I therefore hope that the amendment of the Senator from Kentucky will be agreed to, because I would not want the country to think that the only thing we are concerned with is the suppression of violence, although I give that subject the highest priority.

I think that the Stokely Carmichaels and Rap Browns are abominable, obnoxious, and objectionable, and that they are violating the law and ought to be held accountable for it.

I am not the least impressed by Castro's warning to the United States that his protection extends over Stokely Carmichael when he comes back here.

I would like to see the United States and its governmental and State agencies handle that problem without any relation whatever to the mouthing of a tin-horn dictator 90 miles offshore.

Both of these men, Castro and Carmichael, are exploiting economic and social causes. I am, therefore, in helping to write a legislative history and secure agreement to the amendment, arguing that we face the fact that while we must do whatever is necessary to arm the forces of law and order with what they need to bring about domestic tranquillity, we must also examine the root causes which have led to these disorders, because order is shield and order is sword. And sword and shield alike are useful to prevent recurrences, but neither sword nor shield will take the place of the spade which could be and should be used here to dig into the causes and to expose the roots of this dreadful thing which has

afflicted our Nation, affected our domestic security, and lowered our standing in the eyes of the world.

Mr. President, I thank the Senator from Kentucky.

Mr. COOPER. Mr. President, I yield 5 minutes to the distinguished senior Senator from Oregon.

The PRESIDING OFFICER. The senior Senator from Oregon is recognized for 5 minutes.

Mr. MORSE. Mr. President, I want to make it very clear that I support the objectives of the resolution. But it would be greatly strengthened by the adoption of the Cooper amendment.

In fact, I am troubled and at a loss to understand why there would be any hesitancy on the part of the authors of the McClellan proposal to embrace the Cooper amendment.

I cannot possibly improve upon the statements made by the Senator from Kentucky [Mr. COOPER], the Senator from New Jersey [Mr. CASE], the Senator from Michigan [Mr. HART], and the Senator from Pennsylvania [Mr. SCOTT].

They have made the case, and all I am doing, in effect, is saying amen to their case.

They have been eloquent and unanswerable.

Even since the beginning of the riots I have said on several occasions that government by law must be enforced.

Freedom to proceed with lawlessness cannot be justified. It must be stopped. Government by law must be enforced. No one can hold a brief for outlawry. No one can hold a brief for the conduct of a Rap Brown or a Carmichael, or the others who have been instigators and advocates of what amounts, as I have said before on the floor of the Senate, to a form of insurrection against the Republic.

But neither can anyone be blind to the fact that there are interesting factors of causation, far beyond Brown or Carmichael, dealing with the social and economic problems alluded to by Senators who have spoken before me.

If Senators will assume a hypothetical with me, let us assume the setting up of an order whereby at all times, 24 hours of the day and night, the necessary police force and other restrictive measures are available to see to it that at the moment, anywhere in a slum area or elsewhere, there is the start of a violation of law, the individual concerned is immediately arrested and his course of conduct is stopped. Let us face it: That is not going to stop the danger of violence. That is not going to stop unrest. If that is all that can be done, it may feed it. There has to be a concomitant under a system of government by law. There also has to be recognition on the part of that government that it is ready to move in to alleviate the causes of unrest that exist in the slums. That is what the Senator from Kentucky [Mr. COOPER] is in part, proposing in his amendment, when he asks that we inquire into the social and economic causes that have a bearing upon such disorders. That is what the Senator from Kentucky is saying.

I do not care how Senators wish to interpret the McClellan resolution. It has

been suggested by the Senator from Kentucky that the Senator from Nebraska [Mr. CURRIS] has submitted an amendment dealing with elimination of longstanding causes. Are we concerned about being specific? Do not forget that this resolution will be watched by the dissatisfied. It will be followed by those who are suffering in the slums. They are not all black; many of the poverty-disadvantaged people are white. They are going to wonder why we are so cautious about semantics; why this language restriction in the resolution. They can point out to us some of the causes we must face up to.

It is not necessary to go outside this city. I have previously said on the floor of the Senate, and I say it again, as a member of the Committee on the District of Columbia and the chairman of its subcommittee having jurisdiction of welfare, of the District of Columbia Police, and of the schools—they are the three areas of jurisdiction of my subcommittee—we do not have to go outside this city to take note of the economic and social causes of the growing unrest in the Capital City of the Nation.

Let me mention two or three things quickly. Let us consider the moral crimes being committed, even as I speak, by certain types of landlords in the District of Columbia, landlords who are exploiting the Negroes of the city by providing them with facilities at outrageous rentals, rentals which constitute nothing but exploitation.

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

Mr. COOPER. I yield an additional 2 minutes to the Senator from Oregon.

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

Mr. MORSE. Plaster is falling, doors are ajar, toilets are out of order, stairs are unsafe. As was pointed out by the Senator from Michigan [Mr. HART], the police can be called in quickly, but try to get the building inspectors to come at all.

These are some of the sources of unrest and discontent in the District of Columbia. Those parents have the same human incentive that you and I have, Mr. President, when the welfare of our children and grandchildren are involved. Those people instinctively resent the kind of moral criminality that is being practiced upon them by the exploiters of the impoverished and the disadvantaged, landlords who are charging two and three times a fair rent, with two or three families crowded into these terrible quarters, charging them a rent, in an apartment in the District of Columbia, that would be charged a person of the middle-income class.

Take the question in regard to food. The sad fact is that we have a shocking situation in the District of Columbia and in every slum area in the Republic for a lack of food and inability to get the food or the economic means with which to pay for it.

You have a shocking condition in the slums of this country in regard to unemployment among Negroes, because many of them are functionally illiterate—many of them are really illiterate, but more functionally illiterate. That is an eco-

nomic cause of the shocking plight of the slums.

You have the problem mentioned by the Senator from Michigan in regard to the educational situation. I can take you into grade schools in the District of Columbia that, for all intents and purposes, are but daytime custodial institutions, not educational institutions. That is true in the slums of America. We have to do something about it.

All I am saying is, yes, enforce the law, and I will vote to supply the police and the enforcement agencies and whatever they need to enforce the law. But enforcing the law will not stop the unrest, if that is all you do.

All the Senator from Kentucky is trying to point out is that you have some causative factors here besides a Carmichael and a Rap Brown. You have some economic and social causes that we have to remedy, and I happen to be a politician who is not afraid of the word. For example, make-work programs in the slums of America, and those make-work programs will also be training programs to qualify people to work. Part of the problem with some of these people is unemployability, not because they will not work if they are employed, but they are not capable of holding jobs that are available. Therefore, I will have the Government give them jobs.

Oh, you say, it involves giving them money for which they may not earn every dollar. If you want to go to that extreme, if that were true, that would not bother me, provided you are using that money in part to help train them to work.

And I am not worried, may I say, about rent control in the slums of America. If you cannot get these slums improved by the private owners, I am perfectly willing to have the Government come in and see to it that the workers are given living quarters better than my cattle here.

I can take you to any one of my three farms, and I can show you that I house my cattle in better living quarters than thousands, thousands, and thousands of Negroes in the slums of America are given in which to live. Put a toilet at the end of any one of my barns, and it will be a mansion compared with the slum quarters in which tens of thousands of Negroes have to live. That is the responsibility all of us, 180 million of us, have; that is our moral responsibility.

I support the Cooper amendment, because I believe it recognizes that we should face up to the social and economic causes that are partly causative of the unrest that exists in the slums of America.

Mr. COOPER. I yield 5 minutes to the Senator from New York.

Mr. JAVITS. Mr. President, I am a member of the Committee on Government Operations, and I do not know how the matter will be handled, assuming that the resolution is agreed to. I am also a member of its investigation subcommittee.

I believe that an investigation conducted by the committee will be conducted with objectivity, with vigor, and with impartiality, whatever may be the views of individual members. I have seen the committee perform time and again,

and I have differed with many of the things about which the chairman has felt strongly; but I have never seen a deviation from the decency, the directness, and the impartiality of its proceedings. It is precisely for that reason that I favor the proposed amendment. I believe the committee can do a job for the Senate of which the Senate will be very proud, and I want to see its terms of reference as inclusive as the subject.

I join with other Senators who would urge the Rules Committee to accept the amendment for that very reason; for I can promise the Rules Committee that the subject of the basic causes, as Senator Cooper expresses them, the basic economic and social causes, which have a bearing on these disorders, will be looked into. I can assure the committee of that. I know other Members will, and I certainly will. But if we are going to do it, we might as well say it and get the benefit of saying it, and I say that for this reason:

I believe Senators know that I am, perhaps as much as anybody else in the Senate, a big-city product and, indeed, a slum product. The overwhelming majority of the people in the slums did not riot—some 97 percent, the very expert people in this field estimate. Not more than 3 percent rioted. That is understandable. The great and overwhelming majority of them are decent people who have suffered and endured unbelievably, but who have great confidence in our system and who feel that, somehow or other, justice will be done.

But, Mr. President, the 3 percent could not have rioted if the climate in the community had been strongly and favorably impressed with what was being done. The fact that the 97 percent had the deep feeling that they were being let down, though they would not riot, had a great deal to do with a climate in which the 3 percent of lawless saw an opening in which they could riot and did.

Mr. President, by recognizing—and that is all we would be doing in adopting the Cooper amendment—what the 97 percent are worried about, we make them feel that the investigation is something which will help them and which is directed toward answering a call, a cry, in their hearts.

Finally, without repeating—because it would be redundant—the splendid arguments made by the Senators from Kentucky, New Jersey, Pennsylvania, Oregon, and Michigan, may I say that though a good many cities have erupted, the estimate is very much larger than anything that has happened. There are a hundred cities in this country with Negro ghettos. Just yesterday, in the testimony before the Committee on Appropriations, which I heard, the Community Relations Service estimated that in this category of tension cities which they should reach there were well over 80. If memory serves me correctly, the figure was 84 or 87.

There, again, is an indication of the fact that, notwithstanding our troubles, the overwhelming bulk of the American people respect the processes of law, respect order, know that rioting and violence hurt the ghetto dwellers worse than anybody else, and that it takes the

most extreme kind of frustration and feeling of injustice to even create a climate in which the riots are possible within the ghetto areas. In deference to this tremendous constituency, which wants the processes of law and order to work, we should at least show them a recognition of what we know to be the full problem, not just the superficial manifestations of policing or the ability of the National Guard and matters of that kind.

Further, I point out that the resolution itself, aside from Senator Cooper's amendment, speaks of longstanding causes and long-range prevention, and the preservation of law and order. So we are saying it, anyhow. We might as well get the benefit of saying it in words which are intelligible to the overwhelming majority of the population in the ghettos. We are going to do it, anyhow. We might as well get the benefit of saying in advance what we are going to do.

For all those reasons, I shall support the Cooper amendment, and I am proud to be a cosponsor.

Mr. LONG of Louisiana. Mr. President, is time available for me to speak in opposition to the amendment?

Mr. JORDAN of North Carolina. There will be.

Mr. LONG of Louisiana. Mr. President, I request that I may have 5 minutes to speak against the measure.

Mr. JORDAN of North Carolina. Mr. President, I yield to the Senator on the resolution.

Mr. LONG of Louisiana. I thank the Senator.

The PRESIDING OFFICER (Mr. SPONG in the chair). The Senator from North Carolina has 1 hour available. Does the Senator yield time?

Mr. JORDAN of North Carolina. I yield time on the resolution.

Mr. LONG of Louisiana. Mr. President, I doubt that anyone in this Chamber believes in social and economic justice more than I do. It has been my privilege to be the manager and principal sponsor of measures to provide more money for public welfare and to provide more money for social security. It was my privilege to manage the Social Security Amendments of 1965 which provided over \$7 billion, in additional funds for health care, increased pensions, and increased welfare benefits.

Mr. President, we are now in the process of preparing for hearings on another social security bill to provide over \$4 billion, additional for people, many of whom are in poverty, and it will be my pleasure to vote for and support what we can generate in that area. We hope to take millions of people out of poverty, as that term is defined by existing standards, by enactment of the Social Security Amendments of 1967.

Mr. President, I do not know of any Congress that has ever done more to provide social and economic justice to people who felt they were being denied it than the 89th Congress which was recently concluded. In my judgment, in that Congress we did more than any other Congress in the history of the United States. I do not believe that statement is contested by anyone. In provid-

ing social and economic justice we passed many other landmark bills which people will talk about for many years. For this unparalleled legislative production, the 89th Congress has been acclaimed "the great Congress."

Notwithstanding all that we did, we experience these unjustified riots. It is my opinion that some people have been led to believe that if they engage in civil disorder and mass protest they would better their condition.

For example, in Cambridge, Md., some people were not satisfied with an old school building—they burned it down, apparently believing that this is the proper way to get a new school building. It seems to be the philosophy of some people that if they are not satisfied with conditions and they start a fire, burn down a part of the city, that the Federal Government or someone will come in and build something better.

I would have voted for a rat control bill, but not as a means of encouraging someone to think that the way to get rid of rats is to burn down their own or some other person's property. One of the first duties of government should be to make clear that neither Congress nor anyone else plans to reward rioters for any kind of conduct. This is not a government of "mobs."

Apparently the incited mob in Cambridge, Md., thought it served their purpose to burn down the school building. When the firemen tried to put out the fire the rioters shot at the firemen and would not let them go in and fight the fire, so the school and the buildings around it were destroyed.

Mr. President, it would be well to take the position that we are going to provide as much social and economic justice as we can economically afford. I know that I have taken that position. We would do well to make it perfectly clear that by engaging in riots, burning down buildings, and inflicting other aimless harm, no one is going to better his condition or the condition of someone else.

It would seem to me that we would do better to go about our business of providing social and economic justice for our people by doing as much as this Nation can afford, and proceed to say that the first requirement of government and society is to maintain the protection of persons and property, and is not to appease uncontrolled rioters.

Last year it was suggested to me that if we did not pass a home rule bill for the District of Columbia there was going to be a riot. My reaction was that if we passed a home rule bill on that logic, we would be asking for riots all over the country. Action predicated on such intimidation merely feeds the fires for further demands.

It seems to me that we should judge a bill on the merits and not suggest we are going to be intimidated by that or any other kind of lawlessness. We should first proceed to insist that government should maintain itself and put the riots down immediately by whatever force is necessary, dispense swift and just punishment to those involved, and then get on with the job of providing for the dis-

advantaged to the best of our ability. But above all, we should avoid giving the impression that we have sympathy for what the rioters have done, or that our continued efforts to improve the lot of the less privileged is a reaction to their lawlessness.

Mr. CLARK. Mr. President, will the Senator from Kentucky yield 5 minutes to me?

Mr. COOPER. I yield.

Mr. CLARK. Mr. President, I was the only member of the Committee on Rules and Administration who voted against the favorable reporting of Senate Resolution 150. I believe the resolution, as reported, is one-sided with respect to the kind of investigation, if any, which should be conducted by a Senate committee. Therefore, I shall support the Cooper and Scott amendment which lays an emphasis on the economic and social causes, community attitudes, and response of local authorities to disorders, which is totally missing from the resolution as reported.

However, in my judgment, the Committee on Government Operations should not be authorized to make this investigation at all. I say that because other committees of the Senate have been and are now continuing to investigate every aspect of ghetto conditions in cities where riots either have occurred or may occur in the foreseeable future.

The Subcommittee on Education, of which the distinguished Senator from Oregon [Mr. MORSE] is the chairman, has for years been investigating the connection between inadequate school facilities, ghetto areas, poverty, unrest, and the possibility of riots.

The Subcommittee on Housing, of which the distinguished Senator from Alabama [Mr. SPARKMAN] is the chairman, has for years been investigating slum conditions, inadequate and indecent housing, and the general fact that somewhere in the neighborhood of 10 million American families do not have either a safe or sanitary home in which to live.

The Committee on the Judiciary is now investigating vigorously—some think far too vigorously—the question of crime in slum areas, and the possible—and so far unproven—connection between poverty workers and the eruption of riots in our cities.

The Subcommittee on Employment, Manpower, and Poverty, of which I am the chairman, beginning in March, with special authorization from the Senate, has been engaged in investigating what is right and wrong with the poverty program. Our report is almost finished. We expect to come in with a new poverty bill. Our investigation was neither a white-wash or witchhunt. We have testimony this high from the floor—and I raise my hand to the height of my head—which goes into detail in all matters involved in connection with riots and disorders in our cities. The criminal end of this investigation is important, indeed, but that is being done by the Committee on the Judiciary.

Over and above that, we have a top-level Commission appointed by President Johnson, on which the distinguished Senator from Oklahoma [Mr. HARRIS]

serves, as well as the able Senator from Massachusetts [Mr. BROOKE]. They have already taken testimony and made their initial investigation. These riots are being investigated to death. I see no need for a further investigation by the Committee on Government Operations.

However, I am under no illusion that my view will prevail. I was the only one of the nine members on the Committee on Rules and Administration who voted against the resolution. I know that the resolution will pass. Thus, since it is going to pass, for goodness sake let us make it a fair resolution in which the underlying economic or social causes, the community attitude, as well as the response of local authorities thereto, will be given high billing, front-rank billing, in determining what the committee is going to investigate.

Let us not make this just a witchhunt.

Mr. President, I yield back the remainder of my time.

Mr. McCLELLAN. Mr. President, will the Senator from North Carolina yield me 10 minutes?

Mr. JORDAN of North Carolina. Mr. President, I yield 10 minutes to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 10 minutes.

Mr. McCLELLAN. Mr. President, at the outset, I think I can say that there are those who do not want the Senate to conduct any investigation into this problem. There may be others who do not want a full investigation conducted. There may be others who think that the Government Operations Committee is not a proper committee to be selected and directed to do this job—a task which will be arduous and possibly unpleasant. In fact, I can think of nothing pleasant about it, because it will deal with something very critical and dangerous to the security of this country.

There were those who thought that this task had better be performed for the entire Congress by a joint committee of the two bodies. Resolutions have been introduced, both in the House and Senate, to set up and constitute a joint committee for that purpose. These resolutions, I understand, were before the Rules Committee at the time this resolution was reported favorably by it.

I wish to advise the Senate that when the resolutions were first introduced in this body to establish joint committees and set up various processes for the investigation of this problem, I advised two of the authors of the joint resolution—I do not recall its number—which is pending in this body, that I favored a joint resolution. I was requested by others to support a joint resolution.

I would say to you now, Mr. President, as I said then, that I think this could possibly have been investigated by a joint committee of the two Houses. It would have lent greater prestige, perhaps, to the investigation than to have a single subcommittee do it.

I went to the leadership on both sides of the aisle and so advised them that I personally thought that was the best way to do it. I also stated to them—in fact I went further, I talked to the distin-

guished chairman of the Rules Committee and so advised him—that whatever the Senate did, it should designate one committee, put the responsibility in one committee, either a joint committee, a regular standing committee, or some other committee, so that there would not be a splinter investigation.

Some members of my committee approached me, and some other Members of the Senate contacted me, urging that the Senate Permanent Subcommittee on Investigations proceed to initiate the investigation. I advised them that under the resolution under which this subcommittee is now operating, it had limited jurisdiction in the crime areas, and that I did not think the provisions of the resolution under which we now operate were adequate to authorize the committee to do a thorough job in the field.

Therefore, after counseling with them, and with others, I submitted the resolution which was reported by the Rules Committee.

Mr. President, I do not relish this task. It will be difficult. It will require hard work, with much diligence and dedication, if the task is to be done well and thoroughly.

I asked the staff of the Senate permanent subcommittee, in collaboration with the drafting service of the Senate, to draft a resolution which would serve as an amendment to the resolution under which the permanent subcommittee is now operating, to extend its authority, to enlarge the power of the subcommittee so that it could do a thorough and complete job in this field, should the Senate desire to assign the task to us.

Mr. President, the resolution was drafted and brought back to me. It covered, I think, every aspect of it by specification, by specifying all of the things in all the areas into which the committee would likely go, and properly so, in order to make a thorough investigation in this area.

I looked at the resolution and I concluded on my own at the time that a better resolution would be a resolution giving general, broad, overall, all-inclusive power and authority.

I, therefore, had them redraft the resolution. It was brought back to me and I introduced it.

Now, Mr. President, if this resolution as introduced and as amended by the Rules Committee to make it as all inclusive—what are the words?—longstanding causes and longstanding effects, immediate and long standing—I assume that includes everything in between.

Causes are causes, whether they are radical, or rabid, or rabble-rousing, or inciting to riot, or whether they concern poverty in a ghetto. Causes are causes. It includes all of them.

If they want to specify, if we are going into specifications and forget about the general authority which is broad and all comprehensive, then here are a number of areas which possibly should be specifically referred to.

I want to ask my friends: I am not objecting to what you want to do. I say to you frankly, a member of the committee has just made the statement over

there that we are going to do it. Well, you say, if we are going to do it, why not put it in here? All right, we are going to do a lot of these things. A lot of other people want to know what the committee is going to do. Why not put it all in there? Instead, the best procedure is to make it broad enough and all inclusive.

If we do specify specific areas, like economic impact and social causes, and happen to leave something out, then the resolution, with respect to the area that we happen not to specify, will be subject to a challenge as to jurisdiction if the committee happens to go into it. I do not know that this will occur, but we are drafting a resolution of authority. There are those who challenge the right and jurisdiction of investigating committees, and there must be the authority, and the authority is here when we say "causes," because that includes almost anything and everything.

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

Mr. JORDAN of North Carolina. I yield whatever time the Senator needs.

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

Mr. McCLELLAN. I yield.

Mr. ERVIN. I want to ask the Senator if it is not a well-established rule of statutory construction that the expression of one thing is the exclusion of other things.

Mr. McCLELLAN. That is exactly what I do not want to get into.

I want to say to my friends who are concerned about this and who are interested that there is not one thing that the amendment calls for that will not be done.

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

Mr. McCLELLAN. Let us say this further. One of the members of the subcommittee said he had no doubt that this matter would be investigated thoroughly and vigorously. As chairman of that subcommittee for the last dozen years and as chairman of the Senate Select Committee on Improper Activities in Labor-Management Relations, I think I can say this without any successful challenge. I have conducted more investigative hearings, possibly, than any other Senator who ever served in this body. Certainly some of them have been controversial. I have not been accused yet, as chairman of that committee, of not investigating thoroughly, of underinvestigating with respect to this subcommittee and the Select Committee on Improper Labor-Management Relations—not by any responsible source that I know of. I have been accused of overinvestigating a little, but that is bound to happen. It always does, because there are those who do not want any investigation.

There are those who are going to criticize any investigation we make. Certainly, if the inquiry is thorough and goes into problems in depth, we are going to be criticized, and I know it; but I am a little accustomed to it and I do not particularly care.

Mr. COOPER. Mr. President, will the Senator yield, on my time?

Mr. McCLELLAN. One thing more and I shall be through.

So far as I know, there is no aspect of anything relating to rioting, unrest, or disorders that this committee will not hear. I do not think there is a member who has served with me on the subcommittee—and a number of Senators have—who will tell any of my colleagues that I have ever denied him the opportunity to call any witness he wanted to. What more does anyone want?

That is why, if we are going to start now on specifics, here is a list that perhaps I would like to include. Maybe it ought to be included if we are going to get specific. I shall put that into the RECORD momentarily. All I say is, take our word for it. It is said that certain groups or elements want it spelled out. Remember, there are other groups that want it spelled out. Give the committee the power and authority that will permit them to get the job done, but do not splinter this authority so there will be confusion.

Mr. COOPER. Mr. President, I yield myself 3 minutes. As I said at the outset, I voted to report the resolution. I recognize the ability of the committee, as all of us do, and the integrity of the chairman and its members. But I want to say, in reply to the question, "Why don't you put everything in?" I have heard some of the suggestions that have been made as to what to put in. The suggestion has been made, "Why don't you put in the inciting remarks by officials of the country?" Other similar suggestions have been made. I am asking that the elements of social and economic conditions be considered because they embrace different causes which are deeper and widespread. I offer this amendment because we are speaking not only to each other on the Senate floor; we are speaking not only to the Senate; we are speaking to the country.

Mr. McCLELLAN. That is right.

Mr. COOPER. We are speaking to the white people. We are speaking to the Negroes of this country. They are all bound together as fellow citizens.

Mr. McCLELLAN. We are also speaking to the policeman on the beat who risks his life every time he is out there.

Mr. COOPER. Yes, we are speaking for him, too. We appreciate what the policemen are doing and what they have done to restore law and order. But we have to look at the full background of the situation. Some Negro people have violated the law, without question, and they should be punished. I have been a judge and know something about the enforcement of law. But there are millions of Negroes in our country who, while they do not approve of these riots and disturbances, yet are sympathetic toward their own people, because they may believe that long years of deprivation have been their lot. And it has been. We know this to be true.

What I have said does not in any way question the intention of the committee to go into the investigation thoroughly. But we are not speaking to each other. We are speaking to the country. As the Senator from Arkansas has said, we are speaking to law-enforcement officers. We are speaking to the Negro people. We are speaking to the white people. We

are speaking to the country. Why not include causes which we know have bearing on the disorders and have contributed to bringing them to fruition?

Mr. McCLELLAN. Why not put them all in?

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

Mr. McCLELLAN. Mr. President, I believe I had the floor. That time came from the other side.

All I want to say is that if there is any way to make the investigation broader and more efficient than is provided by the language we have, without writing out each specific area, an amendment like that will be welcome. As far as I am concerned, I want the investigation as broad and inclusive as language can make it, and this language does it. But if we are going to go into specifics, as to what one Senator thinks, or what a majority of Senators think, is a basic cause, then I think we have to write in the resolution any other basic causes. By writing one in, do we say to the country that we exclude all others? The language covers any segment of the country, because all are treated alike. Everyone is covered. Everyone has an equal opportunity to make a presentation of evidence as to any cause that apparently would be relevant to the problem with which we are concerned.

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

Mr. McCLELLAN. Yes; I will yield the floor in a minute.

Mr. MUNDT. I want to ask a question.

Mr. McCLELLAN. Very well.

Mr. MUNDT. Is it not correct that in our longtime association with members of this investigating committee, on which I serve as ranking Republican member, the chairman of the committee now in charge of the floor has never on any single occasion prevented the minority from calling any witness that we wanted to call on any question under investigation?

Mr. McCLELLAN. No. At the risk of incurring the criticism of the members of my own party on the committee, on one occasion which I remember specifically, we did call witnesses for the minority and let them make a full presentation and development of what they had in mind.

Mr. MUNDT. Mr. President, I wanted that answer in the RECORD, because I can assure the Senator from Kentucky and the Senator from Pennsylvania, as ranking Republican member on that committee, that if there is any witness they want called from any area of the country whatsoever, they need only present his name or her name to me, as ranking minority member of the committee, and I will present it to the chairman and insist that the witness be called. We have that prevailing working agreement on our committee.

The chairman may say to me, as he sometimes has, "KARL, I think you are mistaken to call that fellow as a witness; if you all want him as a witness, you have got to assume responsibility for him, but you can call him."

So if you want a witness called, I shall reply, "On the recommendation of Senator SCOTT, or on the recommendation

of Senator COOPER, I have been asked to call this witness, and so you will have to assume responsibility for his appearance. But he will be called."

We cannot go any further than that.

One further thing. It so happens that the Senator from South Dakota has served on investigating committees of Congress longer than any other Member in congressional history, because I started on the Dies committee of the House long before we had a Committee on Investigations in the Senate and before we had an internal security subcommittee of our Senate Judiciary Committee. I served on the House committee with Martin Dies on down through the years until I came to the Senate, when I was fortunate enough to be assigned to the Government Operations Committee, which shortly set up an investigations subcommittee, and I have been on it ever since.

One of the biggest difficulties we have run into, both in the House and in the Senate, when conducting an investigation, is that when you stipulate some of the things you are going to investigate, you may fail to include one. The sharp lawyers who come before us representing witnesses then challenge our authority and jurisdiction.

By the generalized terms in the pending resolution, however, we omit nothing. Certainly, we will investigate the matters alluded to in the Cooper amendment—those and many other factors. But once you start specifying issues in enabling legislation you endanger the success of the investigation, because you may have omitted a precise enough allegation to the specific thing which you find from the evidence you have need to investigate.

Therefore, I hope that the Cooper amendment will be rejected.

The PRESIDING OFFICER. Does the Senator from Arkansas yield the floor?

Mr. McCLELLAN. I yield the floor.

The PRESIDING OFFICER. The time situation is that the proponents of the amendment have 3 minutes remaining, and the opponents of the amendment have 33 minutes.

Who yields time?

Mr. JORDAN of North Carolina. Mr. President, I yield 5 minutes to the distinguished Senator from Washington.

Mr. JACKSON. Mr. President, it seems to me that there are two fundamental points involved in the matter now before the Senate. The first is whether or not the pending resolution is broad enough to deal with all aspects of the problem.

Mr. President, a reading of the resolution by anyone who has followed the dialog here on the floor of the Senate cannot, I think, help but lead him to the conclusion that the committee is empowered to deal with all aspects of the problem before the Senate at the moment. I refer specifically to the language in section 5 on page 2 of the resolution, alluded to previously, in which reference is made to "immediate and longstanding causes, the extent and effects of such occurrences and crimes, and measures necessary for their immediate and long-range prevention."

Mr. President, this is the case of the

lawyer deciding whether he is going to make a general pleading or a specific pleading. Obviously, you are better off to come in with a general authorization than to try to particularize a situation in which you may make the mistake, as the Senator from South Dakota has pointed out, of leaving something out.

If we want to request a bill of particulars, that would be the net effect, I think, of the approach that would be followed in accepting the amendment. We would then run the danger of leaving something out.

Based on the resolution before us, and based on the discussion, the legislative history, it is quite clear that by the terms of the proposed resolution the committee is empowered to deal with all aspects of the problem.

My second point is that if this is the case, then the only question is, how will the hearings be conducted?

Mr. President, I have served on the Permanent Subcommittee on Investigations with the distinguished senior Senator from Arkansas for 15 years. We are not necessarily of the same persuasion on matters affecting civil rights, nor on other matters.

We have, on the committee, a broad and diverse representation. There are conservatives, there are liberals, there are those who take the middle of the road—call them what you want to, you will find them all on the committee.

But, Mr. President, I wish to state that after 15 years of continuous service with the able chairman of the committee, I have always found him to be a fair judge. He is a man of great integrity. He is a just man and a fair man; and, Mr. President, he is a man possessed of great judicial temperament and restraint. Any Senator who has served on that committee, regardless of party or political persuasion, can come to only one conclusion: That no one could ask for a fairer judge before whom to try an issue.

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

The PRESIDING OFFICER. The Senator's time has expired.

Mr. JACKSON. I ask for 3 additional minutes.

Mr. JORDAN of North Carolina. Mr. President, I yield 3 additional minutes to the Senator from Washington.

Mr. JACKSON. I yield to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I think the thing that is bothering many of us, including the Senator from Kentucky, is that section 5 seems to be attuned only to a criminal investigation. With that language no one finds any fault, but we end up, on lines 8 through 12, with the words, "the extent and effects of such occurrences and crimes, and measures necessary for their immediate and long-range prevention and for the preservation of law and order and to insure domestic tranquility within the United States."

Mr. President, what do we mean by domestic tranquility? Do we mean social justice as well? If we do, then why not say so?

There is in this paragraph no mention of the words "social justice." That is disturbing us. We want this criminal inves-

tigation, but that is not the only thing. There is an element of social justice involved, and somehow, those words ought to get in there.

If we mean by domestic tranquility the elimination of crime alone, we would all go along with that, but, on the other hand, what we are arguing here, those of us who are interested in the whole panorama of the disturbances, what they mean, and their causes, is that we would like to see the words "social justice" in there. The Senator from Rhode Island would be very happy to see the portion of the resolution read "domestic tranquility and social justice within the United States."

Mr. JACKSON. Mr. President, I conclude my remarks by reading a statement by the able junior Senator from Connecticut [Mr. RIBICOFF]. He was unavoidably detained and could not be present, but I think his statement is quite pertinent to the discussion that has taken place here today. I now read from the statement of Senator RIBICOFF:

The proposed hearings of the Senate Permanent Subcommittee on Investigations are vitally important and crucial at this point in our Nation's history.

The problems of our cities are real and urgent. For the past year the Subcommittee on Executive Reorganization, which I have the privilege of chairing, has thoroughly explored many of the problems facing the cities of America and the Federal role in urban affairs. Witnesses from every phase of American life have discussed with us the economic, social, and psychological factors of urban life.

Chairman McCLELLAN is a member of the Subcommittee on Executive Reorganization. I also serve as a member of the Permanent Subcommittee on Investigations. I have discussed the forthcoming hearings with the distinguished chairman of the Government Operations Committee. He has informed me that he intends to include by reference the work of the Subcommittee on Executive Reorganization.

Because of the pressure of time and the subcommittee's intention to issue an interim report by October 2, 1967, it should not be necessary for the Investigations Subcommittee to repeat the testimony taken in the past year by the Subcommittee on Executive Reorganization.

Since the hearings of the Subcommittee on Executive Reorganization will be used as a basic resource, I would hope they would figure in the advice and conclusions that will be made by the Permanent Subcommittee on Investigation. As one member of the Senate Subcommittee on Investigations, it will be my intention to continue to explore all phases of the causes of the riots that have plagued the American cities for the past four summers.

I believe the resolution as currently drafted is broad enough to encompass all factors relevant to this inquiry.

That is what the able Senator from Connecticut, who went into the matter very thoroughly, has to say.

Mr. President, on behalf of the junior witnesses who testified before the Subcommittee on Executive Reorganization, I ask unanimous consent that the names of the 110 committee on Executive Reorganization during its inquiry into the Federal role in urban affairs be printed at this point in the RECORD.

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

WITNESS LIST, FEDERAL ROLE IN URBAN AFFAIRS, AUGUST 15, 1966-JUNE 28, 1967

SENATORS

Senator Joseph Clark of Pennsylvania.
 Senator Jacob Javits of New York.
 Senator Robert F. Kennedy of New York.
 Senator Thomas Kuchel of California.
 Senator Philip Hart of Michigan.
 Senator Joseph Tydings of Maryland.
 Senator Harrison A. Williams of New Jersey.

CONGRESSMEN

Representative Charles Farnsley of Kentucky.
 Representative William Widnall of New Jersey.
 Representative Adam Clayton Powell of New York.

FEDERAL OFFICIALS

Secretary Robert Weaver—Dept. of Housing and Urban Development.
 Secretary John Gardner—Dept. of Health, Education, and Welfare.
 Wilbur Cohen—Under Secretary of HEW.
 Phillip Lee—Asst. Secretary for Health and Scientific Affairs, HEW.
 Harold Howe—U.S. Commissioner of Education.
 U.S. Attorney General Nicholas Katzenbach.
 Sargent Shriver—Director, Office of Economic Opportunity.
 Secretary Willard Wirtz—Department of Labor.
 Charles Schultze—Director, Bureau of the Budget.

MAYORS AND LOCAL OFFICIALS

Mayor John Lindsay of New York City.
 Mitchell Ginsberg—Commissioner of Welfare, New York City.
 Ira Robbins—Vice Chairman, New York Housing Authority.
 Mitchell Sviridoff—Administrator, Human Resources Administration, New York City.
 Mayor Jerome Cavanagh of Detroit.
 Mayor Sam Yorty of Los Angeles.
 Mayor John Reading of Oakland.
 John Williams—Executive Director, Redevelopment Agency of the City of Oakland.
 Mayor Richard Lee of New Haven.
 Mayor Ivan Allen of Atlanta.
 Mayor Ralph Locher of Cleveland.
 Mayor A. V. Sorenson of Omaha.
 Mrs. Helen Peterson—Director, Commission on Community Relations of Denver.

BUSINESS AND FINANCIERS

David Rockefeller—The Chase Manhattan Bank of New York.
 Gerald Phillippe—Chairman of the Board, General Electric.
 J. Stanford Smith—Vice President, Marketing and Public Relations Service, General Electric.
 Bruce Hayden—Vice President, Connecticut General Life Insurance Company.
 James Rouse—President, Community Research and Development, Inc.
 James Torrey—Senior Vice President, Connecticut General Life Insurance Company.
 Leon Weiner—President, National Assn. of Home Builders.
 Nathaniel Rogg—Executive Vice President, NAHB.
 Michael Sumichrast—NAHB, Economist.

SOCIAL SCIENTISTS

Robert McAtee—John Kraft, Inc.
 Dr. Robert Coles—Research psychiatrist, Harvard University Health Service.
 Dr. George Sternlieb—Director, Research Center, Graduate School of Business Admin., Rutgers.
 Lee Rainwater—Professor of Sociology and Anthropology, Washington University.
 Milton Kotler—Institute for Policy Studies, Washington, D.C.
 Dr. John Spiegel—Center for the Study of Violence, Brandeis University.
 Dr. Herber Gans—Center for Urban Edu-

cation, Teachers College, Columbia University.

Derek Roemer—National Institute of Mental Health.

Dr. Kenneth Clark—Director, Social Dynamics Research Institute, City College of New York.

Daniel Moynihan—Joint Center for Urban Studies, MIT-Harvard, Director.

Anthony Downs—Urban Economist, Real Estate Research Corporation.

EDUCATORS

Dr. James Hester—President, New York University.

William Doebele—Professor of City and Regional Development, Graduate School of Design, Harvard University.

Jerome B. Weisner—Dean of School of Science, MIT.

LABOR

Walter Reuther—President, U.A.W., AFL-CIO.

Jack Conway—Executive Director, Industrial Union Dept., AFL-CIO.

C. J. Haggerty—Pres., Building and Construction Trades Dept., AFL-CIO.

M. A. Hutcherson—Pres., United Brotherhood of Carpenters and Joiners of America.

Peter Fosco—Sec.-Treas., Laborers International Union of North America.

Gordon Freeman—Pres., International Brotherhood of Electrical Workers.

Peter Schoemann—Pres., United Assn. of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the U.S. and Canada.

Hunter Wharton—Pres., International Union of Operating Engineers.

Frank Bonadio—Sec.-Treas., Building and Construction Trades Dept., AFL-CIO.

FOUNDATIONS—PRIVATE INSTITUTES

Richard Scammon—Vice Pres., Governmental Affairs Institute.

Phillip Hallen—Pres., Falk Medical Fund of Pittsburgh.

McGeorge Bundy—President, Ford Foundation.

Louis Winnick—Program Officer, Ford Foundation.

RESIDENTS—LOCAL LEADERS

Arthur Dunmeyer—accompanied Claude Brown.

Eugene Hill—Field rep., Center for Community Action Services, Albuquerque, New Mexico.

Lee Sterling—Executive Director, American Property Rights Assn.

Mrs. LaVerne Love—Executive Director, East Central Citizens Organization.

Eugene Jenkins—Local Resident.

Pete Green—L.R.

Mrs. Barbara Taylor—L.R.

Mrs. Katie Ridley—L.R.

Mrs. Etta Horn—Chairman, Barry Farms Welfare Mov't., Washington, D.C.

Reverend Griffin Smith—Pastor, Worker for Urban League of D.C.

AUTHORS

Claude Brown—"Manchild in the Promised Land".

Ralph Ellison—"The Invisible Man".

Professor Joseph Lyford—"The Airtight Cage".

Harry Golden.

Budd Schulberg—Director, Watts Happening Coffee Shop.

Harry Dolan—Accompanied Budd Schulberg.

Johnie Scott—Accompanied Budd Schulberg.

Lewis Mumford—"The City in History".

CLERGY

Father Henry Browne—Pres., Stryckers Bay Neighborhood Council, New York.

Pastor Leopold Bernhard—Columbus, Ohio.
 Reverend Louis DeProffo—Director, Social

Action Dept., Roman Catholic Diocese of Bridgeport, Connecticut.

Terrence Cooke—Executive Director, Social Action Dept., Roman Catholic Diocese of Bridgeport.

John Driscoll—Bishop's Commission on Human Rights, Bridgeport.

Reverend Leon Sullivan—Opportunities Industrialization Center of Philadelphia.

CIVIL RIGHTS

Roy Wilkins—Executive Director, NAACP.

Clarence Mitchell—Washington rep., NAACP.

A. Phillip Randolph—President, A. Phillip Randolph Institute.

Bayard Rustin—Executive Director, A. Phillip Randolph Institute.

Reverend Dr. Martin Luther King—President, Southern Christian Leadership Conference.

Whitney Young—Executive Director, National Urban League.

Floyd McKissick—National Director, CORE.

LAW ENFORCEMENT AND ADMINISTRATION

Judge George Edwards—U.S. Court of Appeals, the Sixth Circuit.

Herbert Sturz—Director, Vera Institute of Justice.

Howard Leary—Police Commissioner, New York City.

PLANNERS

Constantinos Doxiadis—City Planner.

Edward Logue—Administrator, Boston Housing Authority.

Archibald Rogers—Chairman, Urban Design Committee, Amer. Institute of Planners.

Harold Wise—Chairman, Legislative Committee, Amer. Institute of Planners.

Lee Ham—Consulting engineer.

Charles Abrams—Chairman, Dept. of City Planning, Columbia University.

MISCELLANEOUS

Melvin Thom—Executive Director, National Indian Youth Council.

Joseph Monserrat—National Director, Migration Division, Dept. of Labor of Puerto Rico.

Mr. JACKSON. Mr. President, I am confident, with the resolution as drafted and based on the discussion here on the floor of the Senate, that the committee has ample authority to go into all aspects of the problem.

I am one who certainly strongly believes that more than one factor is involved in this problem and that we will have to look at all aspects of it.

With the broad representation that we have on both the Permanent Subcommittee on Investigations and on the Government Operations Committee, the full committee, we will make the kind of approach that I think will reach into all aspects of the problems that have arisen and have caused this country so much trouble in the past several years.

Mr. McCLELLAN. Mr. President, the subcommittee chaired by the Senator from Connecticut [Mr. RIBICOFF]—the Subcommittee on Executive Reorganization to which the Senator refers—conducted very extensive hearings last year and dealt extensively with many of those problems.

I suggested to the Senator when he discussed it with me that there is no reason why those hearings cannot be made a part of the record of the Permanent Subcommittee on Investigations by reference, so it will not be necessary to reprint all those hearings, but to make them a part of the record of the subcommittee for its consideration of any facts,

testimony, or information developed therein.

Those hearings covered the slums, the need for rebuilding our cities, and other urban matters. The hearings made headlines all over the country. I thought the hearings included everything.

Something was said about social justice extending anywhere and social injustice contributing to riots and disorder.

The evidence taken was appropriate and relevant. There is no question about that. But if we are going to put evidence in the record again, we could just go on indefinitely.

I think that any testimony taken under oath—and we do take our testimony under oath—or any document that is a part of the Senate records is appropriate and relevant. It is appropriate to make that a part of the record by reference for the committee's consideration.

Mr. HARRIS. Mr. President, I think we may be in danger here of making a mountain out of a molehill.

I support the distinguished Senator from Arkansas [Mr. McCLELLAN], who is my chairman in the Senate Committee on Government Operations and its permanent Subcommittee on Investigations.

I believe the adoption of the amendment offered by the distinguished Senator from Kentucky [Mr. COOPER] would be unnecessary and unwise, though, as he has quite rightly today pointed out, I have made clear that I believe the achievement of law and order will require, among other things, the elimination of the root causes for hostility and resentment in our society.

This amendment is unnecessary, however. Senate Resolution 150 directs a study by the Senate Committee on Government Operations. I would point out, as has been done already by the distinguished Senator from Washington [Mr. JACKSON], that one of its subcommittees, of which I am a member and of which the distinguished Senator from Connecticut [Mr. RIBICOFF] is chairman, has already conducted, over a period of more than a year, a very excellent and detailed study along the very lines envisaged by this amendment. As has been said by the distinguished Senator from Connecticut [Mr. RIBICOFF], these most useful hearings can very well be incorporated by reference into the record of the hearings under Senate Resolution 150.

Moreover, other legislative committees of the Senate and the President's Special Advisory Commission on Civil Disorders are involved in various aspects of this subject, and we may be sure, therefore, it will be examined fully.

Further, Senate Resolution 150, as reported by the Senate Rules Committee, already requires "a full and complete study and investigation" of both the "immediate and longstanding causes."

Lastly, so long as all other committees of the Senate are continuing to function, it seems to me rather ineffectual and unwise to amend a resolution setting jurisdiction for an inquiry, over the objection of the very chairman who must bear the large responsibility for conducting it.

Mr. MORSE. Mr. President, will the

Senator from North Carolina yield time to me so that I may address a remark to the Senator from Arkansas?

Mr. JORDAN of North Carolina. Mr. President, I yield 2 minutes to the senior Senator from Oregon.

The PRESIDING OFFICER. The senior Senator from Oregon is recognized for 2 minutes.

Mr. MORSE. Mr. President, I join with the junior Senator from Washington [Mr. JACKSON] in his appraisal of the judiciousness of the Senator from Arkansas.

If I were a plaintiff or defendant in a case, I would be perfectly willing to appear in court with the Senator from Arkansas [Mr. McCLELLAN] sitting on the bench.

That is the highest compliment that I think can be paid to his judiciousness.

Mr. McCLELLAN. Mr. President, I thank the senior Senator from Oregon.

Mr. MORSE. We are engaged in debating semantics. I want to make a suggestion for a modification of the amendment that I think will accomplish what the Senator from Kentucky and the Senator from Rhode Island have in mind, but will not result in the amendment being added, as the Senator from Kentucky proposes, on page 2, line 12, at the very end of that paragraph.

I would like to suggest that we take section 5 which reads:

The Committee on Government Operations or any duly authorized subcommittee thereof is authorized and directed until January 31, 1968, to make a full and complete study and investigation of riots, violent disturbances of the peace, vandalism, civil and criminal disorder, insurrection, the commission of crimes in connection therewith, the immediate and long-standing causes—

And add this language: "including among others," so that it is not singularized to these.

Continuing to read:

the extent to which economic or social causes may have bearing on such disorders, the extent and effects of such occurrences and crimes, and measures necessary for their immediate and long-range prevention and for the preservation of law and order and to insure domestic tranquillity within the United States.

If we put that in there and do not add it on the end as a separate provision as the Senator from Kentucky does, we incorporate it with "among other causes."

Mr. McCLELLAN. Mr. President, if the Senator would say, "all causes," that would be all right. I do not want any objections.

Mr. MORSE. Including all others?

Mr. McCLELLAN. "Including all others." I have no objection.

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

Mr. MORSE. I ask that I may proceed for 1 additional minute.

I wish to say, in relation to what the Senator from Washington has said, that it is a question of whether or not we are going to put in a generalized pleading here or a specific one. The trouble is that the public does not understand the legal matters, but you are going to have a lot of discussion as to whether or not the committee will take a look at the allegations of what some of the causes

are that produced the riots. I am saying "allegations" when I make this argument. All I suggest is including all others, such as the extent—

Mr. McCLELLAN. Why does the Senator not just add "including all causes"? I would accept that, because nothing would be left out. Just say "all causes." This says, "the commission of crimes in connection therewith, the immediate and longstanding causes." Include all causes.

Mr. MORSE. But the Senator would not be willing to accept "including all other causes, such as economic and social causes"?

Mr. McCLELLAN. If the Senator goes into that, I would have to include some others. I told the Senator that any aspect that any member of the subcommittee wants investigated will be investigated, so far as the chairman is concerned.

Mr. MORSE. The fact remains that editorials and statements and newspaper articles keep referring to economic and social causes.

Mr. McCLELLAN. Tell the newspapers to refer to exactly what I have said, and quote the chairman, and say that he has the unanimous endorsement of every member of the subcommittee. I do not know how it can be made any stronger than that. If we are going to start specifying, we have a long way to go.

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

The PRESIDING OFFICER. Who yields time?

Mr. COOPER. I yield 2 minutes to the Senator from Pennsylvania.

Mr. SCOTT. I am simply pleading with the Senator to accept the fact that some of us are concerned about problems which may not be of the same priority to some others. In order to achieve this, we are simply proposing, as the Senator from Oregon has suggested, not the lengthy enumeration of a number of causes, but the indication that among the causes to be considered there are these. If that is done, I would urge the Senator from Kentucky to accept the amendment proposed by the Senator from Oregon as a substitute for his.

Mr. McCLELLAN. Why not say "including all others," also? Why single out just one thing? Why not say "all causes," and stop? If the Senator wants to single out one he thinks is important, there are other factors that other Senators think are important, also. If we are going to do that, we will have a pack list of them. "All" means all, and the members of the subcommittee will adhere to that definition.

Mr. SCOTT. I am simply trying to make a point on which we could all be found together, because I support the resolution. I would like us all to be together, rather than show a difference of opinion on a record vote, if we could avoid it, because I believe the unanimity of the Senate in investigating the riots and their causes is a desirable objective in itself. That is why I was pleading with the Senator to permit some of us to have our way, with the assurance that this is important. The economic and social causes are so broad as to encompass a very large percentage of the whole field.

Mr. COOPER. I yield 5 minutes on the

resolution to the Senator from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. President, first of all, I would like to say that I do not believe any Member of the Senate feels that an investigation would be in any firmer, juster, or more equitable hands than those of the distinguished Senator from Arkansas. We all know that the Senator will be judicious, that he will give the utmost consideration to every member of the committee—to the majority as well as the minority—and that the committee will handle its responsibilities with complete fairness to the witnesses.

However, I believe that what we are really talking about is something which goes far beyond this. The distinguished Senator from Washington has said that one of the questions before us is how the investigation will be handled. I could not disagree with him more. Every Senator who will support the Cooper amendment would state that the Senator from Arkansas will handle the matter judiciously. When the Senator from Washington suggests, as the Senator from Arkansas has also suggested, that we are really balancing a bill of particulars against a general plea, I believe that this is an oversimplification of what is much more basic and much more fundamental.

During the last 3 weeks, the Committee on the Judiciary has been conducting hearings on the questions of the anti-riot bill that has passed the House of Representatives. During that investigation, the distinguished chairman of the committee indicated that other witnesses would be called as well as those scheduled. The one thing that impressed me in the course of the hearings was that the law enforcement officials who testified time and time again cited economic and social forces as the fundamental causes of the riots. They used these words.

To find further mention of these factors, one need only refer to the report of the grand jury of Cleveland, Ohio. They list the various elements that they feel were at the root of the riots. They talk about the density of population, inadequate and substandard housing, charging of exorbitant rents by absentee landlords, nonenforcement of the housing code, woefully inadequate recreational facilities, substandard educational facilities, excessive food prices, and the denial of equal economic opportunities. These are clearly economic and social causes, and it is these which must be examined.

If the distinguished Senator from Arkansas would care to suggest other factors to be examined as well, I am sure they will be accepted by the Senator from Kentucky. But the words "economic and social" apply to the factors which many of us believe are fundamental to a question which is not only before the Senate but also before the whole Nation. We want these factors included because they are at the heart of the matter. We do not believe that you are just listing two words of a long list of 20. We believe that these two words, by any kind of interpretation, will guide the inquiry

to the fundamental issues which are before the country. We want to be able to examine the whole situation, and we need a declaration of the Senate to this effect. We can not leave the question of which witnesses will be called to the members of the committee alone, no matter how competent they be. The Senate as a whole must speak on the question that is before us. We know that the Senator from Arkansas will do an effective job; that is not being disputed.

The question is whether we, in the Senate, believe that economic and social causes are so fundamental to the question that is before the Nation that we want to see it inscribed in the resolution. This is the matter before us.

We can talk about a bill of particulars; we can talk about the equity of the investigation. But this is not the issue. The American people want to hear the voice of the ghetto. They want to hear from clergymen who have been dealing with this problem. They want to hear from businessmen who are trying to bring industry into the ghetto. They want to hear from the educators. These are all economic and social factors, and can be called nothing else.

I believe it is imperative that when the Senate speaks this afternoon, it does not equivocate on this matter. We believe that these matters, which are so comprehensive and all inclusive, should be inscribed in the resolution, so that all Americans will know that we in the Senate realize where the causes lie.

The PRESIDING OFFICER. Who yields time.

Mr. JORDAN of North Carolina. I yield 3 minutes to the Senator from North Carolina.

Mr. ERVIN. Mr. President, I agree with the able and distinguished senior Senator from Massachusetts that we can expect from the chairman of the committee a proper performance of whatever duty the Senate may impose upon him by the resolution.

But what I am pleading with the Senate to do is not to write into the resolution an amendment which may handicap the Senator from Arkansas and the other members of the subcommittee in their investigation.

There are many things that should be investigated. I agree with the Senator from Washington that this resolution in its present form empowers and requires the committee to study and investigate the extent to which "economic and social causes have a bearing on such disorders, the community attitudes toward such causes in places where such disturbances have occurred or may occur, and the response of local authorities thereto."

There is no doubt that under the resolution in its present form those matters can be investigated, and as a member of the committee I shall insist that they are investigated. That is the statement which has been made by every member of the committee who has spoken on the floor of the Senate.

I appeal to Senators to take our assurance that we will go into those matters when we act under this resolution, and not jeopardize our power to go into any

of the causes, regardless of what they may be, by specifying certain things.

It will be an investigation somewhat like the investigation we had several years ago by the same committee into improper practices in the labor and management field. We are going to have people come in with high-powered lawyers who are going to challenge the jurisdiction of this committee whenever it goes into fields of activities which witnesses do not like. I can assure the Senate there will be many of those cases. Let us not jeopardize the power by writing into it the Cooper amendment when the objective is clearly embraced in the language now in the resolution.

Mr. CARLSON. Mr. President, will the Senator yield to me for 1 minute?

Mr. JORDAN of North Carolina. I yield to the Senator from Nebraska.

Mr. CARLSON. Mr. President, the mounting violence in cities all over the country presents a tragic problem to the ordinary citizen, as well as to the State, local, and Federal officials charged with maintaining order.

We must ask ourselves where justice lies and what can be done to redress the legitimate grievances of many of our citizens. However, one fact stands out, every society must protest itself against violence and lawlessness.

No person has a right to act against the public safety, anywhere, any time. When near-anarchy exists in this Nation, when troublemakers defy the law, incite rioting, burning, pillaging and murder there must be action.

Punishment of those who break the law must be swift and decisive, no matter who they may be. The protection of life and property must be primary and total.

Mr. President, the Kansas Junior Chamber of Commerce at its meeting on August 6, adopted a resolution expressing grave concern over the riots and civil disobedience throughout the Nation and in our own State of Kansas.

I ask unanimous consent that the resolution be made a part of these remarks.

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

RESOLUTION BY KANSAS JAYCEES

Whereas, though the Kansas Jaycees believe strongly that the brotherhood of man transcends the sovereignty of nations and sympathize most sincerely with any people whose rights and freedoms are violated or infringed upon in any way, we believe equally as strongly that government should be of laws rather than of man, and;

Whereas, the Kansas Jaycees are most concerned and disturbed by the frequent occurrences of all manner of civil disobedience throughout the United States in general and within the Great State of Kansas in particular;

Now, therefore, be it resolved by the Kansas Jaycees assembled at the 1967 Summer Board of Directors Meeting that we firmly and strongly condemn civil disobedience as a means of redress, no matter how just the grievance.

In Testimony Whereof, The authorized Officers of the Organization have hereto affixed their official signatures this 6th day of August 1967.

HERB CONYERS,
President.
JACK SWARTZ,
Executive Vice President.

Mr. McCLELLAN. Mr. President, will the Senator yield to me for 3 minutes?

Mr. JORDAN of North Carolina. I yield.

Mr. McCLELLAN. Mr. President, I wish to call attention to the first three paragraphs in this resolution which I spoke about a while ago.

We are not talking about some people who did something by mistake. People come to me and want to know if I am going to investigate whether there is Communist influence behind these matters. They mention other possibilities. Are we going to single out one cause and not mention other causes? I say the word "all" and use the word "all" to mean all.

Mr. President, here is the language that was initially drafted to follow what I had in mind:

(1) the extent to which, and the manner in which, such riots, insurrection, and other violent disturbances of the peace are advocated, incited, instigated, organized, directed, supported, or conducted by individuals or organizations, or by conspiracies of organizations or individuals.

Is there any Senator who would object to that? Does any Senator think we should not go into that aspect of it, if it appears to be a cause? Continuing:

(2) the extent to which such riots, insurrection, and other violent disturbances of the peace are directed toward the overthrow of the Government of the United States or of any State by force or violence.

Does any Senator object to our going into that? If there is any evidence to that effect, should it not be developed? There are many persons in this country who think communism is behind the situation, and that the Communists move in and exploit these conditions. Should we not investigate that? If we are going to specify, would it not be well to specify that?

(3) the extent to which such riots, insurrection, and other violent disturbances of the peace, and the commission of robbery, looting, arson, infliction of bodily harm, and other criminal offenses occurring in the course or consequence thereof, are advocated, incited, instigated, organized, directed, or supported by any foreign or subversive organization.

There are these Rap Browns—is that his name?—who are agitating, saying, "Go get your gun; go get your gun." Does the Senate not want that aspect investigated? Should we specify? I say we can investigate under the general "all" and investigate all causes.

I think the aspects I have mentioned are just as important as some of the others. Why specify one and not specify the others? I could mention a half dozen more. I am simply giving a few illustrations. With the word of every member of the committee, with the Senate looking over its shoulder, with the record of this committee in the past, there is not a Senator at the moment who doubts that every aspect of it will be investigated. I do not believe there is. It will all be done. "All" means all.

Mr. President, you can add to it, and add to it ad infinitum, but all is all. But let us keep it "all" and let there be no misunderstanding that certain aspects

were included and others were not included. The Senate should keep it as it is.

Mr. COOPER. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER (Mr. SPONG in the chair). The Senator from Kentucky is recognized.

Mr. COOPER. Mr. President, neither the amendment nor what I have said today questions the intentions of the chairman or the committee to do their duty under the instructions of the Senate. Even if there were no instructions I am sure the chairman and the committee would do their duty.

But, as I said a few moments ago, it is not only the members of the committee but the Senate itself which must speak and signal its intention to the country as to the full scope of the investigation.

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

Mr. COOPER. I yield.

Mr. McCLELLAN. Would the Senator want to give his viewpoint to the exclusion of other viewpoints? Why not speak on all of them?

Mr. COOPER. The Senator has them in his resolution now.

Mr. McCLELLAN. All of this is not specified in the resolution. So is the Senator's suggestion in the resolution.

Mr. COOPER. Mr. President, I tried to point out these matters in colloquy. Perhaps I did not express myself as eloquently as other Senators. There are two factors connected with the riots. One is criminal activity; there may be Communist activity.

In the resolution drawn by the Senator's staff crimes are named. The resolution states the committee will make a full and complete study and investigations of riots, violent disturbances of the peace, vandalism, civil and criminal disorders, insurrection, and some of them approach a revolution against the Government. Then in the next clause "the commission of crimes in connection therewith" is specified. All of this embodies every criminal activity which has had a part in the incitation, instigation, and criminal operations during the riots.

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

Mr. COOPER. I yield myself 2 additional minutes.

Mr. President, I believe there has been criminal activity. Those who have committed crimes should be punished. There is no difference on this point. The people and their property must be protected against criminals.

I am saying, and I do not believe it is fully understood—there is a second element connected with these riots and disturbances. I am distinguishing between the operating factor, the immediate operating factors of these riots, which are specified and in many cases criminal, and the long-seated social and economic factors which have contributed to the emergence of riots. But the committee does not want to include this. But the country wants it included. I believe the Senate wants it included. I believe they should be included—the social and economic cause.

We hold the Senator from Arkansas, the chairman of the committee, in respect. Nevertheless, we have to make our

views known. It is close to all of us. I think we should go into the very roots of it.

Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. COOPER. Mr. President, that is all I have to say, I shall say no more.

Mr. MUNDT. Mr. President, will the Senator from North Carolina yield?

The PRESIDING OFFICER. Who yields time?

Mr. JORDAN of North Carolina. Mr. President, how much time do we have remaining?

The PRESIDING OFFICER. Seven minutes remain on the amendment and 17 minutes on the resolution.

Mr. JORDAN of North Carolina. I thank the Chair. I yield 2 minutes to the Senator from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 2 minutes.

Mr. MUNDT. Mr. President, I should like to suggest a possible compromise that could bring us together. What we have been arguing here is largely a battle of semantics. We know that the committee is going to go into all the matters, incorporated in the Cooper amendment. All those and many, many more. I quite agree with the Senator from Arkansas [Mr. McCLELLAN], based on my own experience, that when we start stipulating specific situations to be included in investigative hearings, we run into problems.

If the Senate will listen, perhaps it will satisfy the Senators from Kentucky, Massachusetts, Pennsylvania, New York, and others if, on line 7, on page 2, I propose, simply as a compromise—I am satisfied with it as it is, but I think this would clear the atmosphere—to make it read: "commission of crimes therewith, all causes"—which is not in there now—"immediate and outstanding and effects."

Thus we have got "all causes and effects, immediate and outstanding." What more could anyone ask?

The legislative history will show from the discussion on the Senate floor, certainly, that this is a modification which would be made in recognition of the fact that we are going into the economic causes, social causes, educational causes, recreational problems, ad infinitum, including all other causes and factors that will be included.

The Senator from Virginia [Mr. BYRD] informs me that I misspoke myself. I mean here "immediate and long standing."

Let me read it again, because I think it is a happy compromise and we can avoid a disruptive vote and the indications around the country that perhaps we are starting an investigation with a substantial number of Senators divided against each other:

At the end of line 7 on page 2, after the words "commission of crimes in connection therewith, . . . all causes, immediate and long standing, and effects of such occurrences . . ."

All the reasons—all the effects—all the causes—everything is there. Why would that not keep us happy and united?

Mr. President, I offer the compromise

in the hope it will be acceptable to the other Senators.

Mr. JORDAN of North Carolina. I would accept that amendment.

Mr. MUNDT. I thank the Senator.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Arkansas will state it.

Mr. McCLELLAN. Is the Senator offering another amendment, or what is being suggested?

Mr. JORDAN of North Carolina. That is what I want to know.

Mr. McCLELLAN. With the other amendment pending, I think we have a parliamentary situation, do we not?

Mr. MANSFIELD. Mr. President, if the Senator will yield. Mr. President, I ask unanimous consent—and I will reintroduce that request for the yeas and nays—that the yeas and nays be temporarily suspended. Let me assure the Senator from Kentucky that I will reinstitute it.

The PRESIDING OFFICER. Is there objection?

Mr. MUNDT. If the "all" can be accepted, it makes the point, because it was done in recognition of the persuasive arguments made here.

The PRESIDING OFFICER. Without objection, the order for the yeas and nays is rescinded.

Mr. MORSE. Mr. President, will the Senator from North Carolina yield me 30 seconds?

Mr. JORDAN of North Carolina. I yield 30 seconds to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 30 seconds.

Mr. MORSE. My objection to the amendment is that it does not touch at all on the controversy, which is over the language that should be added to the bill on the part of those who feel that some reference should be made to the social and economic causes which should be in the resolution. We could not possibly consider it as a substitute for the Cooper amendment.

Mr. MUNDT. We want to include it in the presentation. I believe it is the preference of the Senator from Kentucky, too. I want no part of the amendment when we have already summarized the findings. I want them included. He wants them included, too. This will include it all without prejudice and without preference.

Mr. MANSFIELD. If I understand the parliamentary situation correctly, it will be impossible to accept the corrective words of the distinguished Senator from South Dakota, unless the distinguished Senator from Kentucky withdrew his amendment for that purpose. If that were done, then the amendment could once again be reinstated. Therefore, I should like to make a unanimous-consent request—I should like to ask the Senator from Kentucky if he would agree to such a procedure, because if he would not, it would not be worth it.

Mr. COOPER. Mr. President, I appreciate the efforts of the distinguished Senator from South Dakota and others to try to get language which would be acceptable to those who oppose the amendment I have offered.

I do not wish to be doctrinaire, but after all, the fact is, this language expresses the same position that the bill does.

I appreciate the effort of the Senator from South Dakota, but there is no real change involved by putting in the word "all." It does not change the point. It does not change the substance of things. If the Senator from Arkansas accepts the language that the Senator from Oregon offered, the words "economic and social causes," instead of "all other causes," I think that would settle it. But that is my position. I do not wish to be dogmatic about this thing. I do not wish to be a "nit-picker" on amendments. But this amendment deals with a situation which is one of the most serious ever to confront this country since the Civil War.

Mr. MUNDT. Mr. President, will the Senator from North Carolina yield?

Mr. JORDAN of North Carolina. I yield 1 minute to the Senator from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 1 minute.

Mr. MUNDT. I simply want to reiterate that if, in fact, those advocating the Cooper amendment in its revised version or that offered by the Senator from Oregon, are doing that to give priority consideration to any of the causes, then certainly the Senator from Arkansas is eminently correct. We do not want our jury to have the verdict written and the case prejudged before we meet. We do not want to give any preference to any one or two or more conceivable causes. So we say "all," stipulating none, eliminating none. What could be fairer than that? If what we want is a complete investigation, we will get it. If we want a direct and unprejudiced investigation, let us reject the Cooper amendment. I hope that my proposed compromise may be accepted.

Mr. MANSFIELD. Mr. President, as a matter of good faith to the Senator from Kentucky, I ask for the yeas and nays again on the Cooper amendment.

The yeas and nays were ordered.

Mr. TYDINGS. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. Mr. President, I yield 3 minutes to the Senator from Maryland.

The PRESIDING OFFICER. The Senator is recognized for 3 minutes.

Mr. TYDINGS. Mr. President, I do not yield to any Senator in my admiration for the distinguished Senator from Arkansas, nor in the fact that the resolution belongs in the committee chaired by the distinguished Senator.

I have listened to this debate and was greatly relieved by the remarks of the Senator from Washington [Mr. JACKSON] and the comments of the Senator from Arkansas [Mr. McCLELLAN].

The trouble with the compromise solution offered by the Senator from South Dakota is that in the minds of the American people—the young people in our country particularly—should they read that the proposal of the Senator from Kentucky, supported by a great many Senators, had been rejected, and that the compromise the Senator from Oregon [Mr. MORSE] offered, which was

only three or four words in one line, was also rejected and refused, they could only interpret that refusal as being a fact—however far from the truth it may be—that this committee is not going to look into the social and economic causes of the riots.

The reason the amendment of the Senator from South Dakota does not do the trick is this. It would if the language of the Senator read: "To make a full and complete study and investigation of the riots and the immediate causes thereof." But it does not read that way. There are five lines stating, "To make a full and complete study and investigation of riots, violent disturbances of the peace, vandalism, civil and criminal disorder, insurrection, the commission of crimes in connection therewith," all of which is good and proper, and all of which should be done, but then the Senator refuses to put in three or four words which are proposed, saying that among the causes the committee is going to look into are the social and economic causes, even though at the same time the ranking member and the chairman say they are going to look into them. That may be, but it does not make sense. The young people are not going to interpret it that way. Students are not going to interpret it that way. They are going to interpret it as meaning the committee is not going to do a complete and thorough job. We know that is not the truth, but the effect of refusing any type of compromise can only be interpreted that way.

Mr. McCLELLAN. Mr. President, if we are going to amend the resolution, let us put in all these causes. Does anybody object? If we are going to amend it, let us put them all in. I do not care. But let us not single out one. I was trying to suggest that "all" means all-inclusive, but if it does not without specific mention of each cause, and if this amendment proposes to cover the situation, then let us include them all. Why are we going to discriminate against some? It is said that certain persons may think we are leaving out one important aspect. Some persons may think we are leaving out others. I think "all" means all. If we are going to name any, let us name all of them.

Mr. MORSE. Mr. President, I have no objection to including all of them. There still has to be a flexible clause in there.

Mr. McCLELLAN. It is in there. If we are going to include all of them, here is the final one I suggested. It reads: "such other factors as the committee, or any subcommittee thereof, may consider material to a determination of the nature and extent of appropriate measures for the control of crime and the preservation of domestic tranquillity within the United States."

The only reason this resolution is in its present shape is that we did not want to try to include everything. If we had done so, we might have forgotten something.

Mr. TYDINGS. Mr. President, I am satisfied with that.

Mr. McCLELLAN. With all Senators saying they are satisfied, everyone in the country ought to be satisfied if there is confidence in the Senate.

Mr. TYDINGS. Unfortunately, when-

ever there is a debate in the Senate for 2 or 3 hours and there are this many Senators who have speeches, that is not going to be the impression left.

Mr. JORDAN of North Carolina. Mr. President, I yield such time to the Senator from West Virginia [Mr. BYRD] as he would like to have.

How much time do I have left?

The PRESIDING OFFICER. The Senator has a total of 19 minutes left on the amendment and the resolution.

Mr. JORDAN of North Carolina. I yield whatever time the Senator needs on the amendment.

Mr. BYRD of West Virginia. Mr. President, as a member of the Senate Committee on Rules and Administration, I oppose the amendment offered by the distinguished senior Senator from Kentucky [Mr. COOPER]. During the deliberations of the committee, I stated, and I state today, that it is my belief that there should be an investigation by the Congress of the riots, of the causes thereof, that findings be made by a congressional committee, and that recommendations be presented by a congressional committee.

I congratulate the President of the United States on having appointed a commission of very outstanding and distinguished personages to look into the riots, to make findings thereon, and to make recommendations for solutions. I do believe, however, that the Congress should act independently of whatever the Commission appointed by the President may do, because under our system of checks and balances and separation of powers, the Congress is a coordinate and coequal branch, and it is the Congress which must legislate and appropriate.

So I feel it is very important that Congress have a look-see on its own, make its own independent findings, and submit whatever recommendations it thinks are justified on the basis of those findings. I believe that the Committee on Government Operations is the appropriate committee to make such an investigation.

I submitted a resolution, which was coauthored by Senator BYRD of Virginia, and which was cosponsored by other Senators, to establish a select committee of the Senate to make an investigation of riots and crime and to make recommendations back to the Senate; but I believe the Committee on Government Operations, and particularly the subcommittee known as the McClellan subcommittee, being already established, already having a staff, already having the rooms and facilities, already having the experience, the contacts, and the know-how, is in a much better position to investigate this matter and make recommendations concerning the matter than would some select committee established by a resolution such as the one which I introduced. So I gave my support to the resolution which had been offered by the distinguished senior Senator from Arkansas, and I give my support today to that resolution.

An amendment was offered by Senator Cooper in committee by which he sought to insert the words "economic or social causes." I opposed that amendment in committee. I opposed it because

I felt that the word "causes" which appeared in the resolution submitted by Senator McCLELLAN was all inclusive. It was the beginning and the end of causes. It was the alpha and omega of causes. It was comprehensive. It included all causes.

I felt that for the Rules Committee to begin writing certain terms, certain adjectives, into that phrase, seeking to modify the word "causes" to include the words "social or economic," would, in my judgment, be putting the stamp of approval upon those suggestions that have been made to the effect that the riots are the results of economic conditions or social conditions in this country.

I am not opposed to the committee's looking into those things. I think it should look into social and economic and other factors. It should attempt to determine the extent to which poverty, unemployment, the ghettos, the slums, what have you, are factors in the riots, if they are factors.

I am not saying that they are not, but I do not agree with those individuals who proclaim that the sole causes of the riots are poverty, unemployment, the ghettos, the slums, et cetera. These may be factors, but I believe that there are other factors. I believe that there may be other causes, and I do not believe we should adopt a resolution here which prejudices the case before the McClellan committee has an opportunity to reach its own judgment in the matter.

So I oppose the amendment offered by the Senator from Kentucky for two reasons: One, if we wrote those words in, we would, ipso facto, be putting the stamp of approval on the root causes of the riots as being specifically economic and social. I want to emphasize that I am not attempting to say that there are not economic and social factors. But they may go further and it should not be our purpose or function to prejudice the matter in writing this resolution. Secondly, I felt in the committee, and I feel today, that if the Senate writes the words "economic" or "social" into this phraseology, it is going to be excluding, by implication, any other possible causes.

I am sure that the Senator from Kentucky, being a former judge, is very well acquainted with that maxim of statutory construction, "expressio unius est exclusio alterius"—in other words, the mention of one thing implies the exclusion of another thing.

I, like the Senator from Arkansas, am perfectly willing to include the words "economic or social" if we go on to include other factors which at least some people in this country, including myself, feel may constitute root causes of riots. But to leave the other words out, and to include only these two, to me, would mean putting a stamp of approval upon a certain alleged cause, prejudging the case before the McClellan committee has an opportunity to register its own judgment, and would be, by implication at least, excluding other things which I believe the committee should examine in making its own findings and recommendations.

Mr. JORDAN of North Carolina. Mr. President, how much time do we have remaining?

The PRESIDING OFFICER. The Senator has 11 minutes remaining on the resolution.

Mr. JORDAN of North Carolina. How much additional time does the Senator from West Virginia need?

Mr. BYRD of West Virginia. The Senator may yield me whatever time he wishes, and retain the rest.

Mr. JORDAN of North Carolina. If the Senator will save 2 minutes for me, he may use the rest of it.

Mr. BYRD of West Virginia. I thank the Senator. Mr. President, I hesitate to take the time of the Senate to deal with a matter which is somewhat in the category of personal privilege with me, but I do wish briefly to make reference to a certain press story which alluded to me as a member of the committee, with regard to my words and actions during the deliberations on this resolution in executive session.

I hold in my hand the Charleston, W. Va., Gazette of Wednesday, August 2, 1967. I allude to the story therein by John Herbers, New York Times Service, which made reference to discussions regarding the McClellan resolution during its consideration by the Senate Committee on Rules and Administration. The story is headlined "Senators To Probe Rioting"; then there is a subheadline which reads thus: "BYRD Helps Kill Causes Check."

I read excerpts from that story as follows:

The Senate permanent investigations subcommittee headed by John L. McClellan of Arkansas was chosen Tuesday to conduct the chief congressional inquiry into the cause and cure of urban rioting.

The selection of this subcommittee by the Senate Rules Committee indicated that the investigation would stress the law enforcement aspect rather than the social causes underlying the disorders. The McClellan subcommittee has conducted widely-publicized hearings on organized crime.

John Sherman Cooper, R-Ky., tried to amend the resolution authorizing the investigation to direct the panel to search specifically for "economic and social" factors involved. Cooper's proposal was rejected by a vote of 6 to 2 after some committee members charged that to stress social factors would amount to "condoning lawlessness."

However, the committee did amend the resolution to instruct the committee to look into both "immediate and long-standing causes" of the riots.

The committee, meeting in executive session, then approved the resolution by a vote of 8 to 1. Approval by the full Senate was expected shortly.

Robert C. Byrd, D-W. Va., was reported to have expressed the strongest opposition to Cooper's proposal. At the same time, Byrd was critical of two members of President Johnson's Advisory Commission on Racial Disorders—Roy Wilkins, executive director of the National Association for the Advancement of Colored People, and Mayor Ivan Allen of Atlanta.

Byrd was quoted as saying both had indicated in a television appearance that they believed, even before the commission's inquiry had begun that social and economic factors were to blame for the disorders.

Mr. President, I shall ask in a moment to have included in the RECORD, by unanimous consent, the statements that I made in the committee with regard to the amendment offered by the Senator

from Kentucky. I never had any discussion with anyone in the press media concerning what went on in the committee. I never indicated to anyone in the press media, or to anyone outside the committee, what I had said in the committee. I do feel somewhat concerned, when a committee has an executive session and a Member of the Senate who attends that executive session cannot speak frankly out of his heart, without information being promptly "leaked" to the press regarding the position taken or the viewpoints expressed by that member in executive session.

I am not implying that any Senator on the committee talked to the press and stated what I had said. I am not going to say that any staff member of the committee or any staff member of a Senator made such a statement. But somebody told the press what I had said in an executive session of the committee, and it was not I.

Mr. President, I would prefer to make my own statements to the press. I have never revealed to the press anything that was said by a Senator in any executive session of any committee. I would hesitate and would be very reluctant to believe that this information was leaked to the press by a Senator on that committee. I would be reluctant to think that, but somebody leaked it. I am reluctant to believe that a Senator's staff member did it. I can only say that if I had a staff member who revealed the statements of any Senator in an executive session of a committee, and if I ever found it out, I know what would happen to that staff member, and would happen fast. I just think it is a very serious indictment of a committee when a member cannot sit in that committee and express himself freely without having someone report to the press what was said by the member in executive session.

In this instance the matter is of little moment to me, except that a very basic principle is involved—a principle upon which rests the integrity of the Committee system and, indeed, of the legislative process. For if legislators cannot speak frankly on the great issues of the day, and with full assurance that their words and actions in an executive session will not be taken out of context and given publicity, then the legislative process will be greatly impaired.

In my case, no great harm was done to me. My viewpoint was not misstated except for the fact that it was not fully stated, and, in any event, it was presumptuous, officious, and wrong for any reference to have been made to my position, in an executive session, by anyone other than me.

The newspaper story made it appear that I was opposed to any consideration of economic or social factors underlying the recent riots. As I have already stated, this is a misrepresentation of my position. I think the committee should investigate all factors and I also believe that the resolution should not specify one or two alleged causes to the exclusion, or subordination at least, of others.

So, Mr. President, I ask unanimous consent, without belaboring the point further, that I may insert in the RECORD all of my remarks on the Cooper amendment which were made during the executive session of the Committee on Rules as shown in the transcript. This will permit a clearer understanding of the position which I took in executive session on this issue than might appear from news stories based on "leaked" reports.

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

Senator BYRD. Mr. Chairman, may I say something at this point?

The CHAIRMAN. Yes, indeed.

Senator BYRD. Senator Byrd of Virginia and I introduced a resolution. It was cosponsored by Senator Yarborough, Senator Long of Louisiana, and Senator McIntyre. I am not necessarily wedded to my own resolution. My only thought is that the Congress ought to have an independent look-see at this situation. Now, I congratulate the President on moving quickly and appointing a commission to report findings and recommendations. I heard two of those commission members last night on television, and apparently they already have their minds made up. If all the other members of the commission are like those two, the commission does not need a year to report its recommendations back; it can report back today or tomorrow. I feel the Congress itself has a duty to look into this whole matter. Of course, it can say that the recommendations and findings submitted by the President's commission are excellent. The men on that commission, no doubt, are rendering a service. However, I think it is vitally important, when we have to pass on legislation in the future, that we have our own commission or committee looking into the matter.

I have a great deal of confidence in the McClellan subcommittee. As has been pointed out, it already has its staff. They have had a great deal of experience in making investigations. As far as I know, the subcommittee has never been challenged in its findings and recommendations.

As far as I am concerned, I am perfectly content to let the McClellan subcommittee do the job. I think it could do it more expeditiously and more thoroughly; but I do want to see Congress make its own investigation. I am perfectly content to let the McClellan subcommittee do it. I would be glad to support the resolution.

Senator BYRD. I believe the resolution before us is sufficient because the word "causes" is in that resolution, and it authorizes the subcommittee to make a full and complete study and full investigation of the causes. It seems to me that is all-inclusive, and if the subcommittee is going to investigate the "causes" it cannot eschew any facts which may point to discrimination, unemployment, poverty, ghettos, slums, whatever that may be, as causes.

I think if this resolution is finally adopted and carries the paragraph authorizing the committee and directing it, to study and investigate the extent to which such disorders have been caused by economic or social causes, I think it is going to appear to have put its stamp of approval upon the suggestion which is unproved, that these riots are being caused by discrimination or by unemployment or by poverty, and so forth.

I am not saying that these are not factors, but, as Senator Cooper has stated, "a good many people"—I am using his words—"a good many people"—

Senator COOPER. What is that?

Senator BYRD. I am using your words there.

You said "a good many people", and then I paraphrase what you said thereafter. Would say the things you mentioned are the roots of these disturbances. But there also are a good many people in the country who do not agree with that, and I do think we have to start only with what we know. We know there have been riots, but we do not know what the causes are, and I do not think that any resolution we adopt should, by implication or otherwise, state the imagined or alleged causes before the subcommittee has an opportunity to investigate them. * * * I just do not believe that we ought to put our stamp of approval on the idea that you can arrive at the causes of riots by the things that are set forth in this paragraph.

I heard Roy Wilkinson last night, and I heard Mayor Allen, two members of that commission, and they had already, apparently—at least, I so inferred from what they said—reached a judgment of what the causes are and what the solutions are. I do not think we ought to do that. I think we ought to leave that up to the subcommittee to decide.

Senator BYRD. Mr. Chairman, I think we make a serious mistake to attempt to define any of the causes at this point. As has been pointed out, these words that are in the resolution are all-inclusive, all-comprehensive, and they constitute the Alpha and Omega, the beginning and the end of causes. I think it is up to the McClellan Subcommittee, if we report this resolution and the Senate adopts it, to investigate and to find the causes. I do believe that ignorance is a factor; I do believe that one of the long-range solutions is a better education. I do not agree that a quality education has to be an integrated education, but I do believe that education will provide at least part of the solution. But I do not think that we ought to pick these things out here and start putting them in this resolution.

If we want to do that, why not go on?

If we want to talk about poverty and discrimination, why not go on? Why single these out and omit the extent to which riots have been caused by inflammatory statements by public officials? If we are going to use the terms "discrimination" and "poverty" as causes, why not go ahead and write some more in and include inflammatory statements by public officials? Why leave these out? Why not include incendiary activities and statements by militant civil rights leaders? Why not include some references to the alleged activities of anti-poverty workers in organizing welfare recipients and other people for direct action? Why not include the effect of civil rights demonstrations and marches. Why not make references to the spiraling birth rate or the growth of illegitimacy?

All of these things. We can go on ad infinitum, if we are going to try to define the causes; all of these may be factors. All of them. I do not think we ought to attempt to assign causes at this point.

Senator BYRD. I have no objection to the inclusion of "immediate and long-standing" or the words "immediate and long range."

I would like to hear Senator Cannon as to what his reaction is, and Senator Cooper of course, and all others for that matter.

I think, again, we are splitting hairs, because "causes" are all-inclusive. They are both immediate and long standing. I do not know why we spend so much time on this, Mr. Chairman. I am not opposed to the suggestions made by Senator Curtis.

Senator BYRD. If this would be acceptable to Senator Cooper, I would suggest a motion be made accordingly, and let us get on with the reporting.

The PRESIDING OFFICER. Who yields time?

Mr. JORDAN of North Carolina. Mr. President, what does the Senator from Kentucky wish to do with his remaining time?

Mr. COOPER. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Kentucky. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll. Mr. DIRKSEN (after having voted in the negative). On this vote I have a pair with the junior Senator from Massachusetts [Mr. BROOKE]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Idaho [Mr. CHURCH], the Senator from Mississippi [Mr. EASTLAND], the Senator from Missouri [Mr. LONG], the Senator from Wyoming [Mr. MCGEE], the Senator from Maine [Mr. MUSKIE], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I also announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Nevada [Mr. CANNON], the Senator from Connecticut [Mr. DODD], the Senator from Tennessee [Mr. GORE], the Senator from Alaska [Mr. GRUENING], the Senator from Indiana [Mr. HARTKE], the Senator from Ohio [Mr. LAUSCHE], the Senator from Minnesota [Mr. MCCARTHY], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Montana [Mr. METCALF], the Senator from Minnesota [Mr. MONDALE], the Senator from Utah [Mr. MOSS], the Senator from Wisconsin [Mr. NELSON], the Senator from Rhode Island [Mr. PELL], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Nevada [Mr. CANNON] would vote "nay."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN], the Senators from Nebraska [Mr. CURTIS] and Mr. HRUSKA, the Senator from Colorado [Mr. DOMINICK], the Senator from Iowa [Mr. MILLER], the Senator from California [Mr. MURPHY], and the Senator from Illinois [Mr. PERCY] are necessarily absent.

The Senator from Utah [Mr. BENNETT], the Senator from Massachusetts [Mr. BROOKE], the Senator from Arizona [Mr. FANNIN], and the Senator from Oregon [Mr. HATFIELD] are absent on official business.

The Senator from Texas [Mr. TOWER] and the Senator from North Dakota [Mr. YOUNG] are detained on official business.

On this vote, the Senator from Colorado [Mr. DOMINICK] is paired with the Senator from Utah [Mr. BENNETT]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from Utah would vote "nay."

On this vote, the Senator from Oregon [Mr. HATFIELD] is paired with the Senator from Iowa [Mr. MILLER]. If present and voting, the Senator from Oregon would vote "yea," and the Senator from Iowa would vote "nay."

On this vote, the Senator from California [Mr. MURPHY] is paired with the Senator from Texas [Mr. TOWER]. If present and voting, the Senator from California would vote "yea," and the Senator from Texas would vote "nay."

On this vote, the Senator from Illinois [Mr. PERCY] is paired with the Senator from Nebraska [Mr. CURTIS]. If present and voting, the Senator from Illinois would vote "yea," and the Senator from Nebraska would vote "nay."

The pairs of the Senator from Illinois [Mr. DIRKSEN] and the Senator from Massachusetts [Mr. BROOKE] has been previously announced.

The result was announced—yeas 26, nays 36, as follows:

[No. 215 Leg.]

YEAS—26

Bartlett	Hart	Morton
Bayh	Inouye	Pastore
Boggs	Javits	Prouty
Brewster	Kennedy, Mass.	Proxmire
Case	Kennedy, N.Y.	Scott
Clark	Kuchel	Tydings
Cooper	McGovern	Williams, N.J.
Fong	Monroney	Yarborough
Griffin	Morse	

NAYS—36

Allott	Hayden	Montoya
Anderson	Hickenlooper	Mundt
Baker	Hill	Pearson
Byrd, Va.	Holland	Randolph
Byrd, W. Va.	Hollings	Smith
Carlson	Jackson	Sparkman
Cotton	Jordan, N.C.	Spong
Ellender	Jordan, Idaho	Stennis
Ervin	Long, La.	Talmadge
Fulbright	Magnuson	Thurmond
Hansen	Mansfield	Williams, Del.
Harris	McClellan	Young, Ohio

NOT VOTING—38

Aiken	Gore	Moss
Bennett	Gruening	Murphy
Bible	Hartke	Muskie
Brooke	Hatfield	Nelson
Burdick	Hruska	Pell
Cannon	Lausche	Percy
Church	Long, Mo.	Ribicoff
Curtis	McCarthy	Russell
Dirksen	McGee	Smathers
Dodd	McIntyre	Symington
Dominick	Metcalfe	Tower
Eastland	Miller	Young, N. Dak.
Fannin	Mondale	

So Mr. COOPER's amendment was rejected.

Mr. McCLELLAN. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. BYRD of West Virginia. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on the adoption of the resolution, or amended.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, while most Senators are present, perhaps I should query the majority leader again about the program for the remainder of the week and for the ensuing week.

Mr. MANSFIELD. In response to the inquiry of the distinguished minority leader, it is the intention of the leadership upon the completion of this vote, to lay before the Senate the Foreign Assistance Act of 1961. That will complete the business of the day.

We will come in at 12 o'clock noon, Monday next, and following the foreign aid bill, we will take up the Defense Appropriation Act.

ORDER FOR ADJOURNMENT UNTIL MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon Monday next.

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

AUTHORIZATION FOR THE COMMITTEE ON GOVERNMENT OPERATIONS TO INVESTIGATE CRIME AND LAWLESSNESS IN THE UNITED STATES

The Senate resumed the consideration of the resolution (S. Res. 150) authorizing the Committee on Government Operations to investigate crime and lawlessness within the United States.

The PRESIDING OFFICER. The question is on agreeing to the resolution. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLARK (when his name was called). On this vote I have a pair with the Senator from Massachusetts [Mr. BROOKE]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withhold my vote.

The legislative clerk resumed and concluded the call of the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Idaho [Mr. CHURCH], the Senator from Mississippi [Mr. EASTLAND], the Senator from Missouri [Mr. LONG], the Senator from Wyoming [Mr. MCGEE], the Senator from Maine [Mr. MUSKIE], the Senator from Missouri [Mr. SYMINGTON] and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I also announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Nevada [Mr. CANNON], the Senator from Connecticut [Mr. DODD], the Senator from Tennessee [Mr. GORE], the Senator from Alaska [Mr. GRUENING], the Senator from Indiana [Mr. HARTKE], the Senator from Ohio [Mr. LAUSCHE], the Senator from Minnesota [Mr. MCCARTHY], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Montana [Mr. METCALF], the Senator from Minnesota [Mr. MONDALE], the Senator from Utah [Mr. MOSS], the Senator from Wisconsin [Mr. NELSON], the Senator from Rhode Island [Mr. PELL], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Georgia [Mr. RUSSELL], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Nevada [Mr. CANNON], the Senator from Alaska [Mr. GRUENING], the Senator from Montana [Mr. METCALF], the Senator from Maine [Mr. MUSKIE], and the Senator from Florida [Mr. SMATHERS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Colorado [Mr. DOMINICK], the Senator from Iowa [Mr. MILLER], the Senator from California [Mr. MURPHY], and the Senator from Illinois [Mr. PERCY] are necessarily absent.

The Senator from Utah [Mr. BENNETT], the Senator from Massachusetts [Mr. BROOKE], the Senator from Arizona [Mr. FANNIN], and the Senator from Oregon [Mr. HATFIELD] are absent on official business.

The Senator from Michigan [Mr. GRIFFIN], the Senator from North Dakota [Mr. YOUNG], the Senator from Kansas [Mr. CARLSON], and the Senator from Texas [Mr. TOWER] are detained on official business.

If present and voting the Senator from Kansas [Mr. CARLSON], the Senator from Utah [Mr. BENNETT], the Senator from Texas [Mr. TOWER], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Colorado [Mr. DOMINICK], the Senator from Arizona [Mr. FANNIN], the Senator from Oregon [Mr. HATFIELD], the Senator from Iowa [Mr. MILLER], the Senator from Michigan [Mr. GRIFFIN], the Senator from California [Mr. MURPHY] and the Senator from Illinois [Mr. PERCY] would each vote "yea."

The pair of the Senator from Massachusetts [Mr. BROOKE] has been previously announced.

The result was announced—yeas 59, nays 0, as follows:

[No. 216 Leg.]

YEAS—59

Allott	Hayden	Morse
Anderson	Hickenlooper	Morton
Baker	Hill	Mundt
Bartlett	Holland	Pastore
Bayh	Hollings	Pearson
Boggs	Inouye	Prouty
Brewster	Jackson	Proxmire
Byrd, Va.	Javits	Randolph
Byrd, W. Va.	Jordan, N.C.	Scott
Case	Jordan, Idaho	Smith
Cooper	Kennedy, Mass.	Sparkman
Cotton	Kennedy, N.Y.	Spong
Dirksen	Kuchel	Stennis
Ellender	Long, La.	Talmadge
Ervin	Magnuson	Thurmond
Fong	Mansfield	Tydings
Fulbright	McClellan	Williams, N.J.
Hansen	McGovern	Williams, Del.
Harris	Monroney	Yarborough
Hart	Montoya	

NAYS—0

NOT VOTING—41

Alken	Gore	Moss
Bennett	Griffin	Murphy
Bible	Gruening	Muskie
Brooke	Hartke	Nelson
Burdick	Hatfield	Pell
Cannon	Hruska	Percy
Carlson	Lausche	Ribicoff
Church	Long, Mo.	Russell
Clark	McCarthy	Smathers
Curtis	McGee	Symington
Dodd	McIntyre	Tower
Dominick	Metcalf	Young, N. Dak.
Eastland	Miller	Young, Ohio
Fannin	Mondale	

So the resolution (S. Res. 150), as amended, was agreed to.

RIOT NEWS COVERAGE

Mr. SCOTT. Mr. President, on August 2, I released to the press the text of a letter which I had sent to the leading broadcasting networks and to the news wire services. That letter was placed in the CONGRESSIONAL RECORD by the distinguished junior Senator from Kansas [Mr. PEARSON] on August 4, and appears on page 21433.

In that letter, I said I believe that the news media, in many instances, inadvertently contributed to the turmoil. I called for a more balanced presentation of the news during explosive situations such as the ones which have rocked many of our cities during recent weeks. I suggested that the news industry consider guidelines to be followed in reporting riots and incidents or speeches which could spark disturbances or permit militants to signal opportunities for disturbances in other areas.

I have received numerous replies and comments on this matter, some of great length, and I am pleased by the needed dialog and serious attention to this matter which has been generated by my letter.

One relevant comment came to me from a young man who attended the rally addressed by H. Rap Brown in Washington, D.C. He reports as follows:

A REPORT ON TELEVISION, RADIO, AND PRESS COVERAGE OF THE RACIAL SITUATION
(By a Senate staff observer, August 2)

A good example of the "unnecessary crisis coverage" complained of can be found in the media coverage accorded H. Rap Brown's Washington speech of a week ago. All the elements of an explosive situation were present. The crowd was openly hostile to the white establishment and the press with banks of microphones, bright lights, and TV cameras became the butt of this resentment. One of the first things the black power boys did was to shakedown the press by taking up a collection and requiring each newsmen present to empty his wallet. After the press was duly humiliated, the "boys" got down to the business at hand.

At the outset I would like to point out that H. Rap Brown is not a charismatic leader. He lacks that sense of timing that distinguishes a great mob orator from a run of the mill haranguer. I found his speech rather more humorous than frightening. One would never know that it was the same speech that was covered on TV some 2 hours later. Only the parts about killing, burning, stealing weapons, and taking white women ever made it off the cutting room floor. When you take all the worst aspects of an hour and a half speech and boil it down into an explosive five-minute film package the impact is tremendous.

"Crisis" media coverage of the racial situation produces a dangerous spiral effect. Not only does it drive the black power "boys" to new excesses; it also over dramatizes the situation to the white community who may not be in contact with the actual state of affairs. The "gut" reaction of each race is to take an extremely hostile position toward the other. This double polarizing effect makes it even more difficult for the moderates of both races to establish a meaningful dialogue.

The press has not been adverse to creating news in the past. The Spanish American War is a good example of the power the news media can exercise over public opinion. No

one can afford the luxury of underestimating the harm done by this type of coverage. When the girls living below me ask me for a pistol and my next-door neighbor is out buying shotgun shells, it is time to call a halt.

Earlier this week, the Honorable Clifford L. Alexander, Jr., newly appointed Chairman of the Equal Employment Opportunity Commission, taped a television and radio program with the senior Senator from Pennsylvania [Mr. CLARK] and myself. That program will be broadcast in Pennsylvania this coming Sunday, August 13.

I asked Mr. Alexander his opinion of the news coverage of the riots, and he replied as follows:

This is a personal opinion, and nothing more than that. I don't claim to be an expert. I think it's an excellent suggestion to set up a code. I think it's a gross job of representation of what's going on that's being done by the media we are now appearing on. I think there are two basic problems that they create for the society. One is a general contempt for the minority population in the way they create Negro leaders by just throwing a mike in front of anyone and giving him exposure to millions of people around the country and saying this is, in fact, representative of a community. This was not done generally with whites. The second problem is that any time you move one of those instruments—a television camera and a crew of people—into any area, you are bound to attract a crowd. And whether, in fact, some discretion should be used, when a camera ought to be moved in, and when a crew should be moved in, is something that I think should be left to a number of wise heads and not up to someone making an arbitrary judgment by some rumor he or she may have heard about what's going on on X Street at a given time.

Mr. President, I ask unanimous consent to have printed in the RECORD the complete text of letters submitted to me by Frank Stanton, president of the Columbia Broadcasting System; Julian Goodman, president of the National Broadcasting Co.; James C. Hagerty, vice president of corporate relations for the American Broadcasting Co.; Wes Gallagher, general manager of the Associated Press; Mims Thomason, president of the United Press International; and also observations on this subject by various other commentators.

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

COLUMBIA BROADCASTING SYSTEM, INC.,
New York, N.Y., August 9, 1967.

HON. HUGH SCOTT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR SCOTT: I have your letter of July 29, in which you express apprehension as to the effect that the coverage by the mass media of unlawful uprisings in our urban centers may have upon the spreading and escalation of such episodes. I am sure that the media generally share your concern that everything possible be done to avert such disturbances and to bring under prompt control those which do arise. This has been made clear by the virtually unanimous editorial voices of all the media repeatedly urging restraint, cooperation with law enforcement officials and an end to looting, arson and sniping. I think also that the media are aware of the seriousness of their responsibility in reporting accurately events associated with these troubling occasions and of their obligation to seek to inform objectively and fully.

It disturbed me considerably, however, to note your raising a "serious question as to the editorial responsibility and the discretion of the media" on the grounds that there were "frequent broadcasts of appeals to riot by extremists," and that a disproportionate amount of time was given to "statements by such individuals as H. Rap Brown and Stokely Carmichael" as compared to those of "such responsible leaders as Roy Wilkins, Whitney M. Young, A. Philip Randolph and Martin Luther King." So far as the news presented over our radio and television networks and over the CBS Owned stations goes, I can find no evidence that this is true. On the contrary, there is considerable evidence that the exact opposite is the case.

Between July 13, the first day of the Newark riot, and August first, when the Milwaukee disturbance was brought under control, H. Rap Brown appeared on network television major news broadcasts by CBS News twice: once on July 26 and once on July 27. On the same broadcast of July 26 the essence of the joint statement of Dr. King and Messrs. Randolph, Wilkins and Young was also broadcast. In addition, there were appearances on the same broadcast, with statements on the riots, by former President Eisenhower, by Governor Reagan and by Deputy Police Commissioner Lathan of Detroit. There also was a statement by Adam Clayton Powell.

On July 27 on the same broadcast with H. Rap Brown, Whitney Young also appeared. On July 14, the CBS Evening News included a charge by a Negro, James Kennedy, of police brutality in Newark, and a demand by Thomas Atkins, a delegate to the 58th Convention of the NAACP, for more militancy. The same broadcast had appearances and statements by Governor Hughes and Roy Wilkins.

On July 21, the CBS Evening News had an appearance of Floyd McKissick of CORE, and also one by Governor LeVander of Minnesota.

Altogether, during the three week period of the most intense rioting, of the two militant extremists mentioned in your letter, H. Rap Brown appeared twice on the CBS Morning News and twice on the CBS Evening News—in each case with one or more of the moderates you name also appearing on the same broadcast; and he appeared twice on the five minute CBS Middy and Afternoon News broadcasts. Stokely Carmichael did not appear at all. On the other hand, the following "moderates" and/or officials appeared on news broadcasts on the CBS Television Network:

Roy Wilkins, five times.
 Martin Luther King, three times.
 Whitney Young*, twice.
 Governor Hughes*, four times.
 Governor Romney, six times.
 Mayor Cavanagh of Detroit, twice.
 Mayor Lindsay of New York, three times.
 Attorney General Clark, three times.
 In addition, on these broadcasts, the following other spokesmen for law and order or moderation appeared at least once:
 Police Director Spina of Newark.
 County Board Chairman Matthews of Newark.
 Boyd Cantrell, former President of Newark NAACP.
 Senator Percy.
 Secretary Weaver.
 Secretary Wirtz.
 Representative Conyers.
 Representative Cramer.
 Governor LeVander.
 Senator Dirksen.
 Senator Robert Kennedy.
 Senator Brooks.

* Mr. Young and Governor Hughes were also the guests on Face the Nation on July 9 and July 23, respectively.

Presidential Assistant Vance.
 Governor Kerner.
 Mayor Allen of Atlanta.
 Mayor Maier of Milwaukee.
 Senator Ervin.
 Senator Scott.

Among spokesmen for the Negroes, other than those mentioned, Dick Gregory appeared three times. Mr. Gregory offers an interesting example of the difficulty in characterizing people as "moderate" or "militant," for he is regarded as the former in some quarters and the latter in others.

Finally, President Johnson appeared on the CBS Television Network, live or recorded, six times, including two special broadcasts.

Total appearances of militants versus moderates and government officials on news broadcasts on the CBS Television Network amount to: militants (including anonymous men in the street), 15; moderates and officials, 66. I think that if you will look at this record, as well as that of the CBS Radio Network and the CBS Owned stations, you will agree that they do not, as your letter states, "raise a serious question as to the editorial responsibility and the discretion of the media."

We do recognize, of course, that there are serious problems involved in the immediate, on-the-scene coverage of riots made possible by broadcasting, particularly television. Such recognition is not new to us. In June 1963, for example, directives were issued to our news executives calling upon them to beware of "the unsettling effect on a stimulated crowd that the presence of cameras . . . may have." In May 1967, another directive stated ". . . the best coverage is not necessarily the one with the best pictures and the most dramatic action. By focusing on a handful of violent activists in a large area occupied by thousands of people, we may give the impression that that's the way it is all over. There is this danger in all kinds of demonstrations. Our tendency is to try to go where the action is. But we must always, as Bill Small points out, try to get this in context and explain the whole picture and just how widespread the violence is—or is not. And, above all, we should try to get something of the root causes—and the effects—in a community."

On June 6, 1967, over a month before the outbreak of the Newark riot, Richard Salant, President of CBS News, said to the CBS Television Network affiliates:

"Certainly one cannot dismiss out of hand the notion that extremists—however you define them—and disturbing events like demonstrations and riots may be shaped to some extent or another by the mass media, including television. It is certainly true that a great many events—almost all except tornadoes—are, at least to some degree, designed in time or in place or even in nature for all of the mass media. And certainly, for example Stokely Carmichael today, like Senator McCarthy of a decade ago, would hardly be as notorious were there no press—print or electronic.

"And so, we at CBS News have discussed among ourselves just how we should exercise our responsibilities. We have come to the conclusion that our test must be not whether we approve of the event or agree with the individual whom we are covering, but whether they are legitimate news. And it's a fact of life that in journalism, too, the squeaky wheel gets the grease. Yet it would be a dangerous business indeed for us to assume an omniscient role—and to try to decide whether an event is good or evil or an individual is a hero or a villain, and to make our news judgments turn on that kind of social evaluation. To ignore a man or an event because we disapprove is to engage in a subjective act of suppression. Every citizen has the right, and the obligation, to make that kind of evaluation and to reject or ignore that of which he disapproves. And as an indi-

vidual, I most vigorously claim the same right. But as a journalistic organization, our rights and obligations in a democratic society are quite different. As a news organization, except where national security is clearly involved, our sole test must be newsworthiness. And that in turn depends on what the issues are to which these people are addressing themselves and what impact they are having on the flow of events."

There does not appear to be a chain reaction characteristic in the riots we have experienced this summer, and there is quite probably a propensity for many participants to join in what Governor Hughes observed to be a holiday spirit. But no news organization worth the name can, because of this, black out the news. Wild rumors, unsubstantiated or unrefuted, can do far more damage and create far more hysteria than reports of the facts can ever do. The untrue rumor that a Negro cab driver was killed in Newark is believed to have triggered that riot, and an unfounded rumor of the killing of a seven-year old boy fanned the disturbance in Plainfield, New Jersey. CBS News, among others, repeatedly sought to dispel these rumors with the facts.

As a matter of fact, the only antidote to the kind of insecurity and peril in which rumor can plunge an entire community is a revelation of the facts as promptly and as fully as they can be gotten. If revelation can be based upon actual evidence, in sight and sound, it is so much the better. This is true also of what is said. It is better for the people to hear what a man says—even though it be inflammatory—from his own lips than filtered through the mind, including the fears and prejudices, of someone else. This is why the arrant as well as the upright, when their utterances have a strong bearing on the news, must be heard, not in order to spread their words—for that will happen anyhow and no power on earth can stop the spreading of any words, malicious or benevolent, that are clearly newsworthy—but in order that the person speaking them can be seen in full dimensions, as he is, so that his true measure can be taken, rather than as a mystical figure shielded from public view. It doesn't seem to me that any figure representing a serious threat to our domestic tranquility can be dealt with by ignoring him. To take effective preventive or remedial action, the public must know his views, his purposes and his methods.

The problems related to the news media's coverage of insurrections are not centered in disclosure nor are they solvable in suppression. But in our view, while they can never be wholly eradicated, they can be minimized by the use of responsible and intelligent guidelines. Both CBS News and the news divisions of the CBS Owned stations establish such guidelines, and they are repeatedly made known to the news staffs. The general purpose of these is to do everything possible to avoid contributing to an event by the manner in which we cover it. Some examples of steps taken to avoid contribution to the escalation of events are:

We use unmarked cars, with very few exceptions, when carrying news equipment and personnel to the scenes of riots.

We do not use lights when shooting pictures, because they attract crowds.

Reporters and technicians have standing orders to obey the police—even in the occasional cases when their orders may seem unreasonable or unduly restrictive.

Extreme caution is exercised in estimating the size of the crowds.

Eyewitness reports are checked for accuracy.

Statements by riot participants or apologists are balanced by reports submitted by responsible officials.

Rumors are run down and, if unfounded, are refuted with the facts.

Setting up such guidelines as these seem to us to be our responsibility and obligation as journalists and editors, and we cannot delegate this to anyone else. We are not, however, going to make subjective value judgments that the American people are capable of hearing and evaluating some spokesmen for some points of view and that others are unsafe or too dangerous for them to hear. Such a course would be a denial of the basic principles of self-government and a defiance of the fundamental purposes of a free press.

Nor can we enter any compact with other news organizations, on either an intra-medium or an inter-media basis, to restrict or present the news in any predetermined way whatsoever. One of the primary safeguards against excesses in a free press is a diversity of reporting and of news judgments. Any proposal, however high its purpose, to get the press to decide in concert what it will report, and how it will do it, would establish a precedent of the most hazardous implications. With the possible exception of wartime, such a practice not only is abhorrent in principle but also would cast doubt on the validity and thoroughness of all news. As a result, speculation of the wildest sort would arise as to what was being suppressed, or handled by prearranged agreement, or "managed" on the grounds that the people cannot be trusted.

The suggestion that a "code of emergency procedure" is the answer to the coverage of thorny situations is not new in either our national experience or the history of the news media. CBS has always objected to such stratagems because they amount to censorship by voluntary agreement and, no less importantly, to the abandonment of our individual responsibilities as reporters and editors to a consortium that will furnish an automatic yardstick by which uniform news judgments and reportorial procedures will be imposed upon all constituent publications and stations. Such a device that aims at the suppression or conditioning of the news, by agreement of editors and publishers, on the grounds that it may be dangerous for the people to hear some of it, strikes me as no less hazardous, and possibly more so, than suppression or conditioning of the reporting of news by government edict. The people can at least remove government officials in the next election; they have much less defense against a monolithic code arrived at in private by private parties entrusted by our institutions with a public responsibility.

The practical difficulties inherent in such a code must also be considered. How is it to be enforced? What of the news organizations which refuse to become a part of it? Who is to adjudicate disputed or borderline cases? Who is to be responsible for decisions? And to whom are they answerable? I do not believe that any self-constituted code authority could reach effective answers to such questions without permanently weakening the news media and setting up a concentration of private power that would give rise to crises far more serious than it was established to cure.

I have no doubt that the uprisings which we have witnessed this summer call for new efforts to identify causes and to treat them boldly and imaginatively. I think that all journalism can make a contribution towards this end. But it will be only by fully reporting all the aspects of the situation, alarming as well as reassuring, presenting all the voices, cynical as well as hopeful, that shape it, and providing free and open discussion of every point of view.

We can look to remedial measures that are realistic and responsive to the disturbing realities of this troubled summer only if the public is exposed to, rather than protected from, both the explosive and the stabilizing factors at work. It is the function of the press to report conditions as they are and solutions

as they are advanced—and to stimulate discussion and criticism of such solutions. If the press ever becomes an arm of the government or the passive instrument of a coalition of forces influencing national policy or precipitating action, its usefulness will be diminished, and any claim it may have to constitutional guarantees of freedom will be seriously impaired. Such freedom is not a "privilege" granted the press for its own sake. It is a right vested in the people, because our forefathers could not conceive of a truly free society without the freedom to report, and therefore to know, and the freedom to discuss, and therefore to criticize.

Often before in our society we have had to trust the judgment of the people in times of crises when our basic institutions and our fundamental values have been under attack from within. But that is a risk that a free and open society must take. The significant thing is that we have survived without abridging our freedoms—perhaps, in great measure, because we have not abridged them.

With all good wishes.

Sincerely,

FRANK STANTON,
President.

NATIONAL BROADCASTING CO., INC.,
New York, N.Y., August 4, 1967.

Hon. HUGH SCOTT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR SCOTT: I understand the concern which led you to write to me on July 29 and which you express in your letter. I also appreciate the constructive spirit in which you wrote; your continuing interest in the role of broadcasting in a changing society; and your attitude that we share this problem, professionally and as individuals.

The problem is not a simple one and it has no easy answers. Indeed, it is one that we have been wrestling with for a long time, going back to the days when my job was in NBC News, and my associates in that division and in the management of NBC continue to concern ourselves with it.

It seems to me that very fundamental principles are involved, and perhaps the basic one is that news in our society must present to the American public the world as it is. But in doing so, journalism must be able to discriminate between the spurious and the real; between those who seek aggrandizement through subversion of the proper function of the press and the events, issues and personalities that are truly significant although they may be disturbing or even revolting.

These judgments become particularly difficult when they are applied to social illness. Having practiced and supervised the process of journalism here at NBC for some twenty years, I confess that I know no sure or universal formula that can govern the responsible exercise of these judgments. To my mind, the most promising and most reliable course—and it is not infallible—is to trust the informed professional decisions of responsible newsmen.

This is not a new approach, but I do not think it should be rejected on this ground, and if we could think of a better one, we would want to try it. I have serious concerns about the two courses you propose: a code of emergency procedure to be drawn up in consultation among news media, civil liberties specialists, and representatives of the Justice Department, other enforcement agencies, and civic organizations; and a balancing of coverage of "inflammatory statements" with concurrent appeals for law and order by more moderate civil rights leaders.

It is difficult for me to see how a code could be effective in these circumstances. Its very preparation would be a formidable problem, because those involved would each see the

problem quite differently, from quite different vantage points. But more importantly, a code cannot exercise judgment. It cannot foresee all the variables in the fast-breaking events with which newsmen must deal. It is not self-executing, for if a newsmen or editor is irresponsible or has poor judgment, a code will not correct the fault, and if responsibility, integrity and judgment are exercised, a code will not add to them. It carries no effective sanctions. In short, it seems to me that anything as formal as a code is a relatively insensitive and unresponsive instrument for dealing with situations calling for case-by-case professional judgment.

As to the proposal for "balancing" coverage, I wonder if it would not be self-defeating. It is, of course, artificial and more in the nature of editorializing than covering the news to insert a "moderate" statement which may not be a current news development into the coverage of a current event, even if the latter involves inflammatory statements. There is also the problem of selecting the "moderate" statement, for what we might regard as "moderate" could itself be controversial. But the basic position, I believe, is that the use of such "balancing" statements would not—from everything we know—still the impulse to violent action. It might even tend to fortify it.

You state that "the communications media must meet their responsibility to report the news, but to help dampen the fires burning in our cities they must avoid inciting to further violence by the very manner in which the news is carried." I agree, and would like to cite a specific example of how our coverage carries out this proper principle. The occasion was the outburst in Cambridge, Maryland, which is useful to consider because it is small enough to be easily encompassed. The night H. Rap Brown harangued the crowd, which preceded and quite likely set off the riot, NBC News was there, fully staffed. The basic report was on the riot and the fires which followed, and Brown's harangue was part of that report and in that context. The coverage of this event in no wise could have incited further violence. If anything, it was a sobering object lesson of the price of violence.

By and large, our coverage has been of this nature although in cases like Newark and Detroit where the events took days it might take the public days for the lesson implicit in the event to come through. Making a case for NBC News does not, of course, go to the core of your argument. It does, however, make the point that television as an institution is not an easily manageable thing whether by common consent or from the outside.

Your concern and the weight of personal and official authority which it carried, in your letters to me and others and in your public statements, help infuse responsibility. For example, despite my belief that we have acted responsibly, I have communicated the contents of your letter to the key executives of NBC News, and they in turn are discussing it with all those directly charged with broadcasting news materials.

I have tried to respond to your letter not in any spirit of discounting the seriousness of the issue or in making light of your specific suggestions, but on the basis of convictions growing out of my own experience, and that of my associates, in news coverage and analysis. We are sensitive to the problem and doing the very best we can in meeting it. I believe this is the most productive of all available approaches. I have welcomed your comment and the opportunity it gave me to discuss the matter.

Sincerely,

JULIAN GOODMAN,
President.

AMERICAN BROADCASTING CO., INC.,
New York, N.Y., August 4, 1967.

Hon. HUGH SCOTT,
U.S. Senate,
Washington, D.C.

DEAR HUGH: Your letter of July 29th to Leonard Goldenson, President of ABC, has been carefully and thoughtfully studied, at his request, by many of our people here at ABC—by Mr. Goldenson, by our News Department executives, by some of our reporters "on the street" during the disorders and by myself.

As a matter of fact, Mr. Goldenson has asked me to answer your letter on his behalf since I have been acting for him within our Company as a sort of informal "question asked" on matters relating to problems raised by the latest outbreaks of disorder in communities across the nation. He, of course, has seen and approved this letter.

The problems you raise, and the suggestions you make, have been a matter of continuing concern to all of us here at ABC. We are acutely aware that news coverage can be a factor in these disorders because, in a large measure, one of the reasons for the disturbances is to protest—and the purpose of a protest is to call attention to the protester and his plight.

The danger that news coverage can influence or inflame an event is foremost in our thoughts. On the network side, our news crews have been instructed by our news executives to do all in their command to avoid being part of a news event rather than the chroniclers of it. And our news department in our five owned television stations have taken similar steps and in many instances are working closely with—although independently from—the local authorities.

To illustrate what we have been and are doing, I am enclosing herewith a story from the August 2nd issue of Variety reporting on how the News Director of WABC-TV, our New York station, has attempted to lessen the impact of extremists and rabble-rousers. I am also enclosing a copy of the directive that he has sent to his staff. I think both the story and the directive give you an indication of how we are honestly trying to live up to our news obligations, yet also observe our public obligations.

It is quite true that some "instant celebrities" are created because the news media is covering an event. I would suggest that such creations are not the result of television alone, even though it may be true that television is more effective in this regard because of the very nature of TV. But the print and still picture media also contribute to this problem—as I am certain you would agree.

But I am not at all sure that the creation by the news media of these "instant celebrities" is all bad. Certainly, visibility helps to reveal them for what they are. For instance, I don't believe that television has created a false image of a Stokely Carmichael or a Rap Brown. They are exposed for what they are for all the public to form an opinion about them—including the negro community. And they do not receive special treatment or over-balance of presentation, at least on ABC although in all fairness I think the same could be said for CBS and NBC.

In that connection, a thorough check of the logs of our national network news programs clearly shows that responsible leaders and spokesmen do have their say as often as they are available. But sometimes—and personally I think they make a mistake—they are not available when they are needed the most. And may I also point out that the present Senate hearings on civil strife have been comprehensively covered by us.

Our News Department tells me that they would have no objection to discussing this urgent problem of disorders with anyone who could be helpful. But they, and I must confess, Mr. Goldenson and myself, have

considerable doubts that Federal or local and state government authorities should seek to impose any guidelines or restrictions on any portion of the news media in its coverage of any news.

We feel that our editorial responsibility and discretion, in the main, has been good and in the public interest. But I hope we would never close our minds or our actions to any constructive suggestions in an area that is of deep and continuing concern to all of us.

I would hope that we can continue this dialogue and, as I have said, we would be most willing to sit down and discuss it at any time.

With many thanks for sending us your thoughts and with the hope that we can continue to work for our common interest—the public welfare of all of the people of our nation. And, as always, with warm personal regard.

Sincerely,

JAMES C. HAGERTY,
Vice President,
Corporate Relations.

THE ASSOCIATED PRESS,
New York, August 1, 1967.

Hon. HUGH SCOTT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR SCOTT: This will acknowledge your July 29 letter which I presume you addressed to a number of news media. Every responsible citizen, of course, is concerned with the racial turmoil in the country.

The Associated Press in 1965 issued instructions to the staff on handling racial news, based on some years experience with these situations. These instructions were re-emphasized this year. We have traditionally, as I am sure you know, tried to balance the many statements carried on our wires by carrying the opposing points of view, and this certainly applies to the present situation.

I would be glad at all times to deal with any case where anyone felt The Associated Press has over-reacted to any riot situation.

However, I do not believe any useful national or semi governmental code could be drawn up that would meet all national situations nor be enforceable.

I am enclosing the salient points in our 1965 and '67 instructions on racial coverage which you may find of interest. These policies fit the tradition of The Associated Press, but they might not fit others nor should they be imposed on them.

We could not agree, for example, that we not carry the views extreme, moderate or conservative on the racial problem any more than we could agree to restrict the coverage of the national debate on Vietnam where there are also the same range of opinions.

We must cover the news whether disagreeable or not, but objectively, accurately and responsibly. I think you may agree the attached memos try to meet that objective.

In order that we have experienced men in this type of coverage, some years ago we formed a racial task force of reporters who had had experience covering civil rights in every fashion from court actions to riots. These men are on instant call for such situations as we recently had in Detroit, and are used whenever a situation justifies it in addition to our local staffs so their broad knowledge on the problems can be useful.

Sincerely,

WES GALLAGHER,
General Manager.

BASIC REPORTING INSTRUCTIONS ON CIVIL RIGHTS, 1965-67

What's News? We must evaluate each racial situation carefully.

Inappropriate language sometimes makes "news" out of non-news, or anyway tends to exaggerate or play down the story. A brawl

is not a riot, a riot is not a demonstration. A serious incident should not be minimized into a scuffle. Don't use such words loosely; fit your vocabulary to the facts, not vice versa.

Don't assume there's a racial angle every time a man of one race is injured or killed by a man of another race. This applies North and South. But when there obviously appears to be a racial angle to a violent incident, let the facts speak for themselves, and don't get touted off by authorities who claim there are no racial overtones.

Background & Balance. In stories about racial demonstrations, we must make clear how many people are involved, whether they are kids, teen-agers, or adults, why they say they are demonstrating and what the white community leadership has to say about it.

There is a pitfall to be avoided in quoting various spokesmen. Let's not just quote the activists on either side—the demonstration leaders on the one hand and rednecks and brawlers on the other. They don't necessarily represent the community. Let's try to get also at the attitudes of those not directly involved in the episode—civic leaders, businessmen, ordinary citizens on either side. It's not always easy to do, but it's always worth the effort, in the interest of perspective.

Intelligent backgrounding becomes more important as civil rights conflicts move North, where issues aren't always clear. Subtle economic and social problems enter in. Here we must describe the issues, what each side has to say concerning them, and what the actual conditions are—plus something of their history. Have controversies over current grievances arisen in the past? Have efforts been made to remedy them? What, specifically, would be involved in solving the problem? We should find out and report it.

No comment. Sometimes in trying to balance a story we run into silent treatment. In such cases we should spell out—in the story—the efforts we make to present both sides, rather than dismiss them with a phrase that so-and-so "declined comment." In other words, the story should say that the AP telephoned Mayor Joe Doakes, Sheriff John Smith, and Police Chief Jim Doe for their comments on the reported beatings at a Negro rally. And that Doakes said he didn't want to talk to newsmen, that Smith said he didn't have time to discuss it, and that Doe could not be reached immediately.

Specifics. Be as specific as possible. Don't report merely that a civil rights group issued a list of grievances. Report what they are, and what the other side says about them. And let's go beyond the dramatics of the initial controversy. When the two sides are reconciled, tell how it happened. What ends a fight is sometimes more interesting than what started it.

Plants. We must make sure that we don't let anyone use us. We shouldn't let civil rights groups do it, and we shouldn't let the Ingroups (sometimes called the "power structure") do it. Civil rights leaders sometimes make false claims. White spokesmen are sometimes glibly evasive. All should be questioned with a healthy skepticism.

Both sides have been known to plant stories which in turn set off a chain reaction of inquiries. Miscues can result from all sorts of cases—as when a civil rights worker claimed a bomb was tossed at his car; it turned out he drove over a flare used around road projects.

Sources. Good sources on racial incidents are often hard to come by. It's important to cultivate them ahead of time, to persuade them of the objective nature of your job, and get them to trust you. This means news media sources as well as police, sheriffs, civil rights officials and FBI men.

In Chicago, for example, efforts are made to maintain regular contacts with civil rights leaders even in the absence of news developments. It helps keep the lines of communica-

tion open. It also provides opportunities for workups on constructive aspects of the civil rights struggle.

New York's Austin Scott had some interesting things to say about racial coverage. He emphasized the importance of keeping abreast of sources in the rights movement. Negro leadership patterns in areas like Harlem or Watts tend to change rapidly; it's easy to lose touch if you don't pay steady attention.

He also suggested that reporters involved in civil rights coverage read up on the background of the movement, which actually has a long and ramified history. Because whites have generally paid little attention to Negro history and thinking in the past, their motivations tend to be widely misunderstood. The civil rights drive, Scott says, isn't something that just happened; it has deep roots in past sociology and attitudes. The motivations of Negroes in demonstrations and objectives, and the reason for certain tactics, are often quite different from those imputed to them by white interpreters.

And the background of Negro life, grievances, and aspirations is different in each area and determines the shape of action there. This background should be brought out for full perspective.

As an example of a one-dimensional approach, Scott cited stories about anti-draft expressions from Negro civil rights workers in the South. This was presented as a startling innovation; yet it's a reaction which has been in the Negro movement for a long time, and has been advocated in the past by such a longtime stalwart as A. Philip Randolph.

Understanding of Negro history and motivation helps; but there are militants, especially among the young Negroes, who simply won't talk frankly to white reporters; whatever stories come from them will have to be done by Negro staffers.

Perspective. Keep a story constantly in perspective. Don't play a minor incident out of proportion to its importance. A lead based on an isolated shooting or an isolated cry "Get Whitey" can throw a story out of focus.

COMMENTARY OF JOSEPH McCaffrey, WMAL-TV, WASHINGTON, D.C., AUGUST 2, 1967

How much has the news media contributed to the riot fires which have been sweeping the country? Some members, including Congressman Durward Hall, of Missouri, and Senator Hugh Scott, of Pennsylvania, believe much of the gasoline hitting the flames have been thrown, indirectly, by the handling of the stories.

Congressman Hall, for example, feels that if Stokely Carmichael had been left on his soap box out in the park, he'd still be there. But television put him in the big leagues. He has been transformed by TV, says Hall from an oddball to a national figure—albeit still an oddball.

Senator Scott is worried because the news media doesn't have what he calls a code of emergency procedure that would insure civil disturbances being reported in ways that are not inflammatory.

The Senator's worry is probably justified. However, there is such a code. It is, or at least it should be, a reporter's sense of responsibility.

It is, or should be, present in the way he handles every story, and not just stories dealing with riots.

Unfortunately, perhaps, it hasn't always worked out that way. Recently a local radio station gave some prominence to a racial disturbance which set off the phones here at this station. The report turned out to be a mistake. There had been no disturbance.

If basic reportorial responsibility had been the rule, the story would have been checked out first, the way any story is supposed to be checked out.

The warnings from both the Senator and the Congressman won't do any harm, al-

though and unfortunately, neither radio nor television started the riots, and even if they kept silent about them, there would still probably be other riots. But it might be that the media has to plead guilty for transmitting the fever from one city to another by reporting on each one as it occurs. Yet, certainly, no one would say that these happenings should be ignored and not reported.

LETTER FROM EDMONDE A. HADDAD, IMMEDIATE PAST PRESIDENT, RADIO AND TELEVISION NEWS ASSOCIATION OF SOUTHERN CALIFORNIA, AUGUST 2

Last year, after numerous meetings with broadcast newsmen, network and independent, and newspaper and wire service executives, the "Suggestions for the Reporting of Civil Disorders" were drafted. Under the aegis of the University of Southern California and the Radio and Television News Association of Southern California, the draft was purposely kept flexible so as to be adaptable in any American city. It has also had widespread exposure. I had the privilege of presenting it to the Washington Press Corps at the National Press Club last February. In addition, it has been published and distributed across the nation. The voluntary suggestions, plus an accompanying article, are also featured in the current issue of the Columbia Journalism Review, a copy of which is enclosed.

Quite frankly, even with this mass distribution, I am inclined to agree with your criticism of the mass media during the events of recent weeks. And, I would welcome the opportunity of discussing with you, or other members of the Congress, ways of implementing these guidelines.

A CODE FOR RIOT REPORTING

(By Edmonde A. Haddad)

Mayor Richard J. Daley of Chicago, speaking last fall before the Radio and Television News Directors Association, told of a group of eighteen pickets, half under the age of sixteen, being filmed and interviewed by no fewer than thirty-seven newsmen. Another convention speaker recalled a get-together of the Ku Klux Klan in Southern California. On hand to cover a handful of Klansmen were 200 reporters and 200 photographers.

Similar incidents occur frequently. Too often, the result of radio and television coverage has been the creation of news, rather than mere reporting. As Mayor Daley charged, "In disturbances resulting from protest marches, the television camera didn't seek the violence, the violence sought the camera."

Recent violence on the Sunset Strip in Los Angeles was exploited by irresponsible news coverage. Once dotted with such elegant restaurants and nightclubs as Ciro's and the Mocambo, the section of Sunset Boulevard known as the Strip has become a haven for teen-agers. In a group of fifty or sixty teen-agers on a Saturday night, there may well be one or two troublemakers. If a fight breaks out, the police are called, and the crowd naturally pushes closer to see what's happening. Then the mobile broadcast units arrive. More than once during the Sunset Strip trouble, reporters, cameramen and soundmen from at least two stations, one of them network owned and operated, encouraged the crowd to violence. Their shouts amounted to: "C'mon, let's have some excitement! How about rolling a car? You're on TV." The crowd became a mob; windows were broken, cars were damaged, and citizens were terrorized.

Another example: Last spring Mrs. Leonard Deadwyler was shown getting out of her automobile to attend the funeral of her husband. A Negro, Mr. Deadwyler had been shot to death by a white policeman in Los Angeles after a chase. The case was important because of the racial implications sur-

rounding a well-publicized inquest into the death. As Mrs. Deadwyler emerged from her automobile, a television "reporter" shoved a microphone into her face and asked how she felt that day. Another television station also covered the funeral, but its newscaster that evening felt constrained to tell his audience: "The reporter who asked that question does not work for this station."

Criticism of this kind of coverage does not imply that broadcast news must confine itself to the bland, the pleasant, and the non-controversial aspect of everyday life. Far from it. But the sight of dozens of newsmen from competing media trailing along on a demonstration, filming a scene of civil disobedience, invading the privacy of an individual or family suddenly engulfed by personal tragedy, is reprehensible. Such transgressions are made too often by too many radio and television stations, network and independent.

After the riots in the Watts area of Los Angeles in August, 1965, Governor Edmund G. Brown's commission, headed by John A. McCone, suggested that members of the media meet to consider voluntary guidelines for reporting civil disorders. Beginning last April, such meetings were held under the aegis of the School of Journalism and the Department of Telecommunications of the University of Southern California. Newspaper reporters, radio and television newsmen, programming executives, college professors, wire-service reporters, and executives got together, all in one place, to offer suggestions. The discussions were often heated and sometimes even bitter.

Many of the journalists who attended did not feel then and do not feel now that any code was necessary or workable. Many cited the traditional right of newsmen to "get the story" whatever the circumstances.

I would be less than candid if I intimated that all present approved of the draft or, in an emergency, would even try to live by it. Still, we drafted a code that, while perhaps a little simplistic in text, is at least a step toward responsible journalism. We used as a basis a code of conduct drawn up by the Chicago Sun-Times, in effect for sixteen years.

Our most recent draft, dated May 31, 1967, reads as follows:

The following are Suggestions for the Reporting of Civil Disorders and other events that may reflect public tension. These reminders to newsmen in Southern California are based on experience in various cities of the United States, including Los Angeles:

1. Avoid emphasizing stories on public tensions while the tensions of a particular incident are developing. Ask the law-enforcement agency involved whether the developing incident is designated as a disturbance of the peace or otherwise. Report the official designation of the incident.

2. Public reports should not state exact location, intersection, street name, or number until authorities have sufficient personnel on hand to maintain control.

3. Immediate or direct reporting should minimize interpretation, eliminate airing of rumors, and avoid using unverified statements.

4. Avoid the reporting of trial incidents. Reporting should emphasize the partial and local aspects of the particular incident, avoiding implication that the incident represents widespread or general events. Editing also should place the reporting of an incident in realistic perspective.

5. Because inexperienced use of cameras, bright lights, or microphones may stir exhibitionism of some people, great care should be exercised by crews at scenes of public disorders. Because, too, of danger of injury and even death to news personnel, their presence should be as unobtrusive as possible. Unmarked vehicles should be used for initial evaluation of events of this nature.
6. Cruising in an area of potential crisis

may invite trouble. It is suggested that reporters make full use of the law-enforcement headquarters nearest such an area until a newsworthy event occurs.

7. Reporters who are at the scene of an explosive or potentially explosive situation should avoid reporting of interviews with obvious "inciters." Reporters should interview responsible representatives of the affected locality.

8. Reporters should inform in advance any person who is interviewed that the interview may be made public.

9. Scare headlines, scare bulletins, and sensationalism of other kinds should be avoided in magazines, newspapers, radio, and television.

10. All news media should make every effort to assure that only seasoned reporters are sent to the scene of a disaster.

11. No report should use superlatives or adjectives which might incite or enlarge a conflict, or cause a renewal of trouble in areas where disturbances have quieted.

12. Reporters should emphasize efforts by law enforcement officials to restore order. Advice to the public should emphasize avoidance of areas of potential danger, observance of any curfew, or similar suggestions that originate with public safety officers.

13. Advisory data for discretionary use by newsmen should be written in calm, matter-of-fact sentences. This is for the purpose of avoiding inflammatory results from unintended public report of discretionary information. Honest and dispassionate reporting is the best reporting.

14. Reporters should not detail how any weapon is obtained, made, or used.

15. Reporters should not identify precise locations of command posts of public officials, police, fire units, or military units.

16. Every reporter and technician should be governed by the rules of good taste and common sense. The potential for inciting public disorders demands that competition be secondary to the cause of public safety.

Efforts are being made to see that this draft is made available to as many newsmen as possible across the country. It was purposely kept flexible to be adaptable to a situation in any city.

Perhaps the most encouraging aspect of this inquiry is the fact that it is being made. Self-examination in any profession is usually a forerunner of improvement.

LETTER FROM GEORGE W. HARVEY, VICE PRESIDENT, WFLA RADIO AND TV, THE TAMPA TRIBUNE STATIONS, AUGUST 2

I listened with a great deal of interest to the news report over NBC radio Tuesday evening in regards to your attitude towards a less emotional and sensational presentation of news. I subscribe completely to your point of view, and I've only recently written to my network along this line, copy of which is enclosed.

I believe most local radio and television stations have done a very objective job of reporting on their local problems, but somehow I feel the large networks separated by a great distance from the action sometimes lose their objectivity, or become so involved with what is sometimes referred to as the "Manhattan approach" that they see things through different eyes than the rest of the country.

The foregoing is not meant as a general criticism. I think the networks have done a remarkable job in presenting the amount and quality of news that they have presented, but I think the time has come to reappraise the situation in the light of facts.

STATEMENT BY GEORGE W. HARVEY ON NETWORK NEWS COVERAGE

I think all news media are over enthusiastic in their competition and their presentation of the spectacular. I saw it happen personally in Tampa when the Associated Press

would have you believe the city was in flames and rioting was taking place all over the city. Truthfully, it was the calmest and coolest of the civil rights disturbances, was confined to a very small area, was under control practically at all times, and generated the "white hats" which turned out to be the first sensible solution to a real civil rights disorder as opposed to an insurrection.

Your own newsmen who was here was trying to convey this fact back to New York and was having difficulty persuading his own office that these were facts.

Many viewers are constantly referring to network news coverage and asking why the seeming promotion of certain individuals and actions that are contrary to the public good.

I realize certain news cannot be ignored, but by the same token I think we have gone out of our way in the past to overemphasize certain aspects that are beginning to catch up with us. I'm writing you not only in the interest of network news reporting but also in the interest of our country's welfare.

LETTER FROM THAD M. SANDSTROM, VICE PRESIDENT, WIBW TV AND RADIO, CBS RADIO AND TELEVISION NETWORKS, TOPEKA, KANS., AUGUST 2

I was greatly interested in your statement of August 1 concerning the responsibility of news media in relationship to the disturbances. There is no question in my mind that you are right. . . .

You might also be interested to know that at my suggestion yesterday we had an off-the-record meeting of all Topeka news media—radio, television and newspapers to discuss the current situation here. We have agreed voluntarily to hold up on any news of this type until the police have an opportunity to bring the situation under control should anything develop. . . .

LETTER FROM CHET CASSELMAN, NEWS AND PUBLIC AFFAIRS DIRECTOR, KSFO, SAN FRANCISCO, CALIF., AUGUST 4

A growing number of broadcasters feel, as you do, that this type story demands exceptional treatment on the air.

I'm enclosing a set of guidelines for civil disorder coverage that are now considered in effect here on a voluntary basis. . . .

BROADCAST GUIDELINES FOR COVERAGE OF CIVIL DISORDERS

(By Chet Casselman, KSFO, president, Northern California Chapter, Radio-Television News Directors Association)

The following suggestions are to be considered as guidelines for voluntary use by broadcast newsmen during possible or actual widespread civil disorder. They are the product of a committee of the Northern California Chapter of the Radio and Television News Directors Association formed to consider carefully the sensitive and influential role of the electronic news operation in its coverage of such disorders and recommend ways and means in which the broadcaster may better serve the public interest, safety and welfare.

Voluntary acknowledgment of these suggestions is based on the following factors:

1. A majority of broadcast news directors in this region must indicate they feel such a set of guidelines is necessary in this one area of coverage because an instance of widespread civil disobedience, particularly one involving racial strife, is entirely unique from any other kind of story in that its coverage could affect the direction of its development and intensity, its duration and outcome and therefore demands exceptional treatment.

2. The civil disorder must be of such size, or indicate a potential for developing into such size, that it could be a considerable threat to the community.

3. Competition between broadcasters in coverage of such disorders should continue

to be vigorous but, in this one volatile area, more thought should be given to changing the focus from dynamic impact to authoritative and calm reporting of vital information to the public with maximum assistance in the re-establishment of control as the primary goal.

4. Law enforcement authorities should take the necessary steps to ensure that adequately informed staff members will be on duty at command posts who will be readily available to supply properly identified broadcast newsmen with pertinent information concerning the disorder.

GUIDELINES

Prior to reaching the scene

1. Stories of civil disorder, particularly when the disorder is in its early stages, should not be over-emphasized nor should a "scare" approach be taken by the broadcasters in their initial reporting.

2. The official designation of the incident should be used by the broadcasters, employing the term "riot" only after authorities do.

3. At the outset of the disorder, broadcast newsmen should be dispatched to law enforcement command posts, rather than directly to the scene where their presence may heighten the disturbance or interfere with efforts to establish control. An authoritatively staffed command post will undoubtedly be in communication with the scenes of disorder and be capable of providing newsmen with any desired information.

4. Determination of when newsmen may be sent to the scene without danger of inflaming or inciting further discord is the individual responsibility of each broadcast news director and his outlet.

From the scene, command post and studio

5. Broadcasts which might tend to inflame or incite further violence should not be aired.

6. Emphasis should be on the steps being taken to restore order, advisements to the public to keep out of the general disturbance area and, if a curfew has been invoked, of obeying that curfew.

7. Reports should be calm, objective and present the "overall picture" and should be devoid of sensationalism, speculation and rumors which could incite or further extend the disturbance or stir a new outbreak in a controlled area. It should be emphasized that reports from the field are describing only those segments of the disorder that are being witnessed by that particular newsmen.

8. Caution should be taken against over-emphasizing isolated and, for the most part, trivial incidents. Such incidents should be incorporated into the "overall picture" and their importance fully explained, thus avoiding inflammatory editing of audio tape and film.

9. Exact locations of intersections, street names and addresses of flareups should not be revealed by the broadcaster until authorities have announced order has been established and control being maintained in that particular area.

10. Avoid broadcasting interviews with obvious lawbreakers or participants in the disorder who are on the side which opposes law and order when the interview could be considered inflammatory and may add further problems to the disorder. Whenever possible, the broadcast newsmen should seek out a responsible spokesman for the community in which the disturbance occurs.

11. Broadcast newsmen should avoid creating further disturbances through the indiscriminate use of cameras, lights or microphones; i.e., avoid filming a milling crowd if it does not add to the story and might inspire a disorder by that crowd. When possible, cameramen should attempt to film with a long lens so as not to expose the presence of a camera and should use natural lighting whenever feasible. In short, use good taste and common sense.

12. Unless and until a situation reached

the point of Martial Law, all Constitutional guarantees are deemed to be in force and applicable. Hence, the aforementioned constitute guidelines for voluntary conduct designed to provide the greatest assistance to the public and law enforcement agencies in the treatment of civil disorders and, at the same time, provide essential information to the public.

13. Therefore, the basic goal of all broadcast newsmen participating in the coverage of civil disorder should be to encourage, by exemplary performance, responsible reporting that will produce an even greater fulfillment of their obligation to serve the public interest and safety, as well as defend the aims of duly constituted law and authority.

(Endorsed by the membership at a meeting on February 23, 1967 for submission to station management and law enforcement officials.)

FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 484, S. 1872. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be read by title.

The LEGISLATIVE CLERK. A bill (S. 1872) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Foreign Assistance Act of 1967".

PART I

CHAPTER I—POLICY

SEC. 101. Section 102 of the Foreign Assistance Act of 1961, as amended, which relates to the statement of policy, is hereby repealed.

CHAPTER 2—DEVELOPMENT ASSISTANCE

TITLE I—DEVELOPMENT LOAN FUND

SEC. 102. Title I of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to the Development Loan Fund, is amended as follows:

(a) Section 201(b), which relates to general authority, is amended by striking out the last sentence and inserting in lieu thereof: "Funds made available under this title, except funds made available pursuant to section 205, shall not be used to make loans in more than fifteen countries in any fiscal year, except that such loans may be made in any additional country if, following submission of a report by the President to the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives detailing the justification for the making of loans in such additional country during such fiscal year, the Congress agrees to a concurrent resolution stating in effect its approval of the making of such loans in such country."

(b) Section 202(a), which relates to authorization, is amended (1) by striking out "and \$750,000,000 for each of the fiscal years 1968 and 1969" and substituting "and \$600,000,000 for the fiscal year 1968", and (2) by striking out "June 30, 1969", and substituting "June 30, 1968".

(c) Section 205, which relates to international lending institutions, is amended by

striking out "or the International Finance Corporation" and substituting "the International Finance Corporation, or the Asian Development Bank".

TITLE II—TECHNICAL COOPERATION AND DEVELOPMENT GRANTS

SEC. 103. Title II of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to technical cooperation and development grants, is amended as follows:

(a) Section 211(a), which relates to general authority, is amended by striking out all after the word "country" where it first appears in the last sentence and substituting the following: "if, following submission of a report by the President to the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives detailing the justification for such additional assistance, the Congress shall agree to a concurrent resolution stating in effect its approval of the furnishing of assistance to such additional country during such fiscal year."

(b) Section 212, which relates to authorization, is amended by striking out "1967" and substituting "1968".

(c) Section 214, which relates to American schools and hospitals abroad, is amended as follows:

(1) In subsection (c) strike out "1967, \$10,939,000" and substitute "1968, \$14,000,000".

(2) In subsection (d) strike out "1967, \$1,000,000" and substitute "1968, \$2,986,000".

TITLE III—INVESTMENT GUARANTIES

SEC. 104. Title III of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to investment guaranties, is amended as follows:

(a) Section 221(b)(2), which relates to general authority for extended risk investment guaranties, is amended by striking out "75 per centum" and substituting "50 per centum".

(b) Section 222, which relates to general provisions for investment guaranties, is amended as follows:

(1) In subsection (b), after the words "shall be available for meeting" insert the following: "necessary administrative and operating expenses of carrying out the provisions of sections 221, 224, and 231 (including, but not limited to, expenses pertaining to personnel, supplies, and printing) subject to such limitations as may be imposed in annual appropriation Acts, for meeting".

(2) In subsection (d), after the words "in section 222(b)" insert the following: "(excluding fees required for purposes other than the discharge of liabilities under guaranties)".

(c) Section 223(a), which relates to definitions, is amended by inserting, immediately after the words "services pursuant to a", the words "lease or".

(d) Section 224(c), which relates to housing projects in Latin American countries, is amended by striking out "1969" and substituting "1971".

TITLE IV—SURVEYS OF INVESTMENT OPPORTUNITIES

SEC. 105. Section 232 of the Foreign Assistance Act of 1961, as amended, which relates to authorization, is amended by striking out "1965" and substituting "1968".

TITLE VI—ALLIANCE FOR PROGRESS

SEC. 106. Title VI of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to Alliance for Progress, is amended as follows:

(a) Section 251(h), which relates to transfers to international lending institutions, is amended by inserting after "named in section 205" the following: "(other than the Asian Development Bank)".

(b) Section 252, which relates to authorization, is amended as follows:

(1) In the first sentence strike out "and

for each of the fiscal years 1968 and 1969, \$750,000,000" and substitute "and for the fiscal year 1968, \$578,000,000".

(2) The second sentence is hereby repealed.

(3) In the third sentence strike out "June 30, 1969" and substitute "June 30, 1968".

TITLE VIII—SOUTHEAST ASIA MULTILATERAL AND REGIONAL PROGRAMS

SEC. 107. Title VIII of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to Southeast Asia multilateral and regional programs, is amended by striking out section 273.

TITLE X—PROGRAMS RELATING TO POPULATION GROWTH

SEC. 108. Chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, is amended by adding at the end thereof a new title as follows:

"TITLE X—PROGRAMS RELATING TO POPULATION GROWTH

"SEC. 291. GENERAL PROVISIONS.—(a) It is the sense of the Congress that, while every nation is and should be free to determine its own policies and procedures with respect to problems of population growth and family planning within its own boundaries, nevertheless, voluntary family planning programs to provide individual couples with the knowledge and medical facilities to plan their family size in accordance with their own moral convictions and the latest medical information, can make a substantial contribution to improve health, family stability, greater individual opportunity, economic development, a sufficiency of food, and a higher standard of living.

"(b) To carry out the intent of Congress as expressed in subsection (a), the President is authorized to provide assistance for programs relating to population growth in friendly foreign countries and areas, on such terms and conditions as he shall determine, to foreign governments, the United Nations, its specialized agencies, and other international organizations and programs, United States and foreign nonprofit organizations, universities, hospitals, accredited health institutions, and voluntary health or other qualified organizations.

"(c) In carrying out programs authorized in this title, the President shall establish reasonable procedures to insure, whenever family-planning assistance from the United States is involved, that no individual will be coerced to practice methods of family planning inconsistent with his or her moral, philosophical, or religious beliefs.

"(d) As used in this title, the term 'programs relating to population growth' includes but is not limited to demographic studies, medical, psychological, and sociological research, and voluntary family planning programs, including personnel training, the construction and staffing of clinics and rural health centers, specialized training of doctors and paramedical personnel, the manufacture of medical supplies, and the dissemination of family-planning information, and provision of medical assistance and supplies to individuals who desire such assistance.

"SEC. 292. AUTHORIZATION.—For the purposes of this title and pursuant to its provisions, the President is authorized to use up to \$50,000,000 in any fiscal year of the funds made available for part I of this Act and notwithstanding any other provision of this Act, funds used for such purposes may be used on a loan or grant basis.

"SEC. 293. ADVISORY COUNCIL ON POPULATION GROWTH.—(a) There is hereby established an Advisory Council on Programs Relating to Population Growth to be composed of such authorities in the fields of population, family planning, government, and other areas pertinent to the purposes of this title, as may be selected from time to time by the President. The Advisory Council shall carry out studies and make recommendations for achieving

medically, socially, and economically effective voluntary family planning programs in foreign countries. The Advisory Council shall consist of not more than nine members, and one of the members shall be designated as Chairman by the President.

"(b) The members of the Advisory Council shall receive no compensation for their services but shall be entitled to reimbursement in accordance with section 5703 of title 5, United States Code, for travel and other expenses incurred by them in the performance of their functions under this section.

"(c) The expenses of the Advisory Council shall be paid by the head of the agency charged with administering this title from funds otherwise available under this Act."

CHAPTER 3—INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 109. Section 302 of the Foreign Assistance Act of 1961, as amended, which relates to authorization of appropriations for assistance to international organizations and programs, is amended as follows:

(a) In subsection (a) strike out "for the fiscal year 1967 not to exceed \$140,433,000" and substitute "for each of the fiscal years 1968 and 1969, \$140,433,000".

(b) Subsection (b) is amended to read as follows:

"(b) There is authorized to be appropriated to the President for loans for Indus Basin Development to carry out the purposes of this section, in addition to funds available under this or any other Act for such purposes, for use beginning in the fiscal year 1969, \$51,220,000. Such amounts are authorized to remain available until expended."

CHAPTER 4—SUPPORTING ASSISTANCE

SEC. 110. Chapter 4 of part I of the Foreign Assistance Act of 1961, as amended, which relates to supporting assistance, is amended as follows:

(a) Section 401, which relates to general authority, is amended (1) by striking out all after "political stability" and substituting a period, and (2) by adding at the end thereof a new sentence as follows: "The authority of this chapter shall not be used to furnish assistance to more than ten countries in any fiscal year, except that such assistance may be furnished to any additional country if, following submission of a report by the President to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate detailing the justification for the furnishing of assistance to such additional country during such fiscal year, the Congress agrees to a concurrent resolution stating in effect its approval of the furnishing of such assistance to such country."

(b) Section 402, which relates to authorization, is amended (1) by striking out "1967" and substituting "1968", and (2) by striking out "\$715,000,000" and substituting "\$600,000,000".

CHAPTER 5—CONTINGENCY FUND

SEC. 111. Section 451 of the Foreign Assistance Act of 1961, as amended, which relates to the contingency fund, is amended by striking out "1967" and "\$110,000,000" and substituting "1968" and "\$50,000,000", respectively.

PART II

MILITARY ASSISTANCE AND SALES

SEC. 201. Part II of the Foreign Assistance Act of 1961, as amended, which relates to military assistance and sales, is amended as follows:

(a) Section 502, which relates to statement of policy, is hereby repealed.

(b) Section 503, which relates to general authority, is amended as follows:

(1) Clause (a) is amended by striking out "lease, sale, exchange, grant, or any other means" and substituting "or grant".

(2) Clause (c) is amended by inserting "and" at the end thereof.

(3) Clause (d) is amended by striking out "and" and substituting a period.

(4) Clause (e) is hereby repealed.

(c) Section 504(a), which relates to authorizations, is amended as follows:

(1) Strike out all of the first sentence up to, but excluding, the colon and the proviso, and substitute "There is authorized to be appropriated to the President to carry out the purposes of this part not to exceed \$475,100,000 for the fiscal year 1968".

(2) After the first sentence insert the following: "Of the amounts appropriated pursuant to this section for the fiscal year 1968, \$84,100,000 shall be available solely for cost-sharing expenses of United States participation in the international military headquarters and related agencies program and in the North Atlantic Treaty Organization infrastructure program. No part of any funds made available under any other provision of law shall be used for the cost-sharing expenses referred to in the preceding sentence."

(d) Section 505(a), which relates to utilization of assistance, is amended as follows:

(1) Subsection (a) is redesignated as section 501.

(2) At the beginning of such new section 501, strike out "UTILIZATION OF ASSISTANCE.—"

(a) Military Assistance" and substitute "UTILIZATION OF DEFENSE ARTICLES AND DEFENSE SERVICES.—Defense articles and defense services".

(e) Section 506, which relates to conditions of eligibility, is redesignated as section 505.

(f) Section 507(b), which relates to sales, is amended as follows:

(1) Subsection (a) is redesignated as section 522.

(2) In such new section 522, strike out "SALES" as the section caption and substitute "SALES FROM STOCK".

(3) In such new section 522, strike out "subsection" each place it appears and substitute in each such place "section".

(g) Section 507(b), which relates to sales, is amended as follows:

(1) Subsection (b) is redesignated as section 523.

(2) In such new section 523, insert "PROCUREMENT FOR SALES.—" as the section caption.

(3) In the third sentence of such new section 523, strike out "credited to the account established under section 508" and substitute "transferred to the general fund of the Treasury".

(4) Strike out "subsection" in the last sentence and substitute "section".

(h) Section 503, which relates to reimbursements, is amended as follows:

(1) Section 508 is redesignated as section 524.

(2) In such new section 524, insert "(a)" immediately after "REIMBURSEMENTS.—".

(3) Insert the following new subsection at the end of such new section 524:

"(b) (1) The special fund account established under subsection (a) of this section shall terminate as of the end of December 31, 1967, or on such earlier date as may be selected by the President.

"(2) Until the termination of such fund account the President is authorized to continue to utilize any moneys in such fund account to discharge any outstanding liabilities and obligations of the United States arising out of any guaranties, insurance, coinsurance, or reinsurance issued in connection with the financing of any sales of defense articles or defense services to any foreign country or international organization, under any provision of law repealed by the Foreign Assistance Act of 1967. After the termination of such fund account, and such liabilities and obligations of the United States remaining outstanding shall be discharged from such amounts, which are hereby authorized, as are specified from time to time in appropriation Acts.

"(3) Upon the termination of such fund

account pursuant to paragraph (1), any amounts remaining in such fund account, including foreign currencies, shall be transferred to the general fund of the Treasury. All amounts received by the United States, after the termination of such fund account, in repayment of obligations remaining outstanding under credit sales agreements entered into prior to the date of enactment of the Foreign Assistance Act of 1967 shall be transferred to the general fund of the Treasury."

(i) Section 509, which relates to exchanges and guaranties, is hereby repealed.

(j) Section 510, which relates to special authority, is amended as follows:

(1) Section 510 is redesignated as section 506.

(2) Strike out "1967" each place it appears and substitute in each such place "1968".

(k) Section 511, which relates to restrictions on military aid to Latin America, is amended as follows:

(1) Section 511 is redesignated as section 507.

(2) Subsection (a) is hereby repealed.

(1) (1) Section 505(b), which relates to utilization of assistance, is redesignated as subsection (c) of such new section 507.

(2) Insert the following new subsection (d) in such new section 507:

"(d) The Congress welcomes the initiative of the Central American Republics in establishing the Central American Defense Council. In order to further encourage the development of collective self-defense arrangements among the Central American Republics, all military assistance and sales programs under this part for the Central American Republics, in excess of a total value of \$1,500,000 in any fiscal year, shall be limited to programs which support the regional integration of Central American military forces."

(m) Section 512, which relates to restrictions on military aid to Africa, is amended as follows:

(1) Section 512 is redesignated as section 508.

(2) Strike out "shall be furnished on a grant basis" in the first sentence and substitute "or sales shall be furnished under this Act".

(3) Strike out "The value of grant programs of defense articles" in the second sentence and substitute "The total value of military assistance and sales".

(4) Strike out "other than section 507" in the second sentence.

(n) Section 513, which relates to the certification of recipient's capability, is amended as follows:

(1) Section 513 is redesignated as section 509.

(2) In subsection (a), strike out "section 507" and substitute "chapter 3".

(o) Section 514, which relates to administration of sales and exchange programs involving defense articles and services, is amended as follows:

(1) Section 514 is redesignated as section 521.

(2) Insert the following new chapter heading before such new section 521:

"CHAPTER 3—FOREIGN MILITARY SALES".

(3) In the section caption strike out "AND EXCHANGE".

(4) In subsection (a), strike out "or exchange".

(5) Subsection (b) is amended as follows: (A) Subsection (b) is redesignated as subsection (a) of the new section 507.

(B) Strike out "notwithstanding the provisions of section 511(a) of this Act,".

(C) Strike out "\$85,000,000" and substitute "\$50,000,000".

(D) Strike out the colon and the proviso.

(6) Add the following new subsection: "(b) No defense article or defense service shall be furnished under this chapter to any country or international organization unless

(1) the President finds that the furnishing of defense articles and defense services to such country or international organization will strengthen the security of the United States and promote world peace, (2) the country or international organization shall have agreed not to transfer title to, or possession of, any defense article so furnished to it to any other person, organization, or government, unless the consent of the President has first been obtained, and (3) the country or international organization is otherwise eligible to receive defense articles or defense services. The President shall promptly submit a report to the Speaker of the House of Representatives and to the Committee on Foreign Relations of the Senate on the implementation of each agreement entered into pursuant to clause (2) of this subsection."

PART III

CHAPTER 1—GENERAL PROVISIONS

SEC. 301. Chapter 1 of part III of the Foreign Assistance Act of 1961, as amended, which relates to general provisions, is amended as follows:

(a) Section 601(c) (3), which relates to an International Private Investment Advisory Council on Foreign Aid, is amended by striking out "5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2)" and substituting "5703 of title 5 of the United States Code".

(b) Section 608(a), which relates to acquisition and use of excess property, is amended by inserting immediately before the first sentence the following: "It is the sense of the Congress that in furnishing assistance under part I excess personal property shall be utilized wherever practicable in lieu of the procurement of new items for United States-assisted projects and programs."

(c) Section 610(b), which relates to transfers between accounts, is amended (1) by striking out "510" and substituting "506", and (2) by striking out "\$5,000,000" and substituting "\$7,000,000".

(d) Section 614(a), which relates to special authorities, is amended by striking out "510" and substituting "506".

(e) Section 620, which relates to prohibitions against furnishing assistance, is amended as follows:

(1) Subsection (j) is amended to read as follows:

"(j) The President shall consider terminating assistance under this or any other Act to any country which permits, or fails to take adequate measures to prevent, the damage or destruction by mob action of United States property within such country, and fails to take appropriate measures to prevent a recurrence thereof and to provide adequate compensation for such damage or destruction."

(2) Subsection (k) is amended by striking out "510" and substituting "506".

(3) The following new subsection is added at the end thereof:

"(s) In furnishing assistance under this Act, and in making sales under the Agricultural Trade Development and Assistance Act of 1954, as amended, the President shall take into account (1) the percentage of the recipient or purchasing country's budget which is devoted to military purposes, and (2) the degree to which the recipient or purchasing country is using its foreign exchange resources to acquire military equipment. When assistance under this Act, or sales under the Agricultural Trade Development and Assistance Act of 1954, as amended, are being diverted to military expenditures, or are permitting the diversion of other resources to military expenditures, to a degree which interferes with economic development, or which is likely to cause an increase in the arms race, the President shall suspend such assistance and sales. Such suspension shall continue until the President reports to the

Congress that such military expenditures are no longer interfering with economic development or contributing to the arms race, and the Congress passes a concurrent resolution, or amends this Act, authorizing a resumption of assistance and sales. No other provision of this Act shall be construed to authorize the President to waive the provisions of this subsection."

CHAPTER 2—ADMINISTRATIVE PROVISIONS

SEC. 302. Chapter 2 of part III of the Foreign Assistance Act of 1961, as amended, which relates to administrative provisions, is amended as follows:

(a) Section 624(d) (2) (B), which relates to statutory officers, is amended by striking out "of assistance" each place it appears.

(b) Section 625, which relates to employment of personnel, is amended as follows:

(1) Subsection (b) is amended as follows:

(A) Strike out "the Classification Act of 1949, as amended (5 U.S.C. 1071 et seq.)" and substitute "section 5332 of title 5 of the United States Code".

(B) Strike out "505 of the Classification Act of 1949, as amended" and substitute "5108 of title 5 of the United States Code".

(2) Subsection (c) is amended as follows:

(A) Strike out "the Classification Act of 1949, as amended" and substitute "section 5332 of title 5 of the United States Code".

(B) Strike out "505 of the Classification Act of 1949, as amended" and substitute "5108 of title 5 of the United States Code".

(3) Subsection (d) (2) is amended by striking out "forty" in the third proviso and substituting "fifty".

(c) Section 626, which relates to employment of experts, consultants, and retired officers, is amended as follows:

(1) In subsection (a), strike out "15 of the Act of August 2, 1946, as amended (5 U.S.C. 55a)" and substitute "3109 of title 5 of the United States Code".

(2) In subsection (b)—

(A) strike out "section 13 of the Civil Service Retirement Act, as amended (5 U.S.C. 2263)" and substitute "sections 3323(a) and 8344 of title 5 of the United States Code"; and

(B) strike out "201 of the Dual Compensation Act" and substitute "5532 of title 5 of the United States Code".

(d) Section 629(b), which relates to status of personnel detailed to foreign governments or international organizations, is amended by striking out "1765 of the Revised Statutes (5 U.S.C. 70)" and substituting "5536 of title 5 of the United States Code".

(e) Section 632(d), which relates to allocation and reimbursement among agencies, is amended by striking out "507 and 510" and substituting "506, 522, and 523".

(f) Section 634, which relates to reports and information, is amended as follows:

(1) In subsection (a) strike out all after "guaranty program" and substitute a period.

(2) Subsection (d) is amended as follows:

(A) Immediately preceding the first sentence insert the following: "When requests are presented to the Congress for appropriations for fiscal year 1969 to carry out programs under this Act, the programs to be carried out with the funds appropriated for that fiscal year shall also be presented to the Committee on Foreign Relations of the Senate, if requested by the chairman of that committee, and to the Committee on Foreign Affairs of the House of Representatives, if requested by the chairman of that committee."

(B) Immediately preceding the last sentence insert the following: "Any such presentation material shall also include (1) a chart showing on a country-by-country basis the full extent of all United States assistance planned or expected for each such country for the next fiscal year, including economic assistance and military grants and sales under this Act and sales under the Agricultural

Trade Development and Assistance Act of 1954, as amended, (2) details of proposed contributions by the United States to multilateral financial agencies, for the next fiscal year, and (3) a statement of economic development projects for the next fiscal year, on a country-by-country basis, for which financing can reasonably be expected to be supplied through the Export-Import Bank."

(C) In the last sentence, immediately preceding the period, insert the following: "and of any finding, including his reasons therefor, under section 503 or 521(b)".

(D) At the end thereof insert the following new sentence: "Also, the President shall promptly notify the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate of each case when he consents, under section 505(a) (4), to the disposition by any country, other than by return to the United States, of any defense article furnished to such country on a grant basis which is no longer needed for the purposes for which furnished, and in his notification the President shall state the manner of disposition to which he has given his consent."

(3) Add the following new subsections at the end thereof:

"(g) The Secretary of State shall transmit to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate semiannual reports of all exports during the preceding six months of significant defense articles on the United States Munitions List to any foreign government, international organization, or other foreign recipient or purchaser, by the United States Government under this Act or any other authority, or by any individual, corporation, partnership, or other association doing business in the United States. Such reports shall include, but not be limited to, full information as to the particular defense articles so exported, the particular recipient or purchaser, the terms of the export, including its selling price, if any, and such other information as may be appropriate to enable the Congress to evaluate the distribution of United States defense articles abroad. In preparing such reports the Secretary of State is authorized to utilize the latest statistics and information available in the various departments and agencies of the Government.

"(h) The background documents transmitted to Congress in each fiscal year supporting requests for new authorizations and appropriations to carry out the programs under part II of this Act shall contain information concerning the proposed funding levels for military assistance and sales to South Vietnam, Thailand, and Laos."

(g) Section 635, which relates to general authorities, is amended as follows:

(1) Subsection (e) is amended (A) by inserting, immediately preceding the first word, a paragraph designation "(1)", and (B) by adding at the end the following new paragraph:

"(2) Any agency of the United States Government is authorized to pay the cost of health and accident insurance for foreign employees of that agency while those employees are absent from their place of employment abroad for purposes of training or other official duties."

(2) Subsection (g) is amended by striking out "and sales".

(h) Section 636, which relates to provisions on uses of funds, is amended as follows:

(1) Subsection (a) (5) is amended (A) by striking out "(5 U.S.C. 78(c) (2))" and substituting "(31 U.S.C. 638a(c) (2))", and (B) by striking out "(5 U.S.C. 78a-1)" and substituting "(31 U.S.C. 638c)".

(2) Subsection (d) is amended by striking out "\$1,500,000" and substituting "\$2,500,000".

(3) Subsection (e) is amended by striking out "301 of the Dual Compensation Act (5

U.S.C. 3105) and substituting "5533 of title 5 of the United States Code".

(4) Subsection (g) is amended by striking out "3 of the Travel Expense Act of 1949, as amended (5 U.S.C. 836)," and substituting "5702(c) of title 5 of the United States Code".

(1) Section 637(a), which relates to administrative expenses, is amended by striking out "1967" and substituting "1968".

(j) Section 640, which relates to military sales, is amended (1) by striking out "exchange, or the guaranty of a sale," (2) by striking out "503" and substituting "521", and (3) by striking out "assisting of" and substituting "furnishing of defense articles and defense services."

CHAPTER 3—MISCELLANEOUS PROVISIONS

SEC. 303. Chapter 3 of part III of the Foreign Assistance Act of 1961, as amended, which relates to miscellaneous provisions, is amended as follows:

(a) Section 644, which relates to definitions, is amended as follows:

(1) In subsection (d), insert "production facilities, utilization facilities," between "special nuclear material," and "or atomic weapons", and add "or articles involving Restricted Data" before the period at the end of the subsection.

(2) In subsection (e), strike out "and formerly Restricted Data" and, immediately before the period at the end thereof insert the following: ", and data removed from the Restricted Data category under section 142d of that Act".

(3) Subsection (f) is amended as follows:

(A) Strike out "including orientation, training aid" and "including the transfer of limited quantities of defense articles for test, evaluation, or standardization purposes,".

(B) Add the following new second sentence: "'Training' includes formal or informal instruction of foreign students in the United States or overseas by officers or employees of the United States, contract technicians, contractors (including instruction at civilian institutions), or by correspondence courses, technical, educational, or information publications and media of all kinds, training aid, orientation, training exercise, and military advice to foreign military units and forces."

(b) At the end of such chapter insert a new section as follows:

"SEC. 650. USE OF UNITED STATES ARMED FORCES.—The furnishing of economic, military, or other assistance under this Act shall not be construed as creating a new commitment or as affecting any existing commitment to use Armed Forces of the United States for the defense of any foreign country."

PART IV—AMENDMENTS TO OTHER ACTS

SEC. 401. Title 5 of the United States Code is amended as follows:

(a) Section 3343(b), which relates to detail of personnel to international organizations, and sections 3581(5), 3582(b)(1), and 3582(c), which relate to rights of personnel who transfer to international organizations, each are amended by striking out "3" and substituting "5".

(b) Section 3582(a)(1), which relates to retirement benefits for personnel who transfer to international organizations, is amended by striking out "and agency contributions".

(c) Section 3582(a)(2), which relates to insurance benefits for personnel who transfer to international organizations, is amended to read as follows:

"(2) to retain coverage, rights, and benefits under chapters 87 and 89 of this title, if necessary employee deductions in payment for the coverage, rights, and benefits for the period of employment with the international organization are currently deposited in the Employees' Life Insurance Fund and

the Employees Health Benefits Fund, as applicable; and the period during which coverage, rights, and benefits are retained under this paragraph is deemed service as an employee under chapters 87 and 89 of this title;"

(d) Section 3582(b), which relates to re-employment rights for personnel who transfer to international organizations, is amended—

(1) by striking out "except a congressional employee," in the first sentence; and

(2) by inserting at the end thereof the following new sentences: "On reemployment, he is entitled to be paid, under such regulations as the President may prescribe and from appropriations or funds of the agency from which transferred, an amount equal to the difference between the pay, allowances, post differential, and other monetary benefits paid by the international organization and the pay, allowances, post differential, and other monetary benefits that would have been paid by the agency had he been detailed to the international organization under section 3343 of this title. Such a payment shall be made to an employee who is unable to exercise his reemployment right because of disability incurred while on transfer to an international organization under this subchapter and, in the case of an employee who dies while on such a transfer or during the period after separation from the international organization in which he is properly exercising or could exercise his reemployment right, in accordance with subchapter VIII of chapter 55 of this title. This subsection does not apply to a congressional employee nor may any payment provided for in the preceding two sentences of this subsection be based on a period of employment with an international organization occurring before the first day of the first pay period which begins on or after the date of enactment of the Foreign Assistance Act of 1967."

(e) Section 3582(d), which relates to agency contributions to retirement and insurance programs for personnel who transfer to international organizations, is amended by striking out "may" and substituting "shall".

SEC. 402. The first section of the Act entitled "An Act to authorize participation by the United States in the Interparliamentary Union", approved June 28, 1935 (22 U.S.C. 276), is amended by striking out "\$50,000" and "\$23,100", respectively, and substituting "\$53,550" and "\$26,650", respectively.

VIETNAM ELECTIONS

Mr. MORSE, Mr. President, I regret that I was not present in the Chamber earlier when discussion took place of the election in South Vietnam and its relationship to American policy there.

The word "election" deserves to be in quotation marks. I do not know of anyone who ever thought this "election" was anything more than a charade insisted upon by the United States as a means of clothing our war objectives with at least a figleaf of respectability.

There is no election going on in Vietnam in the meaningful sense of the word. There has not been a meaningful election in Vietnam, north or south, in modern times. There used to be local elections for village and provincial officials that exemplified genuine grassroots democracy. But our man, Diem, put an end to that. He insisted in appointing all these people, so they would carry out the policy of his personal dictatorship. Eventually, we had to send an army and an enormous aid program, to restore local self-government.

But the people of Vietnam have not had control over their national destiny, and they do not have it now. The Communists are masters in the north, and the Ky junta, created and kept in power by the United States, are masters in the south.

Did anyone ever think that an election would be allowed in South Vietnam that would change the government or change the policy of the present government? Anyone who believes in negotiating with the Vietcong to end the war is already guilty of a criminal act in South Vietnam. All the candidates in the election now underway have been screened by the government to make sure the policies they advocate bear the imprimatur of the Ky policies.

What kind of choice is that? There is no choice of policy at all in the South Vietnamese election, and the only contest allowed is one of personalities.

Apparently the junta is making certain no other personalities than those it has selected will be allowed to win.

The fact that American boys are dying in battle, and the American people are being asked to pay 10 percent more in taxes to keep this clique of corruptionists in control of South Vietnam will live in history as the most unfortunate and ill-advised of all American foreign adventures. It should be stopped. The American people have got to stop it. If they make their will known loudly enough, ways will be found in Washington to stop it, however much it may be protested now Hanoi does not want to do this or that.

THE FOREIGN ASSISTANCE ACT OF 1967—AMENDMENTS

AMENDMENTS NOS. 255 THROUGH 258

Mr. JAVITS, Mr. President, I send to the desk several amendments under the rule on the pending measure (S. 1872) and ask that they be printed in the RECORD as a part of my remarks. I wish to call attention to the fact that I have described the amendments in detail in the CONGRESSIONAL RECORD of Thursday, August 3, 1967.

The PRESIDING OFFICER. The amendments will be received and printed, and will lie on the table; and, without objection, the amendments will be printed in the RECORD.

The amendments are as follows:

AMENDMENT NO. 255

On page 41, strike out lines 11, 12, 13, and 14 (subsection (a) of section 104 of the bill).

Redesignate the succeeding subsections of section 104 of the bill accordingly.

AMENDMENT NO. 256

On page 41, between lines 10 and 11, insert a new subsection as follows:

"() Section 221 (b), which relates to general authority for investment guarantees, is amended in the proviso of paragraph 1 to strike out '\$7,000,000,000' and substitute '\$9,000,000,000'."

Redesignate the succeeding subsections of section 104 of the bill accordingly.

AMENDMENT NO. 257

On page 41, line 12, after "amended" insert "(1)".

On page 41, line 14, before the period insert

the following: "(2) by striking out '1969' and substituting '1971'".

AMENDMENT NO. 258

On page 41, line 12, after "amended" insert "(1)".

On page 41, line 14, before the period insert the following: "(2) by striking out '\$375,000,000' and '\$215,000,000' and substituting '\$575,000,000' and '\$415,000,000'".

VIETNAM ELECTIONS

Mr. LONG of Louisiana. Mr. President, there has been rather strong criticism expressed with regard to the campaigns for the coming elections in Vietnam, both in this Chamber and in the House of Representatives. It might be well for us to be hardheaded and realistic about it and realize this situation is what it is. I find, in some of the criticism I read, a notable lack of these qualities.

Vietnam is not a placid township in upper State New York, or a quiet county in Illinois, or a peaceful parish in Louisiana. It is not an old and established state with a long democratic tradition.

It is not, Mr. President, a humble puppet that will jump through the hoop at our bidding. Nor do I think we would want it to be.

Vietnam is a country at war.

It is a country that is trying desperately to lay the first foundation stones of a democratic system.

It is a country that is creating its own institutions in its own way.

It is groping for the right way to do things, the way that will satisfy most of its own people.

It is making mistakes. And it is going to make some more.

When it stops making mistakes, we can all go there and learn a few lessons.

What are the complaints of our learned colleagues who are not happy about the electoral process in Vietnam?

I can only gather that they are unhappy that full-fledged democracy has not suddenly been born in the troubled countryside of Vietnam.

They seem to expect the Vietnamese to do in a few months what we and others have been trying to do for nearly two centuries—not always with unblemished success.

They pay scant attention to the amazing fact that the Vietnamese people are having any elections at all.

They do not recognize the astonishing feat of the Vietnamese in writing a thoroughly democratic constitution in the midst of a vicious war.

They say nothing about the political vitality of a country that can produce 11 leading citizens to contend for the presidency—and 480 men and women who are ready to put their reputations, and even their lives—on the line to run for their new Senate of 60 members.

Finally, they ignore the fact that the Vietnamese Communists, recognizing the threat these elections represent to their purposes, have sworn to do all in their power to disrupt or prevent them.

What are the complaints some of our colleagues feel so deeply about?

First, they complain of an alleged statement by Prime Minister Ky that he would carry out a coup if the elections produced a government he did not like.

I have read reports of that statement, Mr. President, on page 1 of several newspapers.

A few days ago, I read his denial of the statement on page 11 of one newspaper. Another that carried the original allegation did not see fit to report his denial.

Prime Minister Ky said that any future government must work for the poor people of Vietnam, and that any government that fails to work on their behalf would surely be opposed by the people.

Speaking of himself and Chief of State Thieu, he said:

If we were elected this time and failed to carry out our plans for a social revolution, I'm sure that the people—including the armed forces—would ask us to go home.

Now, we may not appreciate that approach to the legitimacy of elected government. But it is no less inflammatory than some of the statements of Thomas Jefferson or John Adams when our Nation was being born.

I suspect his statement on a future government was more electioneering than cold hard threat. Because he knows perfectly well what the reaction would be here—in Vietnam and elsewhere—to a coup against an elected government.

Second, our friends complain that some generals, unnamed generals, to be sure, are plotting to rule South Vietnam whatever the election produces.

It may be true that a few generals have this notion in mind. But could they succeed against a government fairly and honestly elected? Would the Vietnamese people sit still for it? I doubt it. And I doubt that any Vietnamese who has shown the courage and the patriotism to seek high office in free elections would be willing to meekly accept any such arrangement.

Finally, the critics refer to the recent incident at Quang Tri when some presidential candidates were unable to meet with the voters as scheduled.

What was the "incident" at Quang Tri?

A government plane flew several candidates to the northern province for a scheduled joint campaign meeting. The meeting had been well publicized. Hundreds of people had gathered to hear the politicians speak.

The plane made a pass at the dirt runway. There was a vicious crosswind. The pilot judged that a landing was unsafe. So he flew to the nearest safe airport only 9 miles away.

I hesitate to think, Mr. President, what some of the critics would be saying today if he had gone ahead and tried to land and had cracked up, killing some or most of the candidates.

There was some confusion of the unplanned landing. A convoy was sent out from Quang Tri by the authorities to pick up the candidates. But they had decided to leave before it arrived. An offer of U.S. transportation by the base authorities was turned down.

Somewhere along the line, the candidates recognized a political issue when it stared them in the face. They knew this was something they could use to attack the government. And they used it.

Is it so strange, Mr. President? Is it unheard of? And is it something that American politicians must view with concern?

How many men in this Chamber have failed to keep a political date because a plane had engine trouble? Or an airport was socked in? I know that I have. And how many of us have complained when a local reception committee did not perform well?

If the Quang Tri incident is the best the critics can find to attack the Vietnamese elections, they are in bad shape. It is interesting, Mr. President, that the source of most of the criticism comes from newspaper reports from Saigon.

It is interesting because every development in this election campaign, however minor, is being reported in the most intimate detail. The largest press corps in the world is following every twist and turn—and sending it back for our information every day.

There is no censorship of those reports as there is in so many places in the world.

And just a few weeks ago, the Vietnamese Government lifted all censorship from its own press so that the statements and activities of all candidates would be freely and fully reported.

That, I suggest, is not a bad record for a young country—one unused to democratic practices—and one that is in the midst of a war for its very survival.

But that is not all.

The Government in Saigon formally requested the Secretary General of the United Nations on July 20 to send observers to Vietnam to watch the elections. That request, unfortunately, was turned down.

The Vietnamese have asked the large diplomatic corps to send its people anywhere in the country they like to observe the electoral process.

Are these the actions of a government that is determined to carry out elections by every illegal and unfair means? Is it the way a political machine works that is trying to steal an election?

If it is, it is the first in history.

We cannot claim that these elections will be the most honest and upright in all recorded history. But I have a strong feeling that they are going to be better, more honest, and certainly more carefully watched, than most of us have any right to expect.

Our only intervention in this process has been to stand up openly for honest and fair elections. We have stated our position publicly. Our Ambassador in Saigon has time and time again reinforced this position in his talks with Vietnamese leaders. Such interventions are best made quietly and directly, not by speeches and public statements.

Mr. President, the very fact that elections are being held before the eyes of the entire world is something of a miracle. It is also a mark of the progress that is being made in Vietnamese life.

It is just this kind of progress that we have hoped for, prayed for, and fought for. It is the kind of progress we should now welcome with open arms and happy hearts.

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 14, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Let us not be weary in well-doing; for in due season we shall reap, if we faint not.—Ephesians 6: 9.

Almighty and everlasting God, Creator of the world and the Comforter of the human spirit, we commend unto Thy gracious care the citizens of our beloved country. Especially do we pray for our President—that health and strength and wisdom may be his as he endeavors to lead our people in these troubled and trying times.

Upon our Speaker may there rest the rich blessing of Thy grace and the wise guidance of Thy spirit. To these Representatives, their staffs, and coworkers, may there come anew a realization of Thy presence as they bow at the altar of prayer and dedicate themselves to Thee and to the welfare of our people. Increase their faith, deepen their devotion, and enlarge their vision that they may continue to labor for the greater good of our country. May they never grow weary in well-doing. In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, August 10, 1967, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

H.R. 1517. An act for the relief of Mrs. Matteo Groppo;

H.R. 1564. An act for the relief of Antonina Rondinelli Asci;

H.R. 1724. An act for the relief of Hwang Duk Hwa;

H.R. 1818. An act for the relief of Marina Panagiotis Restos; and

H.R. 3221. An act for the relief of Dr. Alexander D. Cross.

On August 11, 1967:

H.R. 1566. An act to provide for the free entry of a four octave carillon for the use of the Northfield and Mount Hermon Schools, East Northfield, Mass.;

H.R. 1886. An act to provide for the free entry of certain articles for the use of Princeton University, Princeton, N.J.;

H.R. 2532. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Ottawa Tribe of Oklahoma in docket No. 303 of the Indian Claims Commission, and for other purposes;

H.R. 3029. An act to provide for the free entry of one ship model for the use of the Lutheran Church of the Covenant, Maple Heights, Ohio;

H.R. 3631. An act to provide for the dedication of certain streets on the Agua Caliente Indian Reservation and to convey title to certain platted streets, alleys, and strips of lands;

H.R. 3737. An act to provide for the free entry of a carillon for the use of the University of California at Riverside;

H.R. 4934. An act to provide for the free entry of one mass spectrometer for the use of Indiana University; and

H.R. 4977. An act to provide for the free entry of a triaxial apparatus and rheogoniometer for the use of Northwestern University.

On August 13, 1967:

H.R. 8485. An act for the relief of Eddie Garman.

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. 1155. An act to amend the Export-Import Bank Act of 1945, as amended, to change the name of the Bank, to extend for 5 years the period within which the Bank is authorized to exercise its functions, to increase the Bank's lending authority and its authority to issue, against fractional reserves, export credit insurance and guarantees, to restrict the financing by the Bank of certain transactions, and for other purposes.

APPOINTMENT OF CONFEREES ON DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE AND RELATED AGENCIES APPROPRIATIONS, 1968

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 10196) making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies for the fiscal year ending June 30, 1968, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

The Chair hears none, and appoints the following conferees: Messrs. FLOOD, NATCHER, SMITH of Iowa, HULL, CASEY, MAHON, LAIRD, SHRIVER, MICHEL, and BOW.

APPOINTMENT OF CONFEREES ON DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1968

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table 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, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

The Chair hears none, and appoints the following conferees: Messrs. WHITTEN, NATCHER, HULL, MORRIS of New Mexico, SHIPLEY, MAHON, MICHEL, LANGEN, HARRISON, and BOW.

Mr. President, I requested and obtained from the Secretary of State a communication from the Vietnamese Ambassador in Washington, stating that the people of Vietnam are doing everything within their power to conduct an honest election, with all the observers that the United Nations, this Nation, or any other friendly nations cares to send as to the propriety and correctness of the democratic process in action. I ask unanimous consent to have this letter printed in the RECORD.

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

EMBASSY OF VIET NAM,

Washington, D.C., August 11, 1967.

HON. DEAN RUSK,
Secretary of State,
Washington, D.C.

DEAR MR. SECRETARY: The people of Viet-Nam are in the process of choosing their representative leaders. We intend that the electoral processes in Viet-Nam be free and are anxious that they be open to scrutiny by all. To this end my Government has announced its desire to welcome observers from all friendly governments, including parliamentary delegations.

My Government is most anxious that this invitation be brought to the attention of the Congress of the United States. We would welcome, and be honored to receive any observer delegation which the Congress would be prepared to send, and would provide that delegation with every possible facility.

I would be most grateful if you would bring the contents of this letter to the attention of the leadership of the Congress.

Respectfully,

BUI DIEM.

ADJOURNMENT UNTIL MONDAY

Mr. LONG of Louisiana. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 12 o'clock noon on Monday.

The motion was agreed to; and (at 6 o'clock and 28 minutes p.m.) the Senate adjourned until Monday, August 14, 1967, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 11, 1967:

DEPARTMENT OF COMMERCE

Lawrence C. McQuade, of Arizona, to be an Assistant Secretary of Commerce.

FEDERAL COMMUNICATIONS COMMISSION

Robert E. Lee, of the District of Columbia, to be a member of the Federal Communications Commission for a term of 7 years from July 1, 1967.

NATIONAL HIGHWAY SAFETY BUREAU

William Haddon, Jr., of New York, to be Director of the National Highway Safety Bureau.

DEPARTMENT OF STATE

Leonard Unger, of Maryland, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Thailand.

Sheldon B. Vance, of Minnesota, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Chad.