security or less, and whether they are warranted in terms of lost opportunities for development and cooperation.

We believe, and we should try to convince others, that real security can better be achieved by weaving such a strong pattern of economic inter-relationships between the countries of the Maghreb that war between them would be unthinkable.

There are other, and very significant difficulties to rapid regional economic development.

First, alongside the unity of peoples there is great political diversity. Morocco is a traditional hereditary kingdom; Algeria a new republic struggling to define its permanent institutions; Tunisia perhaps the most successful practitioner of the one-party state in Africa; and Libya a new constitutional monarchy. These differences can only be explained in terms of historical accidents, but they do inhibit somewhat the closeness of ties required.

Secondly, there is the operation of Malthus' science. We do not have really accurate statistics, but the annual rate of population growth in north Africa is certainly well over two and a half percent.

More than half the Algerian population is under twenty years of age. There is a simple way to judge whether a developing country is winning or losing its race against poverty: by comparing birth rates and growth of GNP on a chart. By this test, the countries of North Africa—with the exception of Libya—are probably losing the race. There is still time to win, but very little leeway for mistakes.

In recent days, our aid policies abroad have come under increasing public criticism. Criticism can be stimulating and constructive, but it can also intimidate and prevent us from doing what we should in our own self-interest.

There are four good reasons why foreign aid is important to the United States in its own self-interest.

First, foreign aid is basic to our security. As Secretary McNamara said recently, most of the major outbreaks of violence since World War II have taken place in the less developed countries. Without foreign aid, many countries undoubtedly would have been subverted or overrun in the past two decades. Without aid, we would surely be living in a less stable and more threatening world. Unless we are willing to retreat to fortess America and a new and costly maginot line, we must make sacrifices to create the sort of world order in which we can live at peace.

Secondly, using the standard of crass economic self-interest, aid stimulates trade. In the long run, foreign aid will substantially help our balance of payments. As countries we are now assisting grow stronger, they will provide new and growing markets for U.S. business. An increasing flow of dollars to the United States will result from loan repayments. Even today, the net impact on the U.S. balance of payments of aid offshore expenditures in fiscal year 1967 was estimated to be only $217 million.

Thirdly, aid is not a bottomless pit. Since 1948, economic assistance has ended in nineteen countries. Twelve of these countries now conduct aid programs of their own. In 1948, the U.S. was the only country strong enough economically to supply foreign assistance; today seventeen free world countries share the burden, and some, such as France, devote a larger part of their GNP to foreign aid than we do.

Finally, as President Johnson said recently, "we extend assistance to nations because it is in the highest traditions of our heritage and humanity." Pope John, in *Mater et Magistra*, put it this way: ". . . today, men are so intimately associated in all parts of the world that they feel, as it were, members of one and the same household. Therefore, the nations that enjoy a sufficiency and abundance of everything may not overlook the plight of other nations whose citizens experience such domestic problems that they are all but overcome by poverty and hunger, and are not able to enjoy basic human rights. . ." Let me add only that all the religions of the Western World, including Islam, levy this obligation for the rich to help the poor.

There is another side to this coin. Just as the countries of North Africa ought to combine their resources through regional cooperation and planning, so should the developed countries of the world make a greater effort to coordinate their aid efforts. Let me describe briefly one direction this might take.

One of the difficulties faced by all less developed countries is fluctuating price and demand for their raw materials. Boom or bust economics is anarchronistic in a world crying out for social justice and a higher standard of living. I personally believe that the United States, in conjunction with other industrial powers, should take the lead in calling a conference to discuss international action to establish stability of prices for the primary products of the developing countries. The latter are unable to engage in long-range economic planning unless they have some idea of what their cocoa, coffee or oil will bring on the world market five and ten years hence. International stabilization funds could be set up for many of these products.

We could also consider ways of making certain that the less developed countries enjoy a greater share of the multiplier effect of their trade. Today, few of them share in the benefits of such related economic activities as processing of raw materials, shipping and insurance.

Business cooperation with the countries of the Maghreb would seem to me potentially almost unlimited. There are resources, skilled manpower trained in European factories—and a desire on the part of the governments to enter into cooperative arrangements with U.S. firms. Within the past six months, three American firms have concluded partnership arrangements with the Algerian government. In Tunisia, American firms have been active in such widely operated fields as private housing, tire manufacturing, sewing machines and hotels. In Lybia we have massive investments in the fields of gas and oil. The existence of foreign capital investment in Morocco is long-standing and private business is involved in a number of factories, hotels and other enterprises.

The remaining possibilities are almost legend. North Africa should be a much larger market for American farm machinery than it is now, and the possibilities in petrochemicals, oil and gas, plastics, tourism and food processing are unlimited.

The result of this type of assistance and investment in the Maghreb would be more orderly economic growth, better government planning, greater purchasing power and eventually a higher level of commodity purchases from the United States and other developed nations.

It seems to me that assisting countries such as the four new nations of North Africa is a challenging and important task. Everywhere I went in North Africa I found an enormous reservoir of good will towards the United States. I would not like to see that good will dissipated by our lack of imaginative understanding, and concrete sympathy.

North Africa today stands at a crossroads. It can take the path of regional cooperation and development, or it can intensify tendencies toward narrow nationalism with its emphasis on armament.

The tiniest spark can then set-off a conflagration, with big power involvement.

It may take a substantial commitment of economic and technical assistance to promote the development of regional economic ties, but the price is small when one considers the possibility of failure.

Dr. Henry Steele Commager, one of the most perceptive historians of our era, once described the phenomenon and contradictions of emerging nationalism in the following terms:

"Without too much distortion of history," he said, "we can trace two fairly clear patterns in the history of modern nationalism; the malignant and the benign. The first has tended always to emphasize the local, the parochial, the private, the selfish, the things that separate men from each other. It has commonly taken the form of chauvanism, militarism and territorial imperialism. . . . The other pattern has been in whole benevolent. It has preferred the agencies of peace to the instruments of war, has celebrated the common inheritance of man rather than the things that divide man, has connected itself with freedom and equality and popular enlightenment and morality." North Africa furnishes us now with a fateful test of nationalism.

Because of your substantial economic power, all of you here this afternoon can have an influence on whether the choice in this area of the world is for the malignant or the benign version—whether private enterprise is to flourish in this region or wither and die under the impact of restrictive local governmental regulations.

North Africa's journey is important, for it serves not only as a testing ground, but as an example for emerging nations throughout the world.

Progress—real progress—toward Maghreb unity and cooperation can, and will, have an impact elsewhere, and could be the spark for progress everywhere.

SENATE

TUESDAY, FEBRUARY 7, 1967

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

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

We bow before Thee, O God, in recognition of the creative power of nature as we see it today. The elements have, overnight, changed the scenery of this Capital City.

The snow brings beauty, danger, and the necessity of adjustment. It teaches us of these basic realities of living.

At this session of the U.S. Senate, we are aware that we have freedom to pray and come into better harmony with the universe and life. These important leaders lead a world that must find beauty in danger and adjustment. Give to them a vision of ways of peace for future days. Be with them in their proceedings. Guide the President and all leaders. May they have the security of faith, hope, and love within, the basic foundations for living.

We pray in the Master's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, February 6, 1967, was dispensed with.

MESSAGES FROM THE PRESIDENT

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

COMMITTEE MEETINGS DURING SENATE SESSION

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

The Committee on Aeronautical and Space Sciences.

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

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

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

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

EXECUTIVE MESSAGE REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting a nomination, which was referred to the Committee on Commerce.

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

PETITION

The VICE PRESIDENT laid before the Senate a joint resolution of the Legislature of the State of Montana, which was referred to the Committee on Public Works, as follows:

JOINT RESOLUTION 2

A joint resolution of the Senate and House of Representatives of the State of Montana to the President of the United States, the Honorable Lyndon B. Johnson; to the Speaker of the House and the President of the Senate; to the Clerk of the House of Representatives and the Secretary of the Senate; to the Committee on Appropriations of the United States Senate; to the Committee on Appropriations of the House of Representatives; to the Committee on Public Works of the House of Representatives; to the Honorable MIKE MANSFIELD and the Honorable LEE METCALF, Senators from the State of Montana; to the Honorable ARNOLD H. OLSEN, and the Honorable JAMES BATTIN, Representatives from the State of Montana; to the Honarable Charles L. Schultze, Director, Bureau of the Budget; to the Honarable Stephen Ailes, Secretary of the Army; to the Honorable Lt. Gen. W. K. Wilson, Jr., Chief of Engineers, Army Corps of Engineers; requesting a review and redefinition of the present land acquisition policy in the Libby Dam area

Whereas the Kootenai country of Montana was settled by pioneers who by their toil and sacrifice tamed a wild land and left a heritage of work and dignity to the present occupants of the land, and

Whereas over a period of years the inhabitants of the land have formed deep and meaningful attachments to their land, their homes, and to the grave sites of their loved ones, and these attachments should not be torn and destroyed lightly or without good cause, and

Whereas the people of Montana are fully cognizant of the benefits to be gained from water development projects like Libby Dam, and

Whereas the original plan was to provide a three hundred foot wide access strip above the water level of Libby reservoir for recreation but now far more land is being condemned needlessly and at unwarranted expense to the taxpayer, and

Whereas under the present appraisal system, prices being offered for this land are so low and unrealistic that the land owner has no possibility of being able to provide like accomodations for himself and his family without economic suffering; and that this appraisal policy sorely offends the spirit of the constitutional proscription against taking of private property for public use without just compensation, and

Whereas the federal government already possesses more than eighty percent of the land area of Lincoln county and any additional taking of land for federal purposes would be detrimental to the prosperity and development of this area, and

Whereas under the present lease policy of the United States Forest Service, no provision is made for giving present occupants of the land a priority to retain their home sites, and this practice is unduly restrictive and unfair to long-time residents of the area: Now, therefore, be it

Resolved by the Senate and House of Representatives of the State of Montana, That the present land acquisition policy in the Libby Dam area be reviewed by appropriate personnel and that no land in addition to the three hundred foot access strip be taken for recreation; be it further

Resolved That the appraisal policy now being carried out, be reviewed and redirected in such a manner that no land owner will suffer economic hardship as a result of having his land taken for purposes affiliated with Libby Dam; be it further

Resolved, That the policy of the United States Forest Service be altered to provide present holders of land and home sites a preference in leasing land on a fair and equitable basis; be it further

Resolved, That the Secretary of State is instructed to send copies of this resolution to all persons to whom it is addressed.

Attest:

JAMES J. PASME,
Secretary of the Senate.
TED JAMES,
President of the Senate.
JAMES R. FELT,
Speaker of the House.

BILLS AND A 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. KUCHEL:

S. 861. A bill to authorize the construction, operation, and maintenance of the Colorado River Basin project, and for other purposes; to the Committee on Interior and Insular Affairs.

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

(NOTE.—The above bill was ordered to be held at the desk until February 13, 1967, for additional cosponsors.)

By Mr. JACKSON (by request):

S. 862. A bill to amend the Small Reclamation Projects Act of 1956, as amended; to the Committee on Interior and Insular Affairs.

By Mr. HILL:

S. 863. A bill for the relief of Dr. Cesar Abad Lugones; to the Committee on the Judiciary.

By Mr. BREWSTER:

S. 864. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Finance.

By Mr. WILLIAMS of New Jersey:

S. 865. A bill for the relief of Pablo Diaz-Cobo;

S. 866. A bill for the relief of Giuseppe Pacino Biancarosso;

S. 867. A bill for the relief of Dr. Anthony N. Manoli;

S. 868. A bill for the relief of Svetko Grdovic;

S. 869. A bill for the relief of Micaela Misiego-Llagostera;

S. 870. A bill for the relief of Arturo Isidoro Bernardo;

S. 871. A bill for the relief of Adelina Marcelo Miranda Gapac;

S. 872. A bill for the relief of Francisco Renigio Fabre Solino (Frank R. S. Fabre);

S. 873. A bill for the relief of George Zaharias;

S. 874. A bill for the relief of Alberto, Lucia, and Mario Apuzzo; and

S. 875. A bill for the relief of Christodoulos Anagnoston; to the Committee on the Judiciary.

By Mr. GRUENING (for himself and Mr. BARTLETT):

S. 876. A bill relating to Federal support of education of Indian students in sectarian institutions of higher education; to the Committee on Interior and Insular Affairs.

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

(NOTE.—The above bill was ordered to be held at the desk until Feb. 17, 1967, for additional cosponsors.)

By Mr. SPARKMAN (for himself, Mr. HART, Mr. BARTLETT, Mr. BIBLE, Mr. DODD, Mr. HARTKE, Mr. HILL, Mr. LONG of Louisiana, Mr. MONDALE, Mr. MONTOYA, Mr. MORSE, Mr. MOSS, Mr. NELSON, Mr. RANDOLPH, and Mr. YARBOROUGH):

S. 877. A bill to amend the Clayton Act by making section 3 of the Robinson-Patman Act, with amendments, a part of the Clayton Act, in order to provide for governmental and private civil proceedings for violations of section 3 of the Robinson-Patman Act; to the Committee on the Judiciary.

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

(NOTE.—The above bill was ordered to be held at the desk until Feb. 21, 1967, for additional cosponsors.)

By Mr. McCLELLAN (by request):

S. 878. A bill to amend section 201(c) of the Federal Property and Administrative Services Act of 1949 to permit further Federal use and donation of exchange sale property; to the Committee on Government Operations.

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

By Mr. BARTLETT:

S. 879. A bill to amend section 6409(b)(1) of title 39, United States Code, which relates to transportation compensation paid by the Postmaster General; to the Committee on Post Office and Civil Service.

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

By Mr. JACKSON:

S. 880. A bill for the relief of Miloye M. Sokitch; to the Committee on the Judiciary.

By Mr. TALMADGE:

S. 881. A bill for the relief of Eugene M. Edward; to the Committee on the Judiciary.

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

S. 882. A bill to provide for the free entry of a triaxial apparatus and rheogoniometer for the use of Northwestern University; to the Committee on Finance.

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

S. 883. A bill to permit a compact or agreement between the several States, for the uniform treatment of certain matters related to taxation; to the Committee on the Judiciary.

By Mr. ALLOTT (for himself, Mr. ANDERSON, Mr. BENNETT, Mr. DOMINICK, Mr. Moss, and Mr. MCGEE):

S. 884. A bill to authorize the appropriation of the receipts of the Colorado River development fund for the purpose of making allowances to the Hoover Dam powerplant for deficiencies in firm energy generation; to the Committee on Interior and Insular Affairs.

By Mr. ALLOTT (for himself, Mr. BENNETT, Mr. CURTIS, Mr. DOMINICK, Mr. FANNIN, Mr. JORDAN of Idaho, Mr. MUNDT, Mr. TOWER, and Mr. HRUSKA):

S. 885. A bill to amend the Internal Revenue Code of 1954 to allow a farmer a deduction from gross income for water assessments levied by irrigation ditch companies; to the Committee on Finance.

By Mr. MOSS:

S. 886. A bill to redesignate the Department of the Interior as the Department of Natural Resources and to transfer certain agencies to and from such Department; to the Committee on Government Operations.

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

(NOTE.—The above bill was ordered to be held at the desk until February 21, 1967, for additional cosponsors.)

By Mr. LONG of Louisiana:

S. 887. A bill to prevent Federal regulatory agencies from directly or indirectly denying regulated industries the right to exercise business judgment in selecting their method of depreciation or to account for depreciation on a deferred tax accounting basis; to the Committee on Finance.

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

By Mr. HOLLAND (for himself, Mr. SMATHERS, Mr. MANSFIELD, Mr. DIRKSEN, Mr. HOLLINGS, and Mr. BYRD of West Virginia):

S.J. Res. 30. Joint resolution to establish a commission to formulate plans for a memorial to astronauts who lose their lives in line of duty in the U.S. space program; to the Committee on Aeronautical and Space Sciences.

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

(NOTE.—The above joint resolution was ordered to be held at the desk until February 16, 1967, for additional cosponsors.)

COLORADO RIVER BASIN PROJECT

Mr. KUCHEL. Mr. President, I send to the desk for appropriate reference a bill to authorize the Colorado River Basin project.

I come from a dry land. In the next 25 years the population of California will double, reaching 40 million, and our present and planned supplies of water will be exhausted. In a simple world, California's water planners could, perhaps, concentrate on solving California problems, ignoring the plight of its sister States.

But rain clouds do not stop at State boundaries; rivers and streams are no respecters of imaginary geographic lines; and drought transcends man-made political subdivisions to reach out and endanger vast regions.

Those of us in the Colorado River Basin face a water crisis of unimaginable magnitude in just three decades, and narrow sectional efforts to solve only the problems of one's own State will leave the entire basin parched and crippled by the beginning of the next century.

Those of us who represent the States of the Colorado River Basin must work together to meet our shortages, for the impact of these shortages will not fall upon individual States but upon the entire region, and, indeed, indirectly upon the entire Nation.

In the last Congress I introduced S. 1019, a bill to authorize the Lower Colorado River Basin plan. The House Committee on Interior and Insular Affairs conducted extensive hearings on a companion measure, H.R. 4671, which was eventually reported favorably by that committee. When the water history of the West is written, H.R. 4671 will be remembered as a major landmark. Representatives of the seven Colorado River Basin States argued, negotiated, compromised, and finally agreed upon an approach, embodied in that bill, which sought to benefit the entire West.

Today I have introduced a bill which incorporates all of the essential elements of H.R. 4671, and which I hope will provide the basis for a new round of regional discussions out of which we might finally find assurance of adequate water for the generations which will follow us.

Before deciding to introduce this bill, I discussed its content, and the need for regional cooperation, with my colleagues in the House of Representatives. I consulted Congressman ASPINALL, of Colorado, chairman of the House Committee on Interior and Insular Affairs; Congressman JOHNSON of California, chairman of that committee's Subcommittee on Irrigation and Reclamation; and Congressman HOSMER, of California, ranking minority member of that subcommittee. Although they had already introduced bills which differ in some minor respects from mine, we are all in complete agreement on the crucial aspects of this legislation. With that unanimity as a solid base, I believe we can pass Colorado River legislation in this Congress.

What is the sine qua non of regional understanding? It is an appreciation of the fact that the entire Colorado River Basin is water short. We do not have enough water in the river basin to support the existing, much less the predicted, population and economy.

Recognizing that shortage, the danger of sectionalism becomes apparent. If the central Arizona project is built without provisions to augment the water supply in the river, Arizona must fight upper basin development tooth and nail to assure that the upper basin's portion of the scarce waters flow to the lower basin unused.

Building the central Arizona project without adequate protection for existing uses in California, Arizona, and Nevada will, in years of scarcity—which are the rule, rather than the exception—merely take water off the table in Los Angeles to put it on the table in Phoenix, and dry up the fertile farms of California's Coachella Valley so that Tucson might thrive.

Building the central Arizona project without a lower basin development fund to finance augmentation of the river's flow is a death sentence to economic growth in the lower basin, for, if the upper basin is allowed to use its water, the rich farmlands of the central Arizona project area will literally dry up and blow away for lack of water within 50 or 60 years.

I favor construction of the central Arizona project and have included it in my bill, but it should only be built as a part of a comprehensive plan for regional development.

If we should at any point waiver from the path of basinwide cooperation and be tempted to put our narrow sectional interest above the needs of the region, or of the Nation, then we should be reminded of the words of Secretary Udall:

The other point, however, that I want to stress because I want to make a record here today for the benefit of the Congressmen from the Northwest and for everyone concerned, is one of the things that we take great satisfaction in, that we have achieved in the last year, that is to bring Arizona and California together. I think this department, and whoever is Secretary in the future, must work to bring the Northwest and the Southwest and the States of the Colorado River Basin together on a common plan. If a Secretary or a Commissioner becomes a champion of one region, I think this is the way to insure failure of any plan. I think you have to have an approach whereby you look at what is best for both regions and you tailor your planning accordingly. Unless you approach it in that fashion I think you are headed for disaster and controversy.

Mr. President, the Colorado River Board of California was advised of my intention to introduce this legislation by telegram on January 31, 1967, and responded the next day with its endorsement of my proposed legislation. I ask unanimous consent that the exchange of telegrams be printed in the RECORD at this point.

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

JANUARY 31, 1967.

RAYMOND RUMMONDS,
Chairman, Colorado River Board of California, Los Angeles, Calif.:

After consultation with Chairman Aspinall of House Committee on Interior and Insular Affairs, Chairman Johnson of that Committee's Irrigation and Reclamation Subcommittee, Congressman Hosmer, ranking minority member of that Subcommittee, and Northcutt Ely, Counsel for the Colorado River Board and Special Assistant Attorney General, I have determined to introduce a Colorado River bill in the Senate soon.

I am delighted that Chairman Aspinall and Subcommittee Chairman Johnson have introduced identical Colorado River bills, H.R. 3300 and H.R. 744 respectively. Their bills include, and my new bill will include, the same language protecting 4.4 million acre feet of existing uses in California. All of us would authorize construction of the Central Arizona Project, subject to that priority, until works to import 2.5 million acre feet

have been constructed. A development fund will be created, financed by Hoover, Davis, Parker and Bridge Canyon revenues. The several upper basin projects included in last year's H.R. 4671, and in Congressman Aspinall's bill, will be included in my legislation.

The three bills eliminate Marble Canyon Dam. As a consequence of the loss of revenue from Marble, I propose to return to the Bureau of Reclamation's proposal that the Central Arizona aqueduct have a capacity of 1,800 C.F.S. unless Arizona bears the cost of capacity in excess of that. I intend, however, to keep the language of H.R. 4671 conditionally authorizing a feasibility study of importations if the Secretary's reconnaissance report is favorable. I also intend to add a permanent prohibition of Federal Power Commission licenses on Marble and Bridge Canyon dams.

The Senate Committee on Interior and Insular Affairs ordered Senator Jackson's National Water Commission bill, S. 20, with 54 cosponsors, reported on January 27. I will not duplicate this authorization in my bill, but will retain the Commission's supervision over the Secretary's investigations.

I will make a few clarifying changes elsewhere. Otherwise my bill and the Aspinall/Johnson bills will be substantially identical, just as their's preserve the basic principles of my bill, S. 1019, which initiated the Colorado River legislation in the last Congress, and H.R. 4671, as reported out by the House Interior Committee last year and reintroduced as H.R. 722 by my colleague, Congressman Hosmer, this year.

I hope to obtain cosponsorship of my bill. It is essential to preserve the regional approach to solution of the basin's water problems.

I have asked Mr. Ely to discuss this in detail with you at your February 1, 1967, meeting.

THOMAS H. KUCHEL,
U.S. Senator.

LOS ANGELES, CALIF., *February 1, 1967.*
Hon. THOMAS H. KUCHEL,
U.S. Senate,
Washington, D.C.:

With regard to your telegram of January 31, 1967, the Colorado River Board endorses the introduction of legislation along the lines you propose, as such action would be consistent with our resolution of January 4, 1967, which reads in part as follows: "The Colorado River Board of California reaffirms its statement of position adopted on August 3, 1966, and recommends the introduction of proposed legislation in the 90th session of the Congress in the form of HR 4671, the Colorado River Basin project bill, reported favorably by the House Interior and Insular Affairs Committee on August 11, 1966." The board recognizes that the text of the bill as introduced may be subject to modification as the result of further negotiation, provided, however, that it must retain language to protect existing uses in Arizona and Nevada and those in California up to the quantity of 4.4 million acre feet annually.

RAYMOND R. RUMMONDS,
Chairman and Colorado River Commissioner.

Mr. KUCHEL. Mr. President, I have had prepared a summary of the various Colorado River bills before Congress, demonstrating the contrast among them, and I ask unanimous consent that the summary be printed in the RECORD at this point.

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

BASIC PROVISIONS OF COLORADO RIVER BILLS

The basic bill of the 89th Congress was H.R. 4761, as reported by the House Committee on Interior and Insular Affairs on August 11, 1966. H.R. 4671 was a modification of a seven state bill, S. 1019, authored by Senator Kuchel.

H.R. 4671 (89TH CONG.)

Title I. The purpose of the bill was to relieve the water shortages in the entire Colorado River Basin and the Southwest, including parts of Texas and Kansas.

Title II. A National Water Commission was to be formed. Under the direction of the Commission, the Secretary of the Interior was to investigate long-range water supply and demand in the West. The study was to include the planning of the first stage of works to imports 2.5 to 8.5 million acre feet into the Colorado River Basin annually. Safeguards for the areas of origin, such as perpetual priorities and financial assistance in replacing exported water, were provided. The Secretary was to complete his reconnaissance report by December 31, 1969. If this report was favorable, the Secretary was to proceed to prepare a feasibility report without further authorization by Congress, to be submitted to Congress by June 30, 1972. Both the reconnaissance and the feasibility reports were to be submitted to the states for comment prior to submission to Congress.

Title III. This title authorized the construction of dams and power plants at Bridge Canyon and at Marble Canyon. Also authorized was the Central Arizona Project. The Central Arizona Aqueduct was authorized at a capacity of 2,500 cubic feet per second, unless Arizona bore the cost of additional capacity. If less than 7.5 million acre feet were available to Arizona, California and Nevada in any year, existing projects were to have priority and the Central Arizona Project was to bear the shortages until the completion of works to import 2.5 million acre feet annually. Such importation would offset the Mexican Treaty burden and one million acre feet of evaporation losses. California's existing uses were protected only to the extent of 4.4 million acre feet annually. Benefits to the Hualapai Indians were provided. A compromise between Arizona and New Mexico on the Gila River was detailed. The Dixie Project in Utah, and the Southern Nevada Project were to be integrated into this Act and were to share in the benefits of the development fund provided.

Title IV. A development fund was created to be fed by revenues from the Bridge and Marble Canyon Dams, as well as from the Hoover, Davis and Parker Dams. Funds are made available to subsidize the Central Arizona Project, to reduce the cost of imported water, and to assist the areas of origin. The costs of importations allocable to the Mexican Water Treaty were non-reimbursable. Annual payments of $300,000 to Arizona and Nevada in lieu of taxes were to continue indefinitely, instead of terminating in 1987 as provided by existing law.

Title V. Provision was made for five projects in Colorado. The Upper Colorado Basin Fund to be reimbursed from new development fund created for payments to Hoover power contractors necessitated by the filling of Lake Powell.

Title VI. Criteria were laid down for the conjunctive operation of Lake Powell and Lake Mead. The dispute between the Upper Basin and the Lower Basin concerning the accumulation of storage in Lake Powell and the releases to Lake Mead was compromised. Both basins are released from the burden of the Mexican Water Treaty when works to import 2.5 million acre feet annually are completed. The Secretary of the Interior was required to comply with the "Law of the River." The United States consented to joinder in suits by states in the Supreme Court brought to enforce such compliance.

H.R. 722 (90TH CONG.)

This bill, identical to H.R. 4671, is sponsored by Congressman Hosmer.

H.R. 9 (90TH CONG.)

Sponsored by Congressman Udall, this bill deletes the protection for existing uses, the authorization for the Upper Basin projects, and the repayments to the Upper Basin fund, all provided by H.R. 4671.

H.R. 3300 AND H.R. 744 (90TH CONG.)

H.R. 3300, sponsored by Congressman Aspinall, and H.R. 744, sponsored by Congressman Johnson, are identical. These bills change H.R. 4671 by (1) deleting the Secretary's conditional authority to make a feasibility report, (2) deleting Marble Canyon Dam, (3) deleting payments to Arizona and Nevada in lieu of taxes after the present date of termination—1987, (4) authorizing the La Plata-Animas interstate compact, and (5) rewriting Title VI regarding the operations of Lakes Powell and Mead. The height of Bridge Canyon Dam was left at 1,866 feet. The bills also delete references to Texas and Kansas.

S. 861 (90TH CONG.)

This is the instant bill introduced by Senator Kuchel. This bill differs from the Aspinall-Johnson bills, H.R. 3300 and H.R. 744 above, in that it (1) deletes the authorization establishing the National Water Commission (S. 20, the legislation to create such a Commission, passed the Senate February 6, 1967); (2) restores the Secretary of the Interior's authorization to make a feasibility report on the importation projects if his reconnaissance report is favorable; (3) requires Arizona to pay for any capacity of the Central Arizona Aqueduct above 1,800 cubic feet per second; (4) restores provision for payments to Arizona and Nevada in lieu of taxes after 1987; (5) deletes language directing the Secretary not to encroach upon Compact apportionments, since, unless substantial quantities are imported, the Secretary cannot supply Compact apportionments while obeying other mandates of the bill, *e.g.*, to fulfill the Compact's, III(c) and III(d) obligations; (6) prohibits Federal Power Commission licensing of facilities between Glen Canyon Dam and Lake Mead.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD, and that the bill lie at the desk until the close of business on next Monday, February 13, in the hope that it may attract cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and without objection, the bill will be printed in the RECORD, and held at the desk, as requested by the Senator from California.

The bill (S. 861) to authorize the construction, operation, and maintenance of the Colorado River Basin project, and for other purposes, introduced by Mr. KUCHEL, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 861

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—COLORADO RIVER BASIN PROJECT: OBJECTIVES

SEC. 101. That this Act may be cited as the "Colorado River Basin Project Act".

SEC. 102. The Congress recognizes that the present and growing water shortages in the Colorado River Basin constitute urgent problems of national concern, and accordingly authorizes and directs the National Water Commission and the Water Resources Council, established by the Water Resources Planning Act (Public Law 89-80), to give highest

priority in the preparation of a plan and program for the relief of such shortages, in consultation with the States and Federal entities affected, as provided in this Act. This program is declared to be for the purposes, among others, of regulating the flow of the Colorado River; controlling floods; improving navigation; providing for the storage and delivery of the waters of the Colorado River for reclamation of lands, including supplemental water supplies, for municipal, industrial, and other beneficial purposes; improving water quality; providing for basic public outdoor recreation facilities; improving conditions for fish and wildlife; and the generation and sale of hydroelectric power as an incident of the foregoing purposes.

TITLE II—SOUTHWEST INVESTIGATIONS AND PLANNING

SEC. 201. (a) The Council, in consultation with the Commission, acting in accordance with the procedure prescribed in section 103 of the Water Resources Planning Act, shall within one hundred and twenty days following the effective date of this Act establish principles, standards, and procedures for the program of investigations and submittal of plans and reports authorized by this section and section 203. The Secretary of the Interior (hereinafter referred to as the "Secretary"), under the direction of the Commission, in conformity with the principles, standards, and procedures so established, is authorized and directed to—

(1) prepare estimates of the long-range water supply available for consumptive use in the Colorado River Basin, of current water requirements therein, and of the rate of growth of water requirements therein to at least the year 2030;

(2) investigate sources and means of supplying water to meet the current and anticipated water requirements of the Colorado River Basin, including reductions in losses, importations from sources outside the natural drainage basin of the Colorado River system, desalination, weather modification, and other means;

(3) investigate projects within the lower basin of the Colorado River, including projects on tributaries of the Colorado River, where undeveloped water supplies are available or can be made available by replacement or exchange;

(4) undertake investigations, in cooperation with other concerned agencies, of the feasibility of proposed development plans in maintaining an adequate water quality throughout the Colorado River Basin;

(5) investigate means of providing for prudent water conservation practices to permit maximum beneficial utilization of available water supplies in the Colorado River Basin;

(6) investigate and prepare estimates of the long-range water supply in States and areas from which water may be imported into the Colorado River system, together with estimates of the probable ultimate requirements for water within those States and areas of origin, for all purposes, including, but not limited to, consumptive use, navigation, river regulation, power, enhancement of fishery resources, pollution control, and disposal of wastes to the ocean, and estimates of the quantities of water, if any, that will be available in excess of such requirements in the States and areas of origin for exportation to the Colorado River system; and

(7) investigate current and anticipated water requirements of areas outside the natural drainage areas of the Colorado River system which feasibly can be served from importation facilities en route to the Colorado River system.

(b) The Secretary is authorized and directed to prepare reconnaissance reports of a staged plan or plans for projects adequate, in its judgment, to meet the requirements reported under subsection (a) of this section, in conformity with section 202.

(c) The plan for the first stage of works to meet the future requirements of the areas of deficiency and surplus as determined from studies performed pursuant to this section shall include, but not be limited to, import works necessary to provide two million five hundred thousand acre-feet annually for use from the main stream of the Colorado River below Lee Ferry, including satisfaction of the obligations of the Mexican Water Treaty and losses of water associated with the performance of that treaty. Plans for import works for the first stage may also include facilities to provide water in the following additional quantities:

(1) Up to two million acre-feet annually in the Colorado River for use in the Lower Colorado River Basin;

(2) Up to two million acre-feet annually in the Colorado River system for use in the Upper Colorado River Basin, directly or by exchange;

(3) Such additional quantities, not to exceed two million acre-feet annually, as the Secretary finds may be required and marketable in areas which can be served by said importation facilities en route to the Colorado River system.

(d) The Congress declares that the satisfaction of the requirements of the Mexican Water Treaty constitutes a national obligation. Accordingly, the States of the upper division (Colorado, New Mexico, Utah, and Wyoming) and States of the lower division (Arizona, California, and Nevada) shall be relieved from all obligations which may have been imposed upon them by article III(c) of the Colorado River Compact when the President issues the proclamation specified in section 305(b) of this Act.

(e) The Secretary shall submit annually to the Commission, the President, and the Congress reports covering progress on the investigations and reports authorized by this section.

SEC. 202. (a) In planning works to import water into the Colorado River system from sources outside the natural drainage areas of the system, the Secretary shall make provision for adequate and equitable protection of the interests of the States and areas of origin, including (in the case of works to import water for use in the lower basin of the Colorado River) assistance from the development fund established by title IV of this Act, to the end that water supplies may be available for use therein adequate to satisfy their ultimate requirements at prices to users not adversely affected by the exportation of water to the Colorado River system.

(b) All requirements, present or future, for water within any State lying wholly or in part within the drainage area of any river basin and from which water is exported by works planned pursuant to this Act shall have a priority of right in perpetuity to the use of the waters of that river basin, for all purposes, as against the uses of the water delivered by means of such exportation works, unless otherwise provided by interstate agreement.

SEC. 203. (a) On or before December 31, 1970, the Secretary shall submit a proposed reconnaissance report on the first stage of the staged plan of development to the Commission and affected States and Federal agencies for their comments and recommendations which shall be submitted within six months after receipt of the report.

(b) After receipt of the comments of the Commission, affected States, and Federal agencies on such reconnaissance report, but not later than January 1, 1972, the Secretary shall transmit the report to the President and, through the President, to the Congress. All comments received by the Secretary under the procedures specified in this section shall be included therein. The letter of transmittal and its attachments shall be printed as a House or Senate document.

(c) The Secretary shall proceed promptly thereafter with preparation of a feasibility report on the first stage of said plan of development if he finds, on the basis of reconnaissance investigations pursuant to section 201, that a water supply surplus to the needs of the area of origin exists, benefits of the proposed first stage exceed costs, and repayment can be made in accordance with Titles III and IV of this Act. Such feasibility report shall be submitted to the Commission and to the affected States and Federal agencies not later than January 1, 1973.

(d) After receipt of the comments of the Commission and affected States and Federal agencies on such feasibility report, but not later than June 30, 1973, the Secretary shall transmit his final report to the President and, through the President, to the Congress. All comments received by the Secretary under the procedure specified in this section shall be included therein. The letter of transmittal and its attachments shall be printed as a House or Senate document.

SEC. 204. There are hereby authorized to be appropriated such sums as are required to carry out the purposes of this title.

TITLE III—AUTHORIZED UNITS: PROTECTION OF EXISTING USES

SEC. 301. The Secretary shall construct, operate, and maintain the lower basin units of the Colorado River Basin project (herein referred to as the "project"), described in sections 302, 303, 304, 305, and 306.

SEC. 302. The main stream reservoir division shall consist of the Hualapai (formerly known as Bridge Canyon) unit, including a dam, reservoir, powerplant, transmission facilities, and appurtenant works, and the Coconino and Paria River silt-detention reservoirs: *Provided*, That (1) Hualapai Dam shall be constructed so as to impound water at a normal surface elevation of one thousand eight hundred and sixty-six feet above mean sea level, (2) fluctuations in the reservoir level shall be restricted, so far as practicable, to a regimen of ten feet, and (3) this Act shall not be construed to authorize any diversion of water from Hualapai Reservoir except for incidental uses in the immediate vicinity. The Congress hereby declares that the construction of the Hualapai Dam herein authorized is consistent with the Act of February 26, 1919 (40 Stat. 1175). No licenses or permits shall be issued hereafter under the Federal Power Act for projects on the Colorado River between Glen Canyon Dam and Lake Mead.

SEC. 303. (a) As fair and reasonable payment for the permanent use by the United States of not more than twenty-five thousand acres of land designated by the Secretary as necessary for the construction, operation, and maintenance of the Hualapai unit, said land being a part of the tract set aside and reserved by the Executive order of January 4, 1883, for the use and occupancy of the Hualapai Tribe of Arizona (1 Kappler, Indian Laws and Treaties, 804), $16,398,000 shall be transferred in the Treasury, during construction of the unit, to the credit of the Hualapai Tribe from funds appropriated from the general fund of the Treasury to the Department of the Interior, Bureau of Reclamation, for construction of the project and, when so transferred, shall draw interest at the rate of 4 per centum per annum until expended. The funds so transferred may be expended, invested, or reinvested pursuant to plans, programs, and agreements duly adopted or entered into by the Hualapai Tribe, subject to the approval of the Secretary, in accordance with the tribal constitution and charter.

(b) As part of the construction and operation of the Hualapai unit, the Secretary shall (1) construct a paved road, having a minimum width of twenty-eight feet, from Peach Springs, Arizona, through and along Peach Springs Canyon within the Hualapai Indian Reservation, to provide all-weather access to the Hualapai Reservoir; and (2) make avail-

able to the Hualapai Tribe up to twenty-five thousand kilowatts and up to one hundred million kilowatt-hours annually of power from the Hualapai unit at the lowest rate established by the Secretary for the sale of firm power from said unit for the use of preferential customers: *Provided,* That the tribe may resell such power only to users within the Hualapai Reservation: *Provided further,* That the Hualapai Tribal Council shall notify the Secretary in writing of the reasonable power requirements of the tribe up to the maximum herein specified, for each three-year period in advance beginning with the date upon which power from the Hualapai unit becomes available for sale. Power not so reserved may be disposed of by the Secretary for the benefit of the development fund.

(c) Except as to such lands which the Secretary determines are required for the Hualapai Dam and Reservoir site and the construction of operating campsite and townsite, all minerals of any kind whatsoever, including oil and gas but excluding sand and gravel and other building and construction materials, within the areas used by the United States pursuant to this section are hereby reserved to the Hualapai Tribe: *Provided,* That no permit, license, lease or other document covering the exploration for or the extraction of such minerals shall be granted by the tribe nor shall the tribe conduct such operations for its own account, except under such conditions and with such stipulations as are necessary to protect the interests of the United States in the construction, operation, and maintenance of the Hualapai unit.

(d) The Hualapai Tribe shall have the exclusive right, if requested in writing by the tribe, to develop the recreation potential of, and shall have the exclusive right to control access to, the reservoir shoreline adjacent to the reservation, subject to conditions established by the Secretary for use of the reservoir to protect the operation of the project. Any recreation development established by the tribe shall be consistent with the Secretary's rules and regulations to protect the overall recreation development of the project. The tribe and the members thereof shall have nonexclusive personal rights to hunt and fish on the reservoir without charge, but shall have no right to exclude others from the reservoir except as to those who seek to gain access through the Hualapai Reservation, nor the right to require payments to the tribe except for the use of tribal lands or facilities: *Provided,* That under no circumstances will the Hualapai Tribe make any charge, or extract any compensation, or in any other manner restrict the access or use of the paved road to be constructed within the Hualapai Indian Reservation pursuant to this Act. The use by the public of the water areas of the project shall be pursuant to such rules and regulations as the Secretary may prescribe.

(e) Except as limited by the foregoing, the Hualapai Tribe shall have the right to use and occupy the area of the Hualapai unit within the Hualapai Reservation for all purposes not inconsistent with the construction, operation, and maintenance of the project and townsite, including, but not limited, to, the right to lease such lands for farming, grazing, and business purposes to members or nonmembers of the tribe and the power to dispose of all minerals as provided in paragraph (c) hereof.

(f) Upon a determination by the Secretary that all of any part of the lands utilized by the United States pursuant to paragraph (a) of this section is no longer necessary for purposes of the project, such lands shall be restored to the Hualapai Tribe for its full use and occupancy.

(g) No part of any expenditures made by the United States, and no reservation by or restoration to the Hualapai Tribe of the use of land under any of the provisions of this section shall be charged by the United States as an offset or counterclaim against any claim of the Hualapai Tribe against the United States other than claims arising out of the utilization of lands for the project: *Provided, however,* That the payment of moneys and other benefits as set forth herein shall constitute full, fair, and reasonable payment for the permanent use of the lands by the United States.

(h) All funds authorized by this section to be paid or transferred to the Hualapai Tribe, and any per capita distribution derived therefrom, shall be exempt from all forms of State and Federal income taxes.

(i) No payments shall be made or benefits conferred as set forth in this section until the provisions hereof have been accepted by the Hualapai Tribe through resolution duly adopted by its tribal council. In the event such resolution is not adopted within six months from the effective date of this Act, and litigation thereafter is instituted regarding the use by the United States of lands within the Hualapai Reservation or payment therefor, the amounts of the payments provided herein and the other benefits set out shall not be regarded as evidencing value or as recognizing any right of the tribe to compensation.

SEC. 304. (a) The Central Arizona unit shall consist of the following principal works: (1) a system of main conduits and canals, including a main canal and pumping plants (Granite Reef aqueduct and pumping plants), for diverting and carrying water from Lake Havasu to Orme Dam or suitable alternative, which system shall have a capacity of one thousand eight hundred cubic feet per second (A) unless the definite plan report of the Bureau of Reclamation shows that additional capacity (i) will provide an improved benefit-to-cost ratio and (ii) will enhance the ability of the Central Arizona unit to divert water from the main stream to which Arizona is entitled and (B) unless the Secretary finds that the additional cost resulting from such additional capacity can be financed by funds from sources other than the funds credited to the development fund pursuant to section 403 of this Act and without charge, directly or indirectly, to water users or power customers in the States of California and Nevada; (2) Orme Dam and Reservoir and power-pumping plant or suitable alternative; (3) Buttes Dam and Reservoir, which shall be so operated as to not prejudice the rights of any user in and to the waters of the Gila River as those rights are set forth in the decree entered by the United States District Court for the District of Arizona on June 29, 1935, in United States against Gila Valley Irrigation District and others (Globe Equity Number 59); (4) Hooker Dam and Reservoir, which shall be constructed to an initial capacity of ninety-eight thousand acre-feet and in such a manner as to permit subsequent enlargement of the structure (to give effect to the provisions of section 304 (c) and (d)); (5) Charleston Dam and Reservoir; (6) Tucson aqueducts and pumping plants; (7) Salt-Gila aqueduct; (8) canals, regulating facilities, powerplants, and electrical transmission facilities; (9) related water distribution and drainage works; and (10) appurtenant works.

(b) Unless and until otherwise provided by Congress, water from the natural drainage area of the Colorado River system diverted from the main stream below Lee Ferry for the Central Arizona unit shall not be made available directly or indirectly for the irrigation of lands not having a recent irrigation history as determined by the Secretary, except in the case of Indian lands, national wildlife refuges, and, with the approval of the Secretary, State-administered wildlife management areas. It shall be a condition of each contract under which such water is provided under the Central Arizona unit that (1) there be in effect measures, adequate in the judgment of the Secretary, to control expansion of irrigation from aquifers affected by irrigation in the contract service area; (2) the canals and distribution systems through which water is conveyed after its delivery by the United States to the contractors shall be provided and maintained with linings, adequate in his judgment to prevent excessive conveyance losses; (3) neither the contractor nor the Secretary shall pump or permit others to pump ground water from lands located within the exterior boundaries of any Federal reclamation project or irrigation district receiving water from the Central Arizona unit for any use outside such Federal reclamation project or irrigation district, unless the Secretary and the agency or organization operating and maintaining such Federal reclamation project or irrigation district shall agree or shall have previously agreed that a surplus of ground water exists and that drainage is or was required; and (4) all agricultural, municipal and industrial waste water, return flow, seepage, sewage effluent and ground water located in or flowing from contractor's service area originating or resulting from (i) waters contracted for from the Central Arizona unit or (ii) waters stored or developed by any Federal reclamation project are reserved for the use and benefit of the United States as a source of supply for the service area of the Central Arizona unit or for the service area of the Federal reclamation project, as the case may be: *Provided,* That notwithstanding the provisions of clause (3) of this sentence, the agricultural, municipal and industrial waste water, return flow, seepage, sewage effluent and ground water in or from any such Federal reclamation project, may also be pumped or diverted for use and delivery by the United States elsewhere in the service area of the Central Arizona unit, if not needed for use or reuse in such Federal reclamation project.

(c) The Secretary may require as a condition in any contract under which water is provided from the Central Arizona unit that the contractor agree to accept main stream water in exchange for or in replacement of existing supplies from sources other than the main stream. The Secretary shall so require in contracts with such contractors in Arizona who also use water from the Gila River system, to the extent necessary to make available to users of water from the Gila River system in New Mexico additional quantities of water as provided in and under the conditions specified in subsections (e) and (f) of this section: *Provided,* That such exchanges and replacements shall be accomplished without economic injury or cost to such Arizona contractors.

(d) In times of shortage or reduction of main stream water for the Central Arizona unit (if such shortages or reductions should occur), contractors which have yielded water from other sources in exchange for main stream water supplied by that unit shall have a first priority to receive main stream water, as against other contractors supplied by that unit which have not so yielded water from other sources, but only in quantities adequate to replace the water so yielded.

(e) In the operation of the Central Arizona unit, the Secretary shall offer to contract with water users in New Mexico for water from the Gila River, its tributaries and underground water sources, in amounts that will permit consumptive use of water in New Mexico not to exceed an annual average in any period of ten consecutive years of eighteen thousand acre-feet, including reservoir evaporation, over and above the consumptive uses provided for by article IV of the Supreme Court of the United States in Arizona against California (376 U.S. 340). Such increased consumptive uses shall not begin until and shall continue only so long as delivery of Colorado River water to downstream Gila River users in Arizona is being accomplished in accordance with this Act, in quantities sufficient to replace any diminution of their supply resulting from such diversions from the Gila River, its tributaries

and underground water sources. In determining the amount required for this purpose full consideration shall be given to any differences in the quality of the waters involved.

(f) The Secretary shall further offer to contract with water users in New Mexico for water from the Gila River, its tributaries and underground water sources in amounts that will permit consumptive uses of water in New Mexico not to exceed an annual average in any period of ten consecutive years of an additional thirty thousand acre-feet, including reservoir evaporation. Such further increases in consumptive use shall not begin until and shall continue only so long as works capable of importing water into the Colorado River system have been completed and water sufficiently in excess of two million eight hundred thousand acre-feet per annum is available from the main stream of the Colorado River for consumptive use in Arizona to provide water for the exchanges herein authorized and provided. In determining the amount required for this purpose full consideration shall be given to any differences in the quality of the waters involved.

All additional consumptive uses provided for in subsections (e) and (f) of this section shall be subject to all rights in New Mexico and Arizona as established by the decree entered by the United States District Court for the District of Arizona on June 29, 1935, in United States against Gila Valley Irrigation District and others (Globe Equity Number 59) and to all other rights existing on the effective date of this Act in New Mexico and Arizona to water from the Gila River, its tributaries and underground water sources, and shall be junior thereto and shall be made only to the extent possible without economic injury or cost to the holders of such rights.

SEC. 305. (a) Article II(B)(3) of the decree of the Supreme Court of the United States in Arizona against California (376 U.S. 340) shall be so administered that in any year in which, as determined by the Secretary, there is insufficient main stream Colorado River water available for release to satisfy annual consumptive use of seven million five hundred thousand acre-feet in Arizona, California, and Nevada, diversions from the main stream for the Central Arizona unit shall be so limited as to assure the availability of water in quantities sufficient to provide for the aggregate annual consumptive use by holders of present perfected rights, by other users in the State of California served under existing contracts with the United States by diversion works heretofore constructed and by other existing Federal reservations in that State, of four million four hundred thousand acre-feet of main stream water, and by users of the same character in Arizona and Nevada. Water users in the State of Nevada shall not be required to bear shortages in any proportion greater than would have been imposed in the absence of this section 305(a). This section shall not affect the relative priorities, among themselves, of water users in Arizona, Nevada, and California which are senior to diversions for the Central Arizona unit, or amend any provisions of said decree.

(b) The limitation stated in paragraph (a) shall cease whenever the President shall proclaim that works have been completed and are in operation, capable in his judgment of delivering annually not less than two million five hundred thousand acre-feet of water into the main stream of the Colorado River below Lee Ferry from sources outside the natural drainage area of the Colorado River system; and that such sources are adequate, in the President's judgment, to supply such quantities without adverse effect upon the satisfaction of the foreseeable water requirements of any State from which such water is imported into the Colorado River system. Such imported water shall be made available for use in accordance with subsection (c) of this section.

(c) To the extent that the flow of the main stream of the Colorado River is augmented by such importations in order to make sufficient water available for release, as determined by the Secretary pursuant to article II(B)(1) of the decree of the Supreme Court of the United States in Arizona against California (376 U.S. 340), to satisfy annual consumptive use of two million eight hundred thousand acre-feet in Arizona, four million four hundred thousand acre-feet in California, and three hundred thousand acre-feet in Nevada, respectively, the Secretary shall make such additional water available to users of main stream water in those States at the same costs and on the same terms as would be applicable if main stream water were available for release in the quantities required to supply such consumptive use, taking into account, among other things, (1) the nonreimbursable allocation to the replenishment of the deficiencies occasioned by satisfaction of the Mexican Treaty burden provided for in section 401, and (2) such assistance as may be available from the development fund established by title IV of this Act.

(d) Imported water made available for use in the lower basin to supply aggregate annual consumptive uses from the main stream in excess of seven million five hundred thousand acre-feet shall be offered by the Secretary for use in the States of Arizona, California, and Nevada in the proportions provided in article II(B)(2) of said decree. The Secretary shall establish prices therefor which take into account such assistance as may be available from the development fund established by title IV of this Act in excess of the demands upon that fund occasioned by the requirements stated in subsection (c) of this section. Within each State, opportunity to take such water shall first be offered to persons or entities who are water users as of the effective date of this Act, and in quantities equal to the deficiencies which would result if the total quantity available for consumptive use from the main stream in such State were only the quantity apportioned to that State by article II(B)(1) of said decree.

(e) Imported water made available for use in the upper basin of the Colorado River, directly or by exchange, shall be offered by the Secretary for contract by water users in the States of Colorado, New Mexico, Utah, and Wyoming in the proportions, as among those States, stated in the Upper Colorado River Basin Compact, and at prices which take into account such assistance as may be available from the Upper Colorado River Basin Fund, in excess of the demands upon that fund occasioned by the requirements of the Colorado River Storage Project Act.

(f) Imported water not delivered into the Colorado River system but diverted from the works constructed to import water into that system shall be made available to water users in accordance with the Federal reclamation laws.

SEC. 306. The main stream salvage unit shall include programs for water salvage along and adjacent to the main stream of the Colorado River and for ground water recovery. Such programs shall be consistent with maintenance of a reasonable degree of undisturbed habitat for fish and wildlife in the area, as determined by the Secretary.

SEC. 307. The Secretary shall construct, operate, and maintain such additional works as shall from time to time be authorized by the Congress as units of the project.

SEC. 308. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the project works authorized pursuant to this title shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213).

SEC. 309. The Secretary shall integrate the Dixie project and Southern Nevada water supply project heretofore authorized into the project herein authorized as units thereof under repayment arrangements and participation in the development fund established by title IV of this Act consistent with the provisions of this Act.

SEC. 310. There is hereby authorized to be appropriated to carry out the purposes of this title the sum of $1,167,000,000 based on estimated costs as of October 1963, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indices applicable to the types of construction involved.

TITLE IV—LOWER COLORADO RIVER BASIN DEVELOPMENT FUND: ALLOCATION AND REPAYMENT OF COSTS: CONTRACTS

SEC. 401. Upon completion of each lower basin unit of the project herein or hereafter authorized, or separate feature thereof, the Secretary shall allocate the total costs of constructing said unit or features to (1) commercial power, (2) irrigation, (3) municipal and industrial water supply, (4) flood control, (5) navigation, (6) water quality control, (7) recreation, (8) fish and wildlife, (9) the replenishment of the depletion of Colorado River flows available for use in the United States occasioned by performance of the Water Treaty of 1944 with the United Mexican States (treaty series 994), (10) the additional capacity of the system of main conduits and canals of the Central Arizona unit referred to in section 304(a), item (1), in excess of one thousand eight hundred cubic feet per second, and (11) any other purposes authorized under the Federal reclamation laws. Costs of construction, operation, and maintenance allocated to the replenishment of the depletion of Colorado River flows available for use in the United States occasioned by compliance with the Mexican Water Treaty (including losses in transit, evaporation from regulatory reservoirs, and regulatory losses at the Mexican boundary, incurred in the transportation, storage, and delivery of water in discharge of the obligations of that treaty) shall be nonreimbursable. All funds paid or transferred to Indian tribes pursuant to this Act, including interest on such funds in the Treasury of the United States, and costs of construction of the paved road, authorized in section 303(b) hereof, shall be nonreimbursable. The repayment of costs allocated to recreation and fish and wildlife enhancement shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213). Costs allocated to nonreimbursable purposes shall be nonreturnable under the provisions of this Act. Costs allocated to the additional capacity of the system of main conduits and canals of the Central Arizona unit, referred to in section 304(a), item (1), in excess of one thousand eight hundred cubic feet per second shall be recovered as directed in section 304(a).

SEC. 402. The Secretary shall determine the repayment capability of Indian lands within, under, or served by any unit of the project. Construction costs allocated to irrigation of Indian lands (including provision of water for incidental domestic and stock water uses) and within the repayment capability of such lands shall be subject to the Act of July 1, 1932 (47 Stat. 464), and such costs as are beyond repayment capability of such lands shall be nonreimbursable.

SEC. 403. (a) There is hereby established a separate fund in the Treasury of the United States, to be known as the Lower Colorado River Basin development fund (hereinafter called the "development fund"), which shall remain available until expended

as hereafter provided for carrying out the provisions of title III.

(b) All appropriations made for the purpose of carrying out the aforesaid provisions of title III of this Act shall be credited to the development fund as advances from the general fund of the Treasury, and shall be available for such purpose.

(c) There shall also be credited to the development fund—

(1) All revenues collected in connection with the operation of facilities herein and hereafter authorized in furtherance of the purposes of this Act (except entrance, admission, and other recreation fees or charges and proceeds received from recreation concessionaires); and

(2) all Federal revenues from the Boulder Canyon and Parker-Davis projects which, after completion of repayment requirements of the said Boulder Canyon and Parker-Davis projects, are surplus, as determined by the Secretary, to the operation, maintenance, and replacement requirements of those projects; *Provided, however*; That the Secretary is authorized and directed to continue the in-lieu-of-taxes payments to the States of Arizona and Nevada provided for in section 2(c) of the Boulder Canyon Project Adjustment Act so long as revenues accrue from the operation of the Boulder Canyon project.

(d) All revenues collected and credited to the development fund pursuant to this Act shall be available, without further appropriation, for—

(1) defraying the costs of operation, maintenance, and replacements of, and emergency expenditures for, all facilities of the project, within such separate limitations as may be included in annual appropriation Acts;

(2) payments, if any, as required by section 502 of this Act;

(3) payments as required by subsection (f) of this section; and

(4) payments to reimburse water users in the State of Arizona for losses sustained as a result of diminution of the production of hydroelectric power at Coolidge Dam, Arizona, resulting from exchanges of water between users in the States of Arizona and New Mexico as set forth in section 304 of this Act.

(e) Revenues credited to the development fund shall not be available for construction of the works comprised within any unit of the project herein or hereafter authorized except upon appropriation by the Congress.

(f) Revenues in the development fund in excess of the amount necessary to meet the requirements of clauses (1), (2), and (4) of subsection (d) of this section shall be paid annually to the general fund of the Treasury to return—

(1) the costs of each unit of the project or separable feature thereof, authorized pursuant to title III of this Act which are allocated to irrigation, commercial power, or municipal and industrial water supply, pursuant to this Act, within a period not exceeding fifty years from the date of completion of each such unit or separable feature, exclusive of any development period authorized by law;

(2) the costs which are allocated to recreation or fish and wildlife enhancement in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213); and

(3) interest (including interest during construction) on the unamortized balance of the investment in the commercial power and municipal and industrial water supply features of the project at a rate determined by the Secretary of the Treasury in accordance with the provisions of subsection (f) of this section, and interest due shall be a first charge.

(g) To the extent that revenues remain in the development fund after making the payments required by subsections (d) and (f) of this section, they shall be available, upon appropriation by the Congress, to repay the costs incurred in connection with units hereafter authorized in providing (i) for the importation of water into the main stream of the Colorado River for use below Lee Ferry as provided in section 201(c) to the extent that such costs are in excess of the costs allocated to the replenishment of the depletion of Colorado River flows available for use in the United States occasioned by performance of the Mexican Water Treaty as provided in section 401, and (ii) protection of States and areas of origin of such imported water as provided in section 202(a).

(h) The interest rate applicable to those portions of the reimbursable costs of each unit of the project which are properly allocated to commercial power development and municipal and industrial water supply shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which the first advance is made for initiating construction of such unit, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations which are neither due nor callable for redemption for fifteen years from the date of issue.

(i) Business-type budgets shall be submitted to the Congress annually for all operations financed by the development fund.

SEC. 404. (a) Irrigation repayment contracts shall provide for repayment of the obligation assumed under any irrigation repayment contract with respect to any project contract unit or irrigation block over a period of not more than fifty years exclusive of any development periods authorized by law; contracts authorized by section 9(e) of the Reclamation Project Act of 1939 (53 Stat. 1196; 43 U.S.C. 485h(e)) may provide for delivery of water for a period of fifty years and for the delivery of such water at an identical price per acre-foot for water of the same class at the several points of delivery from the main canals and conduits and from such other points of delivery as the Secretary may designate; and long-term contracts relating to irrigation water supply shall provide that water made available threunder may be made available by the Secretary for municipal or industrial purposes if and to the extent that such water is not required by the contractor for irrigation purposes.

(b) Contracts relating to municipal and industrial water supply from the project may be made without regard to the limitations of the last sentence of section 9(c) of the Reclamation Project Act of 1939 (53 Stat. 1194); may provide for delivery of such water at an identical price per acre-foot for water of the same class at the several points of delivery from the main canals and conduits; and may provide for repayment over a period of fifty years if made pursuant to clause (1) of said section and for the delivery of water over a period of fifty years if made pursuant to clause (2) thereof.

SEC. 405. On January 1 of each year the Secretary shall report to the Congress, beginning with the fiscal year ending June 30, 1968, upon the status of the revenues from and the cost of constructing, operating, and maintaining the project and each unit thereof for the preceding fiscal year. The report of the Secretary shall be prepared to reflect accurately the Federal investment allocated at that time to power, to irrigation, and to other purposes, the progress of return and repayment thereon, and the estimated rate of progress, year by year, in accomplishing full repayment.

TITLE V—UPPER COLORADO RIVER BASIN AUTHORIZATIONS AND REIMBURSEMENTS

SEC. 501. (a) In order to provide for the construction, operation, and maintenance of the Animas-La Plata Federal reclamation project, Colorado-New Mexico; the Dolores, Dallas Creek, West Divide, and San Miguel Federal reclamation projects, Colorado, as participating projects under the Colorado River Storage Project Act (70 Stat. 105; 43 U.S.C. 620), and to provide for the completion of planning reports on other participating projects, subsection (2) of section 1 of said Act is hereby further amended by deleting the words "Pine River extension", and inserting in lieu thereof the words "Animas-La Plata, Dolores, Dallas Creek, West Divide, San Miguel". Section 2 of said Act is hereby further amended by deleting the words "Parshall, Troublesome, Rabbit Ear, San Miguel, West Divide, Tomichi Creek, East River, Ohio Creek, Dallas Creek, Dolores, Fruit Growers extension, Animas-La Plata", and inserting after the words "Yellow Jacket" the words "Basalt, Middle Park (including the Troublesome, Rabbit Ear, and Azure units), Upper Gunnison (including the East River, Ohio Creek, and Tomichi Creek units), Lower Yampa (including the Juniper and Great Northern units), Upper Yampa (including the Hayden Mesa, Wessels, and Toponas units)", and by inserting after the word "Sublette" the words "(including the Kendall Reservoir on Green River and a diversion of water from the Green River to the North Platte River Basin in Wyoming), Uintah unit and Ute Indian unit of the Central Utah, San Juan County (Utah), Price River, Grand County (Utah), Ute Indian unit extension of the Central Utah, Gray Canyon, and Juniper (Utah)". The amount which section 12 of said Act authorizes to be appropriated is hereby further increased by the sum of $360,000,000 plus or minus such amounts, if any, as may be required, by reason of changes in construction costs as indicated by engineering cost indexes applicable to the type of construction involved. This additional sum shall be available solely for the construction of the projects herein authorized.

(b) The Animas-La Plata Federal reclamation project shall be constructed and operated in substantial accordance with the engineering plans set out in the report of the Secretary transmitted to the Congress on May 4, 1966, and printed as House Document 436, Eighty-ninth Congress: *Provided*, That the project construction of the Animas-La Plata Federal reclamation project shall not be undertaken until and unless the States of Colorado and New Mexico shall have ratified the following compact to which the consent of Congress is hereby given:

"ANIMAS-LA PLATA PROJECT COMPACT

"The State of Colorado and the State of New Mexico, in order to implement the operation of the Animas-La Plata Federal Reclamation Project, Colorado-New Mexico, a proposed participating project under the Colorado River Storage Project Act (70 Stat. 105), and being moved by considerations of interstate comity, have resolved to conclude a compact for these purposes and have agreed upon the following articles:

"ARTICLE I

"A. The right to store and divert water in Colorado and New Mexico from the La Plata and Animas River systems, including return flow to the La Plata River from Animas River diversions, for uses in New Mexico under the Animas-La Plata Federal Reclamation Project shall be valid and of equal priority with those rights granted by decree of the Colorado state courts for the uses of water in Colorado for that project, providing such uses in New Mexico are within the allocation of water made to that state by articles III and XIV of the Upper Colorado River Basin Compact (63 Stat. 31).

"B. The restrictions of the last sentence of Section (a) of Article IX of the Upper Colorado River Basin Compact shall not be construed to vitiate paragraph A of this article.

"ARTICLE II

"This Compact shall become binding and obligatory when it shall have been ratified by the legislatures of each of the signatory States."

(c) The Secretary shall, for the Animas-La Plata, Dolores, Dallas Creek, San Miguel, West Divide, and Seedskadee participating projects of the Colorado River storage project, establish the nonexcess irrigable acreage for which any single ownership may receive project water at one hundred and sixty acres of class 1 land or the equivalent thereof as determined by the Secretary, in other land classes.

(d) In the diversion and storage of water for any project or any parts thereof constructed under the authority of this Act or the Colorado River Storage Project Act within and for the benefit of the State of Colorado only, the Secretary is directed to comply with the constitution and statutes of the State of Colorado relating to priority of appropriations; with State and Federal court decrees entered pursuant thereto; and with operating principles, if any, adopted by the Secretary and approved by the State of Colorado.

(e) The words "any western slope appropriations" contained in paragraph (i) of that section of Senate Document Numbered 80, Seventy-fifth Congress, first session, entitled "Manner of Operation of Project Facilities and Auxiliary Features," shall mean and refer to the appropriation heretofore made for the storage of water in Green Mountain Reservoir, a unit of the Colorado-Big Thompson Federal reclamation project, Colorado; and the Secretary is directed to act in accordance with such meaning and reference. It is the sense of Congress that this directive defines and observes the purpose of said paragraph (i), and does not in any way affect or alter any rights or obligations arising under said Senate Document Numbered 80 or under the laws of the State of Colorado.

SEC. 502. The Upper Colorado River Basin fund established under section 5 of the Act of April 11, 1956 (70 Stat. 107), shall be reimbursed from the Colorado River development fund established by section 2 of the Boulder Canyon Project Adjustment Act (54 Stat. 755), for all expenditures heretofore or hereafter made from the Upper Colorado River Basin fund to meet deficiencies in generation at Hoover Dam during the filling period of reservoirs of storage units of the Colorado River storage project pursuant to the criteria for the filling of Glen Canyon Reservoir (27 Fed. Reg. 6851, July 19, 1962). For this purpose $500,000 for each year of operation of Hoover Dam and powerplant, commencing with the enactment of this Act, shall be transferred from the Colorado River development fund to the Upper Colorado River Basin fund, in lieu of application of said amounts to the purposes stated in section 2(d) of the Boulder Canyon Project Adjustment Act, until such reimbursement is accomplished. To the extent that any deficiency in such reimbursement remains as of June 1, 1987, the amount of the remaining deficiency shall then be transferred to the Upper Colorado River Basin fund from the Lower Colorado River Basin development fund, as provided in paragraph (d) of section 403.

TITLE VI—GENERAL PROVISIONS: DEFINITIONS: CONDITIONS

SEC. 601. (a) Nothing in this Act shall be construed to alter, amend, repeal, modify, or be in conflict with the provisions of the Colorado River Compact (45 Stat. 1057), the Upper Colorado River Basin Compact (63 Stat. 31), the Water Treaty of 1944 with the United Mexican States (Treaty Series 994), the decree entered by the Supreme Court of the United States in Arizona against California, and others (376 U.S. 340), or, except as otherwise provided herein, the Boulder Canyon Project Act (45 Stat. 1057), the Boulder Canyon Project Adjustment Act (54 Stat. 774) or the Colorado River Storage Project Act (70 Stat. 105).

(b) The Secretary is directed to (1) make reports as to the annual consumptive uses and losses of water from the Colorado River system after each successive five-year period, beginning with the five-year period starting on October 1, 1965. Such reports shall be prepared in consultation with the States of the lower basin individually and with the Upper Colorado River Commission, and shall be transmitted to the President, the Congress, and to the Governors of each State signatory to the Colorado River Compact.

(2) condition all contracts for the delivery of water originating in the drainage basin of the Colorado River system upon the availability of water under the Colorado River Compact.

(c) All Federal officers and agencies are directed to comply with the applicable provisions of this Act, and of the laws, treaty, compacts, and decree referred to in subsection (a) of this section, in the storage and release of water from all reservoirs and in the operation and maintenance of all facilities in the Colorado River system under the jurisdiction and supervision of the Secretary, and in the operation and maintenance of all works which may be authorized hereafter for construction for the importation of water into the Colorado River system. In the event of failure of any such officer or agency to so comply, any affected State may maintain an action to enforce the provisions of this section in the Supreme Court of the United States and consent is given to the joinder of the United States as a party in such suit or suits, as a defendant or otherwise.

(d) Nothing in this Act shall be construed to expand or diminish either Federal or State jurisdiction, responsibility or rights in the field of water resources planning, development, or control; nor to displace, supersede, limit or modify any interstate compact or the jurisdiction or responsibility of any legally established joint or common agency of two or more States, or of two or more States and the Federal Government; nor to limit the authority of Congress to authorize and fund projects.

SEC. 602. (a) In order to fully comply with and carry out the provisions of the Colorado River Compact, the Upper Colorado River Basin Compact and the Mexican Water Treaty, the Secretary shall propose criteria for the coordinated long-range operation of the reservoirs constructed and operated under the authority of this Act, the Colorado River Storage Project Act, the Boulder Canyon Project Act and the Boulder Canyon Project Adjustment Act. To effect in part the purposes expressed in this paragraph, the criteria shall make provision for the storage of water in storage units of the Colorado River Storage Project and releases of water from Lake Powell in the following listed order of priority:

(1) Releases to supply one-half the deficiency described in article III(c) of the Colorado River Compact, if any such deficiency exists and is chargeable to the States of the upper division, but in any event such releases, if any, shall terminate when the President issues the proclamation specified in section 305(b) of this Act.

(2) Releases to comply with article III(d) of the Colorado River Compact, less such quantities of water delivered into the Colorado River below Lee Ferry to the credit of the States of the upper division from sources outside the natural drainage area of the Colorado River system.

(3) Storage of water not required for the releases specified in clauses (1) and (2) of this subsection to the extent that the Secretary, after consultation with the Upper Colorado River Commission and representatives of the three lower division States and taking into consideration all relevant factors (including, but not limited to, historic streamflows, the most critical period of record, and probabilities of water supply), shall find to be reasonably necessary to assure deliveries under clauses (1) and (2) without impairment of annual consumptive uses in the upper basin pursuant to the Colorado River Compact: *Provided*, That water not so required to be stored shall be released from Lake Powell: (i) to the extent it can be reasonably applied in the States of the lower division to the uses specified in article III(e) of the Colorado River Compact, but no such releases shall be made when the active storage in Lake Powell is less than the active storage in Lake Mead, (ii) to maintain, as nearly as practicable, active storage in Lake Mead equal to the active storage in Lake Powell, and (iii) to avoid anticipated spills from Lake Powell.

(b) Not later than July 1, 1968, the criteria proposed in accordance with the foregoing subsection (a) of this section shall be submitted to the Governors of the seven Colorado River Basin States and to such other parties and agencies as the Secretary may deem appropriate for their review and comment. After receipt of comments on the proposed criteria, but not later than January 1, 1969, the Secretary shall adopt appropriate criteria in accordance with this section and publish the same in the Federal Register. Beginning January 1, 1970, and yearly thereafter, the Secretary shall transmit to the Congress and to the Governors of the Colorado River Basin States a report describing the actual operation under the adopted criteria for the preceding compact water year and the projected operation for the current year. As a result of actual operating experience or unforeseen circumstances, the Secretary may thereafter modify the criteria to better achieve the purposes specified in subsection (a) of this section, but only after correspondence with the Governors of the seven Colorado River Basin States and appropriate consultation with such State representatives as each Governor may designate.

(c) Section 7 of the Colorado River Storage Project Act shall be administered in accordance with the foregoing criteria.

SEC. 603. (a) Rights of the upper basin to the consumptive use of water apportioned to that basin from the Colorado River system by the Colorado River Compact shall not be reduced or prejudiced by any use of such water in the lower basin.

(b) Nothing in this Act shall be construed so as to impair, conflict with or otherwise change the duties and powers of the Upper Colorado River Commission.

SEC. 604. Except as otherwise provided in this Act, in constructing, operating, and maintaining the units of the project herein and hereafter authorized, the Secretary shall be governed by the Federal reclamation laws (Act of June 17, 1902; 32 Stat. 388 and Acts amendatory thereof or supplementary thereto) to which laws this Act shall be deemed a supplement.

SEC. 605. (a) All terms used in this Act which are defined in the Colorado River Compact shall have the meanings there defined.

(b) "Main stream" means the main stream of the Colorado River downstream from Lee Ferry within the United States, including the reservoirs thereon.

(c) "User" or "water user" in relation to main stream water in the lower basin means the United States, or any person or legal entity, entitled under the decree of the Supreme Court of the United States in Arizona against California, and others (376 U.S. 340), to use main stream water when available thereunder.

(d) "Active storage" means that amount of water in reservoir storage, exclusive of

bank storage, which can be released through the existing reservoir outlet works.

(e) "Colorado River Basin States" means the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming.

TO IMPROVE THE EDUCATIONAL OPPORTUNITY FOR AMERICAN INDIANS

Mr. GRUENING. Mr. President, I introduce, on behalf of my colleague from Alaska [Mr. BARTLETT] and myself, a bill to remove an existing limitation on the use of Federal funds by the Bureau of Indian Affairs for the education of Indians in institutions of higher learning or in vocational schools. This measure would be consistent with provisions of the student assistance program administered by the U.S. Office of Education. I ask unanimous consent that the full text of the bill be printed in the RECORD at the conclusion of my remarks.

The act of March 2, 1917, 39 Stat. 969, 988—25 U.S.C. 278—specifically prohibits moneys appropriated by the Congress from being used for the education of Indian children in sectarian schools, and for almost 50 years the Bureau of Indian Affairs has ruled that the act prevents Indians from attending private colleges or universities sponsored by a church if they are recipients of BIA grants.

I am informed that for purposes of the act of March 2, 1917, "Indian" has been held to include the Indians, Eskimos, and Aleuts of Alaska.

Inasmuch as all recent Federal programs of assistance to higher educational institutions and vocational schools have been extended to both public and private institutions—so long as the proper safeguards relating to the separation of church and state have been observed—it is essential that the administration of the Bureau of Indian Affairs scholarship programs be made to conform.

The present program places Indians at a serious disadvantage in preparing themselves for their chosen careers. It robs them of much of the incentive to achieve responsible citizenship in the institutions of their choosing.

Other Americans, who are the recipients of education grants from the Federal Government, are not restricted as to the institutions they can attend. I see no reason why the young Indian should not be free to choose the institution in which he wishes to enroll.

The discriminatory practice established by the act of March 2, 1917, not only creates a serious problem for the young Indian seeking a higher education but also places an obstacle in the path of the various sectarian institutions, since some form of financial assistance is being given to a large percentage of students now on private school campuses. These private or sectarian schools would, I am sure, gladly welcome Indians into their student bodies if these students, or the schools, had the resources to provide the financial aid needed.

The Department of Interior is aware of the discriminatory nature of the act of March 2, 1917, and has assisted in the drafting of the legislation Senator BARTLETT and I have introduced. The measure is of vital importance to Indian students, and I sincerely hope that it will be given early consideration by the Senate.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD as requested by the Senator from Alaska.

The bill (S. 876) relating to Federal support of education of Indian students in sectarian institutions of higher education, introduced by Mr. GRUENING (for himself and Mr. BARTLETT), was received, read twice by its title, referred to the Committee on the Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 876

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following provision of section 21, Act of March 2, 1917 (39 Stat. 969, 988; 25 U.S.C. 278), is repealed:

"And it is hereby declared to be the settled policy of the Government to hereafter make no appropriation whatever out of the Treasury of the United States for education of Indian children in any sectarian school."

SEC. 2. Funds hereafter appropriated to the Secretary of the Interior for the education of Indian children shall not be used for the education of such children in elementary and secondary education programs in sectarian schools. This prohibition shall not apply to the education of Indians in accredited institutions of higher education and in other accredited schools offering vocational and technical training.

Mr. BYRD of West Virginia subsequently said: Mr. President, I ask unanimous consent that the bill introduced earlier today by the distinguished Senator from Alaska [Mr. GRUENING], concerning educational opportunities for American Indians, be permitted to remain at the desk through February 17 next, for additional cosponsors.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

AMENDMENT OF CLAYTON ACT

Mr. SPARKMAN. Mr. President, I introduce, for appropriate reference, a bill to amend the Clayton Act by making section 3 of the Robinson-Patman Act, with amendments, a part of the Clayton Act, in order to provide for governmental and private civil proceedings for violations of section 3 of the Robinson-Patman Act.

This measure is identical to S. 995 of the 89th Congress, which was the subject of 4 days of hearings before the Judiciary Subcommittee on Antitrust and Monopoly in 1965. The distinguished chairman of that subcommittee, the Senator from Michigan [Mr. HART], has expressly invited and urged me to reintroduce the bill and is again joining me as its chief cosponsor. The Senator and I take great pride and pleasure in announcing that the bill is also being cosponsored by the Senator from Alaska [Mr. BARTLETT], the Senator from Nevada [Mr. BIBLE], the Senator from Connecticut [Mr. DODD], the Senator from Louisiana [Mr. LONG], the Senator from Indiana [Mr. HARTKE], the Senator from Alabama [Mr. HILL], the Senator from Minnesota [Mr. MONDALE], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Utah [Mr. MOSS], the Senator from Wisconsin [Mr. NELSON], the Senator from West Virginia [Mr. RANDOLPH], and the Senator from Texas [Mr. YARBOROUGH].

The purpose of this bill, in a nutshell, is to authorize private and governmental civil enforcement of a certain provision of the Robinson-Patman Act that is not elsewhere found in the antitrust and trade regulation laws of the United States. It is anomalous that violators of section 3 are now subject to criminal prosecution, with punishments up to a $5,000 fine or a year's imprisonment or both, upon conviction, yet are not subject to suits for damages and injunctive relief by those whose businesses their criminal conduct has injured or destroyed. Enactment of this measure would end that anomaly.

Section 3 of the Robinson-Patman Act prohibits three kinds of commercial misconduct in the field of pricing. It forbids "any person engaged in commerce, in the course of such commerce"—and now I shall, in part, paraphrase the statutory language:

First. To be a party to, or assist in, any transaction of sale, or contract to sell, which discriminates to his knowledge against competitors of the purchaser, in that any discount, rebate, allowance, or advertising service charge is granted to the favored purchaser and not granted to his competitor, in respect of a sale of goods of like grade, quality, and quantity;

Second. To sell, or contract to sell, goods in any part of the United States at prices lower than those exacted by said person elsewhere in the United States for the purpose of destroying competition or eliminating a competitor.

Third. To sell, or contract to sell, goods at unreasonably low prices for the purpose of destroying competition or eliminating a competitor.

Prohibitions quite similar to the first two of these three occur also in section 1 of the Robinson-Patman Act, and that section is made, in express terms, amendatory of section 2 of the Clayton Act. Violators of the Clayton Act may be sued for treble damages and injunctive relief by those whom their unlawful conduct has injured.

Before 1958, it had been widely assumed that section 3 of the Robinson-Patman Act was one of the antitrust laws, which, by provisions in the Clayton Act, are the subject of civil enforcement. Although several lower courts doubted or denied the right of private suitors to base damage actions on violations of section 3, enough others did grant relief thereunder to cause the Attorney General's National Committee to Study the Antitrust Laws, in its 1955 report—page 200—to note that private claimants had emerged as the principal enforcers of this section.

Then, on January 20, 1958, the Supreme Court, in two companion cases decided by a 5-to-4 majority, ruled that section 3 of the Robinson-Patman Act

was not a part of the antitrust laws, and, as a result, that private actions for treble damages and injunctive relief would not lie for violation of the unreasonably low pricing ban contained only in that section—a criminal statute—and not paralleled in section 2 of the Clayton Act.

In the years since 1958, I have introduced, with distinguished cosponsorship, a number of bills designed to permit civil relief under section 3 of the Robinson-Patman Act. The 88th Congress bill, S. 3079, and the 89th Congress bill, S. 995, received warm support from small businessmen in many and varied industries at hearings before the subcommittee chaired by the Senator from Michigan. Senator HART and I, and our cosponsors, believe that those hearings have made the case for this legislation. It should be enacted. We hope and trust that in this Congress it will be enacted.

All of us know that there is in the Congress a quite considerable inertia to be broken anytime one sets out to amend the antitrust laws, and I myself do not feel that this fact should be decried. Any proposal to amend the antitrust laws deserves and quite properly receives the most searching and often necessarily prolonged consideration before attaining enactment. Such consideration has now been given to this proposal. The time for action has come.

The forces pushing us toward concentration in industry after industry in our economy are very great. Some of them may be unavoidable; but one such force, the occasional practice of deliberate predatory pricing with the express purpose of destroying competition, is not in that class. It can and should be checked; yet it is not feasible to initiate a criminal prosecution every time the existing law against such pricing is broken. Unleashing the power of private civil enforcement will bring vitality to a provision of the criminal law that badly needs to be revitalized, if we are to preserve an economy in which power is dispersed among many competitors, not concentrated in the hands of a few giant companies.

I have high hopes that the Subcommittee on Antitrust and Monopoly, under the leadership of Chairman HART, will give this bill prompt and favorable consideration. I command it to the attention of every Member of Congress and I earnestly bespeak for it the active support of every believer in a competitive economy and every friend of small business.

Mr. President, I ask unanimous consent that the bill may remain at the desk through February 21, 1967, so that other Senators who desire to do so may add their names as cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, will remain at the desk as requested.

The bill (S. 877) to amend the Clayton Act by making section 3 of the Robinson-Patman Act, with amendments, a part of the Clayton Act, in order to provide for governmental and private civil proceedings for violations of section 3 of the Robinson-Patman Act, introduced by Mr. SPARKMAN (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949, AS AMENDED

Mr. McCLELLAN. Mr. President, I introduce, for appropriate reference, a bill to amend section 201(c) of the Federal Property and Administrative Services Act of 1949, as amended, to permit further Federal use and donation of exchange sale of personal property throughout the Federal Government.

This bill would amend section 201(c) of the Property Act which authorizes executive departments and agencies, under regulations prescribed by the General Services Administration, to exchange or sell certain items of personal property and apply the exchange allowance or proceeds of sale against the price of similar property acquired. The bill is intended to require agencies desiring to exercise this authority to make the property available to other agencies for Federal utilization, and when it is determined that other agencies do not need it, the property would then become available for donation to health, education, and civil defense activities. This is the procedure which has been successfully followed by the Department of Defense in the disposition of property which becomes excess to its needs.

After the screening for these purposes has been completed the holding agency could dispose of the property or transfer it to the General Services Administration for exchange or sale in accordance with the regulations prescribed for such transactions.

This bill is similar to S. 2610, which was reported by the Committee on Government Operations and unanimously approved by the Senate during the 89th Congress, but failed to be approved in the House.

This bill does, however, contain some refinement over the previous measure in that it gives the Administrator of General Services discretionary authority over the disposal of passenger carrying vehicles, and automatic data processing equipment and systems. This bill would require the Administrator to file an annual report with the Committee on Government Operations of the Senate and House of Representatives, showing the original cost and fair market value of each item exchanged together with the allowance or amount received for property exchanged under this authority.

In conclusion, Mr. President, I believe enactment of this proposal will be beneficial and helpful to all levels of government, will provide uniform disposal procedures for all Federal agencies, and will strengthen the Federal utilization program. Enactment of this bill will also improve the donable property program which has made possible the transfer of usable surplus to schools, colleges, and public health institutions at practically no cost to the Federal Government.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 878) to amend section 201(c) of the Federal Property and Administrative Services Act of 1949 to permit further Federal use and donation of exchange sale property, introduced by Mr. McCLELLAN, by request, was received, read twice by its title, and referred to the Committee on Government Operations.

MAIL ON OCEAN VESSELS

Mr. BARTLETT. Mr. President, I introduce for reference to the appropriate committee a bill to change the regulation covering payments for transportation of mail on ocean vessels by the Postmaster General.

I introduced a similar bill—S. 2730—last year. However, I have changed the language in accordance with the wishes of the Postmaster General which he expressed in commenting on the bill late last session.

The need for the bill can best be stated by quoting from the Postmaster General's letter supporting the legislation. He wrote:

> Since the limitation of 8¢ per pound established by law in 1929 for parcels has already been reached with respect to certain long-haul services, no further upward adjustments, however well justified they may be, can be made unless the present limit is removed. Accordingly the Department has no objection to elimination of the present statutory ceilings in the interest of permitting adjustments in the longer haul service should circumstances require.

Without going into great detail, it is possible to state that the regulation covering payment for the transport of mail on ocean vessels passed about 40 years ago are outdated and unfair to U.S.-flag vessels. I understand that the Universal Postal Union Convention which became effective January 1, 1966, sets rates which are up to 37 percent higher than the rates the U.S. Post Office pays U.S.-flag vessels. Clearly, our merchant fleet has enough difficulties without being short changed by its own Government in this instance.

The bill merely repeals language of the United States Code limiting payments to 80 cents a pound for letters, post cards and postal cards and to 8 cents a pound for other articles and giving the Postmaster General authority to fix the rates.

Inasmuch as this bill as introduced today meets all objections of the Postmaster General, I trust that the appropriate executive agencies can expedite action on it.

I ask unanimous consent that the language of the bill be printed at the conclusion of my remarks.

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

The bill (S. 879) to amend section 6409(b)(1) of title 39, United States Code, which relates to transportation compensation paid by the Postmaster General, introduced by Mr. BARTLETT, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

S. 879

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (1) of section 6409(b) of title 39, United States Code, is amended by striking out "may pay compensation not to exceed 80 cents a pound for letters, post cards and postal cards, and 8 cents a pound for other articles" and inserting in lieu thereof "may be compensated at rates fixed by the Postmaster General".

DEPARTMENT OF NATURAL RESOURCES

Mr. MOSS. Mr. President, this body has heard again and again of the need to protect our natural resources. From my experience I have found that everyone agrees on this goal, but we are constantly frustrated in our efforts to do much about it. Notwithstanding the work of our resource agencies, notwithstanding the millions and millions of dollars appropriated by Congress, and regardless of our many conservation bills, America is suffering a progressive deterioration of natural resources.

The trouble is that we have allowed competing interests for the use of our limited resources to block any overall development and protection plan. Every resource management agency is surrounded by competing agencies, each striving to utilize our waters, minerals, and land for its own particular clientele. The result has been that we often have no policy at all when important decisions affecting our natural resources are made.

This has resulted in a loss—not for the competing interests—but for the American people. The decision to dam a river or cut down a 2,000-year-old tree is irrevocable. We will not be given the chance to make that decision again.

The choices we will make in the coming years will affect the beauty and the utility of our land for uncounted generations hereafter. The planning that we must do in the field of water resources will determine the economic future of the Nation. The planning of our land resources is hardly less important, and is so interrelated with water planning as to be inseparable. We cannot wait.

Time is running out on this once virgin land. The lush Potomac Valley is drained by a river of mud, sewage, and floating debris. The remains of unreconstructed strip mines scar the Midwest. The unique redwoods are disappearing at an increasing rate. Many of our richest minerals are becoming scarce. The lifeblood of the West, water, is often put to less than its maximum use. A hodgepodge of dams, planned or licensed by competing agencies, often bears no relation to the maximum utilization of the stream for power, recreation, and conservation. Our two biggest cities, New York and Los Angeles, are covered by vast, noxious clouds of smog. Even Phoenix and Salt Lake City are increasingly covered by a filthy haze.

Our cities are in desperate need of recreation space. People are traveling hundreds of miles to escape the noise and concrete of the city. Attendance at our national parks continues to break records. The once empty forests of Yosemite National Park are now filled with so many people on some weekends that every campsite is filled. And the smoke from their numerous campfires creates a layer of smog over this beautiful park.

The President has said:

> This continent is an abundance, continually being discovered and developed. But much of its richness lies hidden or unused.

I agree completely. Vast amounts of oil shale lie unused in Colorado and Utah. We still have not opened up our geothermal steam springs. The planning of water resources to meet our industrial and mining needs has not been adequate. The exploration for minerals has sometimes suffered from governmental policies. We have not had the kind of planning that would determine the benefits we will receive from different uses of the land and water.

A whole new resource field awaits development in the oceans. But we must have the planning necessary to prevent the mistakes of haphazard exploitation from being repeated in the development of the oceans.

Under present circumstances, the situation promises to get worse, not better. Population increase and technology, geared to ever-rising living standards, are exerting massive pressures on our limited supplies of resources. Water, land, and air are threatened by malpractice and the seemingly insatiable appetite of modern industrial society.

Resources for the future has projected a tripling of requirements for both energy and metals by the year 2000. We will almost double our demand for farm products and nearly triple demand for timber. Withdrawal depletions of fresh water will almost double. Increased demand for land space for outdoor recreation, suburban growth, highways, and airports will encroach on the diminishing supply. Land requirements, if each use is counted separately, would add up to 50 million more acres than this country has—and this assumes no increase in forest lands.

Forest products are projected to grow at a rate that will force us to find 300 million more acres of forest land by the year 2000. But a quarter of our annual supply is now lost to insects, diseases, and fires.

People are often unaware of the demands of an urban society on natural resources. While about 1 gallon of water a day will meet an individual's physiological requirements, the average American city dweller is using 110 gallons a day. Per capita use of water for all purposes has increased in the last 60 years from 530 to 1,900 gallons a day.

The greatest increase in the use of water in the future will come from industry. The effect this could have on pollution is foreboding.

A research foundation reported this past year that we may reach the end of big game hunting and sport fishing by the end of this century. According to this report, there will be too few streams that can support fish and too little wild land to produce forage for big game. Coupled with the increase in population, the end of one of our greatest natural resources is foreseen by this group.

While resources are limited, the uses are interrelated. The decisions on forest use intimately affect the fish and wildlife. The decisions for mineral use in an area inevitably affect its use for conservation or recreation. The true costs of industry must include the pollution and scenic destruction caused thereby. A decision on the feasibility of land and water use for industry must reflect this cost. But a multitude of different agencies prevents this interrelated planning.

The efforts of those seeking to overcome our resource problems are often frustrated by a bureaucratic maze. Newsweek magazine in 1965 said the big obstacle to restoring the Hudson River Valley is bureaucracy. It related how more than 15 Federal agencies from the Coast Guard to the Department of Commerce must deal with New York State Departments of Conservation, Health, Public Works, Commission for Fish and Game, Parks, Water Resources, Motor Boats—and the list does not end there.

This multitude of different agencies on both the State and Federal level, at best, operate in splendid isolation, pursuing contradictory policies and objectives. At worst they engage in open warfare.

One is not surprised to learn that the Soil Conservation Service in the Department of Agriculture pays a bounty to North Dakota farmers for draining potholes and wetlands, while the Bureau of Sports Fisheries and Wildlife in the Department of the Interior entreats their conservation.

More appalling is the result of conflicting policies in the Florida everglades. Here the National Park Service has come into headlong conflict with the Army Corps of Engineers. The Engineers have built massive levees to contain runoff from Lake Okeechobee and constructed 1,400 miles of drainage canals in the name of flood control. Park Service officials complain bitterly that the Engineers have drained Everglades National Park almost dry in their efforts to halt wetlands flooding and reclaim glade country for agriculture.

Flood control advocates have said that reclamation is for people and Everglades Park is "for the birds." But that is not the question at all. The real question is how to develop coordinated planning to develop priorities among limited resources.

The shocking fact is that these conflicting policies are just not being coordinated. Sufficient evaluations are not being made as to the best use of the land, and policy decisions from the separate departments are often in conflict.

We cannot let this anarchy continue without paying a high cost in irreplaceable resources. I do not feel this morass results from lack of devotion or from inefficiency in the agencies concerned. It stems from the lack of overall direction and central administration of our natural resource fields. More urgently than ever, a unified national policy is required to prevent heedless exploitation and to husband diminishing supplies.

I propose a Department of Natural Resources. I do not pretend that it will be a panacea for all of the problems I have mentioned. But it will eliminate

the lack of policy and coordination in the field. And it will be a symbol of the importance we attach to the resources we cannot replace.

WATER

Perhaps our water problems best illustrate the need for a Department of Natural Resources. The first Hoover Commission reported on this need as follows:

> Incomparably the greatest opportunity for economy lies in the imposition of precautions to eliminate wasteful water development and to assure the soundness of projects finally adopted. In the past, projects have been carried through which should never have been undertaken at all. Others have been wastefully constructed and without regard to important potential uses.

Probably their most important conclusion was that developing the entire river basin is difficult, if not impossible, as long as independent bureaus with traditional loyalties and jealous clientele carve up the development and management tasks.

This Nation faces a twofold task in developing overall river basin planning. First this country must find, and find quickly, greatly increased supplies of clean water. Second, we must manage with far more wisdom than we have used thus far, the water supplies we now have.

Total management of water resources involves a variety of functions. Among others are watershed protection and management, flood control, river and harbor improvements, irrigation, fish and wildlife, recreation, desalination, and pollution. This whole package must be tied together. We must plan for entire river basins from their sources to their mouths.

Even should authorities be successfully established for every river basin, however, the basins are interrelated. Precipitation, pollution, and water use in one basin can vitally affect others. Coordination in their development and management is essential.

Interbasin transfer cannot even be considered without both river basin planning and overall planning of water programs of many basins and States. Ideally, we should have a national long-range plan for management of water resources in the United States. The national plan would then be the starting point for the river basin plans.

In trying to effectuate this planning we now have three primary departments, Defense, Agriculture, and Interior. In addition, the Federal Power Commission, which grants licenses for projects, and Health, Education, and Welfare, which determines water quality standards, must be considered in all planning.

Below the departmental level, a Pandora's box opens. In Interior alone we have this array of agencies: The Bureau of Reclamation, three power marketing agencies, Bureau of Indian Affairs, the Bureau of Land Management, the Bureau of Fish and Wildlife, the Bureau of Mines, Geological Survey, the National Park Service, the Office of Saline Water, the Office of Water Resources Research, and the Bureau of Outdoor Recreation.

On the basis of expenditures, the most extensive Federal activity in the water resources field is conducted by the Department of Defense through the Corps of Engineers. They first were given the job of maintaining navigable waterways, which has some connection with national defense—at least a better connection than the Navy has in operating petroleum reserves. But the Corps of Engineers has advanced far past maintaining the navigability of our streams. It has gradually been expanded to include dam construction for flood control, water supply, and recreation.

The corps is a highly efficient construction organization, but there is at least an element of truth in the contention that it has been more interested in dam building than in river basin development.

The Engineers operate in every State. Though commanded by a few Army officers, the work force is composed of civilians. Since it has such a tenuous connection with the main duties of the Army it is virtually autonomous.

Until 1936, the bureaucratic tangle, while confused, at least was limited. Up to that time authority to harness rivers for storage and electric power was a function of the Bureau of Reclamation. But the jurisdiction for the Bureau was and is limited to the Western States. Following the great floods of 1936, President Roosevelt asked the Corps of Engineers to build flood control projects. At the same time, TVA was beginning the development of the Tennessee River Basin. Shortly after, Agriculture was given authority to construct small upstream and tributary check dams, and another agency entered the water picture.

In 1944, legislation logically provided that water projects should be multipurpose whenever possible. This brought the Army into irrigation, power generation, and recreation. But since the corps has no marketing facilities, the Interior Department had to market the water and power from these dams. We still face the difficult task of deciding which parts of the costs are for flood control—payable out of tax moneys—and which parts are to be paid from the sale of power.

Congress recognized the dangers in this situation when it passed the Water Resources Planning Act. This act creates a Water Resources Council to coordinate our water resources planning. But this instrument will be an awkward one at best. The Secretary of the Army whose time presumably is occupied by Vietnam, and the Secretary of HEW, who should be concerned about our cities, are now asked to plan our natural resource development.

It is clear that the basic work will be done by the staff, but the decisions must be made by the Council. The Council cannot and will not devote sufficient time to this. One Secretary could do it and accept the responsibility of those decisions.

I support the Water Resources Planning Act, but it is a stopgap measure, and the gap between our needs and our planning for those needs is getting wider.

The confusion extends into other areas. The Department of Defense now serves more recreation seekers than the Department of the Interior. So does the Forest Service. But the Bureau of Outdoor Recreation is in the Interior Department.

LAND

Although the problems are not as severe, the agencies dealing with land should also be coordinated. At present, we have the Bureau of Land Management in Interior administering part of our public lands while most of the remainder is administered by the Forest Service in Agriculture. To be effective, a Department of Natural Resources must include the Forest Service. Originally the Forest Service was supposed to administer land while the Bureau of Land Management was supposed to liquidate the Government's holdings. Now both manage land for multiple use, and their jurisdictions constantly overlap each other, as well as the jurisdictions of the National Park Service, the Bureau of Indian Affairs and other Federal agencies.

An example of this type of duplication is the Flaming Gorge Recreation Area which straddles the Utah-Wyoming border. Much of the land surrounding the water is national forest, so the Forest Service administers part of the recreation area. But the land above the Gorge stretching into Wyoming is administered by the National Park Service. An invisible border ends their separate jurisdictions. Both Services have adapted to the situation, but this dual administration is nonsense.

Senator McGEE and I have introduced legislation which designates the Forest Service as the administrator of the entire recreation area, but this situation is symptomatic of the overlapping jurisdictions in the conservation and recreation fields.

Some people have criticized me for attempting to end the semi-independent status of the Forest Service. I feel it is far more important to insure that the expertise and solid professional background of the Forest Service personnel influence the course of resource planning that will take place in a Department of Natural Resources.

OCEAN

I would foresee in the proposed Department of Natural Resources an Assistant Secretary of Oceanography. This important official could coordinate and emphasize our efforts on this new frontier of the resource field.

Senators MUSKIE, MAGNUSON, BARTLETT, and others have called our attention to the inadequate national effort concerning our marine program. Senator MUSKIE pointed out the need for the improvement of our merchant marine fleet, the exploration of the Continental Shelf and the enhancement of our fisheries products. In addition we need a review of our interests in the law of the sea and a study of possible import restrictions on those nations practicing poor conservation techniques in our adjacent waters.

Our natural resources program cannot continue in the future without recognizing the rich resources of the oceans and determining the extent to which we can

utilize these resources to supplement those on the land.

The need for a national oceanography program has been well demonstrated. The only question that remains is whether or not it should be put in the same department as our other natural resources. I think it fits. The problems of pollution in the very important estuaries of our rivers concerns both the ocean and the fresh water. The proposals to use the tides for power must draw on our extensive knowledge of hydroelectric power using fresh water. The minerals that might be found under the water and the hydrocarbons we presently obtain from beneath the sea are the same minerals we find on land. Certainly the Government department dealing with our mineral resources should logically coordinate this undersea effort. The agencies dealing with sport fisheries are in the Department of the Interior. It seems logical to me to include them in a Department of Natural Resources.

Of course, many new techniques for working in an aquatic environment must be found, but this would be the reason for coordinating all oceanography activities under an Assistant Secretary in the Department of Natural Resources.

Senator MUSKIE has pointed out the problem of the low ministerial status of our representatives at conferences on international marine affairs. I think the representation by a Secretary of one of our most important Cabinet departments would correct this situation.

The problems of our Great Lakes share some similarities to our fresh water problems and some similarities to those of the estuaries and oceans. In this new Department, efforts to meet this unique situation could be coordinated at all levels.

An Interagency Committee on Oceanography now coordinates the work of five departments, three independent agencies, and 22 bureaus and offices. But no one working in the area is in a high level policy position. What we need is top-level direction on policy and an adequate staff and budget.

Actually, this bill providing for a Department of Natural Resources is quite simple. The bill provides for a Secretary of Natural Resources and a Deputy Secretary. It provides for two Under Secretaries, one for water and one for land.

The jurisdiction of the Under Secretary for Water includes: the functions exercised by the Bureau of Reclamation; the civil works functions of the Corps of Engineers in the Department of the Army; the work of the Soil Conservation Service under the Watershed Protection and Flood Prevention Act; the Water Pollution Control Authority; coordination of river basin plans with the Federal Power Commission; the Bonneville Power Administration; the Southwestern Power Administration; and all agencies in the Department of the Interior that have water resource matters as their principal concern.

The Under Secretary for Water will supervise an Assistant Secretary for Oceanography. This Assistant Secretary will have jurisdiction over the functions of the sea grant programs of the National Science Foundation, the National Oceanographic Data Center, and the Coastal Engineering Research Center. It would also be wise to transfer to this Assistant Secretary the portion of the U.S. Fish and Wildlife Service which deals with the fisheries resources of the oceans. An office might also be created to coordinate efforts of our other mineral resource agencies in development of the minerals in and under the ocean.

While I have not provided for further administrative division in the bill, it would appear logical to divide the responsibility of the Under Secretary for Land into four branches, each headed by an Assistant Secretary.

The Forest Service and the Bureau of Land Management could report to an Assistant Secretary for Land Resources. The National Park Service, the Fish and Wildlife Service, and the Bureau of Outdoor Recreation could report to an Assistant Secretary for Recreation and Wildlife. The Bureau of Mines, Geological Survey, the Office of Coal Research, and the several other agencies in the Department of the Interior with responsibility in the fields of minerals and fuels could report to an Assistant Secretary for Minerals and Fuels. The fourth Assistant Secretary would supervise our air pollution abatement program.

The adoption of this proposal is long overdue. The task of protecting and wisely utilizing the land, the water, the forest, the wildlife, is one task. All these resources are interdependent. Today, all require wise management on a national basis.

The President has made clear his intention of consolidating functions and services. He is phasing out installations which have completed performance of the functions they were assigned. It is time we consolidated our planning or resource management.

An additional gain will be in the efficiency of State operation. The States cannot protect their resources without Federal cooperation. Our river basins, our waterfowl, our forests, our lakes do not recognize State boundaries. The State responsibilities in these fields are widespread. We should make it possible for them to carry out their responsibilities.

This legislation is introduced because the structure of our resource agencies is unnecessarily fragmented; because this fragmentation is preventing the quality of conservation and management that the public interest requires; and because the Congress has failed to give this question the attention it deserves.

What the bill will do is to enable one executive department to coordinate, at the levels of Under Secretary and Secretary, the activities of all agencies dealing with natural resources. It will enable the President, the Congress, and an executive department to effectively evaluate the Nation's resource requirements and the investment needed to meet them. It will provide the data and the management structure on which long-range planning can be based. It will enable us to consider with sufficient leadtime the raw material requirements of our industries. It will provide coordinated administration of farflung resource programs. It will make it easier for the States, counties, and cities to carry out their expanding responsibilities in the natural resource field.

My greatest pleasure since coming to the Senate has been in working in this conservation area—to improve our parks and recreation areas, to develop our mineral and water resources and to conserve our fish and wildlife. I want to see Congress meet its responsibilities by giving the executive branch the most effective resource management organization possible.

Mr. President, I send to the desk for appropriate reference my bill to redesignate the Department of the Interior as the Department of Natural Resources and to transfer certain agencies to and from such Department, and I ask that it be left on the desk for 2 weeks for cosponsors.

I also ask unanimous consent that the bill be printed in the RECORD following my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and lie at the desk, as requested by the Senator from Utah.

The bill (S. 886) to redesignate the Department of the Interior as the Department of Natural Resources and to transfer certain agencies to and from such Department introduced by Mr. Moss, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

S. 886

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Department of Natural Resources Act of 1967".

DEPARTMENT OF NATURAL RESOURCES

SEC. 2. (a) The Department of the Interior is hereby redesignated the Department of Natural Resources, and the Secretary of the Interior is hereby redesignated the Secretary of Natural Resources.

(b) All laws, orders, regulations, and other matters relating to the Department of the Interior or to the Secretary of the Interior shall, insofar as they are not inconsistent with the provisions of this Act, be deemed to relate to the Department of Natural Resources or to the Secretary of Natural Resources, respectively.

DEPUTY SECRETARY OF NATURAL RESOURCES

SEC. 3. The Under Secretary of the Interior authorized under the Act entitled "An Act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1936, and for other purposes", approved May 9, 1935, shall be known as the Deputy Secretary of Natural Resources and shall be compensated at the rate prescribed for level II of the Executive Schedule by section 5312 of title 5 of the United States Code.

UNDER SECRETARIES OF NATURAL RESOURCES

SEC. 4. (a) There shall be in the Department of Natural Resources an Under Secretary of Natural Resources for Water, and an Under Secretary of Natural Resources for Lands, who shall be appointed by the President, by and with the advice and consent of the Senate.

(b) Clause (8) of section 5314 of title

5 of the United States Code is amended to read as follows:

"(8) Under Secretary of Natural Resources for Water and Under Secretary of Natural Resources for Lands."

TRANSFERS FROM THE DEPARTMENT OF THE INTERIOR

SEC. 5. (a)(1) The Bureau of Indian Affairs in the Department of the Interior is transferred to the Department of Health, Education, and Welfare and all functions of the Secretary of the Interior being administered through the Bureau of Indian Affairs are transferred to the Secretary of Health, Education, and Welfare.

(2) The Office of Territories in the Department of the Interior is transferred to the Department of Health, Education, and Welfare and all functions of the Secretary of the Interior being administered through the Office of Territories are transferred to the Secretary of Health, Education, and Welfare.

(b) All personnel, property, records, obligations, commitments, and unexpended balances of appropriations, allocations, and other funds, which the Director of the Bureau of the Budget determines are to be used primarily with respect to any office, agency, bureau, or function transferred under the provisions of this section, are transferred to the Department of Health, Education, and Welfare.

TRANSFERS FROM DEPARTMENT OF AGRICULTURE

SEC. 6. (a) The Forest Service in the Department of Agriculture, together with such personnel, property, records, obligations, commitments, and unexpended balances of appropriations, allocations, and other funds as are determined by the Director of the Bureau of the Budget to be used primarily with respect to functions being administered through such service, is transferred to the Department of Natural Resources, and all functions of the Secretary of Agriculture being administered through such service are transferred to the Secretary of Natural Resources.

(b)(1) The functions of the Secretary of Agriculture under the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1001–1008), and the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved December 22, 1944 (58 Stat. 887), are transferred to the Secretary of Natural Resources.

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

CORPS OF ENGINEERS; CIVIL WORKS FUNCTIONS

SEC. 7. (a) The civil works functions of the Corps of Engineers of the Department of the Army and all such functions of the Secretary of the Army with respect to or being administered through such Corps are transferred to the Secretary of Natural Resources.

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

(c) In time of war or such other national emergency as the President determines, he may transfer—

(1) the functions transferred under subsection (a) of this section to the Secretary of the Army, and

(2) such personnel, property, records, obligations, commitments, and unexpended balances of appropriations, allocations, and other funds as he determines are used with respect to such functions to the Department of the Army. At the end of the war or the period of national emergency the President shall transfer such functions back to the Secretary of Natural Resources, and he shall transfer such personnel, property, records, obligations, commitments, and unexpended appropriations, allocations, and other funds back to the Department of Natural Resources.

TRANSFERS FROM THE DEPARTMENT OF THE NAVY; OCEANOGRAPHIC FUNCTIONS

SEC. 8. The National Oceanographic Data Center in the Department of the Navy together with such nonmilitary personnel, property, records, obligations, commitments, and unexpended balances of appropriations, allocations, and other funds as are determined by the Director of the Bureau of the Budget to be used primarily with respect to functions being administered through such center, is transferred to the Department of Natural Resources, and all nonmilitary functions of the Secretary of the Navy with respect to or being administered through such Center are transferred to the Secretary of Natural Resources.

TRANSFERS FROM THE NATIONAL SCIENCE FOUNDATION; SEA GRANT PROGRAM

SEC. 9. (a) The functions of the National Science Foundation under title II of the Marine Resources and Engineering Development Act of 1966 (80 Stat. 998) relating to sea grant programs, are transferred to the Secretary of Natural Resources.

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

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE; AIR POLLUTION CONTROL FUNCTIONS

SEC. 10. (a) The functions of the Secretary of Health, Education, and Welfare under the Clean Air Act, as amended (42 U.S.C. 1857 et seq.), the Solid Waste Disposal Act (42 U.S.C. 3251), and all other air pollution control functions of such Secretary are transferred to the Secretary of Natural Resources.

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

AMENDMENTS TO FEDERAL POWER ACT

SEC. 11. The first sentence of section 4(e) of the Federal Power Act (16 U.S.C. 797(e)) is amended by (1) striking out "the chief of Engineers and the Secretary of the Army", and inserting in lieu thereof "the Secretary of Natural Resources", and (2) inserting immediately before the period a colon and the following: *"Provided further,* That no license affecting the comprehensive plan of any river basin commission developed pursuant to the Water Resources Planning Act shall be issued until the plans of the dam or other structures affecting any such comprehensive plan have been approved by the Secretary of Natural Resources".

TRANSFER MATTERS

SEC. 12. All laws relating to any office, agency, bureau, or function transferred under this Act shall, insofar as such laws are applicable, remain in full force and effect. Any transfer of personnel pursuant to this Act shall be without change in classification or compensation, except that this requirement shall not operate to prevent the adjustment of classification or compensation to conform to the duties to which such transferred personnel may be assigned. All orders, rules, regulations, permits, or other privileges made, issued, or granted by any office, agency, or bureau or in connection with any function transferred by this Act, and in effect at the time of the transfer, shall continue in effect to the same extent as if such transfer had not occurred, until modified, superseded, or repealed. No suit, action, or other proceeding lawfully commenced by or against any office, agency, or bureau or any officer of the United States acting in his official capacity shall abate by reason of any transfer made pursuant to this Act, but the court, on motion or supplemental petition filed at any time within twelve months after such transfer takes effect, showing a necessity for a survival of such suit, action, or other proceeding to obtain a settlement of the questions involved, may allow the same to be maintained by or against the appropriate office, agency, or bureau or officer of the United States.

ANNUAL REPORT

SEC. 13. The Secretary shall, as soon as practicable after the end of each calendar year, make a report to the President for submission to the Congress on the activities of the Department during the preceding calendar year.

EFFECTIVE DATE

SEC. 14. The provisions of this Act shall be effective after ninety days following its date of enactment.

SELECTION OF METHOD OF DEPRECIATION BY REGULATED INDUSTRIES

Mr. LONG of Louisiana. Mr. President, I introduce, for appropriate reference, a bill to prevent Federal regulatory agencies from directly or indirectly denying regulated industries the right to exercise business judgment in selecting their method of depreciation or to account for depreciation on a deferred tax accounting basis, together with an explanatory statement, and I ask unanimous consent that the statement be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the explanatory statement will be printed in the RECORD.

The bill (S. 887) to prevent Federal regulatory agencies from directly or indirectly denying regulated industries the right to exercise business judgment in selecting their method of depreciation or to account for depreciation on a deferred tax accounting basis, introduced by Mr. LONG of Louisiana, was received, read twice by its title, and referred to the Committee on Finance.

The explanatory statement, presented by Mr. LONG of Louisiana, is as follows:

EXPLANATION OF BILL DEALING WITH TREATMENT OF DEPRECIATION FOR REGULATED INDUSTRIES

In introducing this bill, the problem with which I am concerned is the treatment by the regulatory agencies of the accelerated depreciation provisions under section 167(b) of the Internal Revenue Code. It has come to my attention that some of the regulatory agencies have taken actions which apparently are designed in effect to compel industries under their jurisdiction to use accelerated tax depreciation even though the in-

dustries do not want to do so. For example, the Federal Power Commission, in the case of regulated industries which have discontinued the use of accelerated tax depreciation, has nevertheless established their rates as though they were still using accelerated depreciation. This could well lead to a requirement that all such regulated industries use accelerated tax depreciation. In fact, it is my understanding that the Federal Communications Commission is currently questioning management decisions not to use accelerated depreciation.

My concern is substantially similar to the concern expressed by Congress with respect to the treatment by the regulatory agencies of the investment credit. As you know, when the intent of Congress in this regard was ignored after the 1962 legislation, Congress dealt with this matter specifically in the Revenue Act of 1964 (Sec. 203(e) of that Act). It looks to me as if we must take similar action with respect to accelerated depreciation.

The bill I have introduced would, in general, provide that Congress does not intend regulatory agencies or other government agencies, without consent of the taxpayer, to:

(1) require taxpayers to use any of the accelerated depreciation methods in determining their taxable income on their tax returns,

(2) use any depreciation charge other than that shown on the taxpayer's return in establishing the taxpayer's current income tax expense for cost of service purposes,

(3) exclude deferred tax expense (where deferred tax accounting is consistently followed) in determining current costs of service even though accelerated depreciation methods are used by a taxpayer,

(4) in any manner treat as income any difference between straight line and accelerated depreciation if the latter is not used on the tax return or if a deferred tax expense account is set up on the taxpayer's books of account for such amount, and

(5) accomplish a similar result in any other way.

Any action by regulatory bodies directed toward requiring regulated industries to use the accelerated tax depreciation provisions or to deny these industries the investment benefits of these provisions is in my estimation contrary to the intent of Congress and also would have an unfortunate effect on our economy. Both the statutory language and the committee reports in 1954 make it clear that the new accelerated depreciation methods were optional and that taxpayers could still use straight-line depreciation if they preferred. The committee reports also make it clear that the principal reason for providing these new methods of depreciation was to remove barriers to investment. However, it appears that some of the regulatory agencies are ignoring this intention of Congress.

Another factor which certainly should be considered in a period such as the present, when revenues are so short relative to expenditure requirements, is the significant loss in revenue which probably would result from in effect forcing the regulated industries to use accelerated depreciation methods (since this would be the effect if their costs in any event are determined on this basis). Industry representatives have informed me that this loss could well amount to several hundred million a year in a very few years.

I intend to seek action on this bill.

A MEMORIAL TO ASTRONAUTS WHO LOSE THEIR LIVES IN LINE OF DUTY IN THE SPACE EFFORT

Mr. HOLLAND. Mr. President, I know that all Americans share the deep sorrow of the families of the three Apollo astronauts, Virgil Grissom, Ed White, and Roger Chaffee, whose lives were lost at the Kennedy Space Center on Friday, January 27.

To date, we have lost six of these fine, dedicated men, who were in the space program.

It is my earnest hope, and I know I share this hope with all Americans, that the searching investigations now underway will permit future activities of those in the space program to accomplish their hazardous tasks without being subjected to the risks which manifestly existed in the Apollo capsule at the cape and more recently in the experimental capsule at San Antonio, Tex. Let us hope that the inherent risks involved in the space program will be materially reduced as a result of the searching investigations underway and with continued research and development.

Mr. President, the tragic incident which took place, I am sure, will make the entire Nation more clearly understand that not only during every moment of space flight, but during countless occasions in preparation for the flights our astronauts risk their lives to play their part in what they regard as a vital national objective and to which they are dedicated.

Mr. President, I well realize that each one of our fine astronauts and their families have their own ideas and desires with reference to the type of memorial which should be established for them as individuals, but I feel that a fitting and proper memorial should be established for all the astronauts who lose their lives in line of duty in the space program.

I therefore send to the desk a Senate joint resolution, for myself, Senators SMATHERS, MANSFIELD, DIRKSEN, HOLLINGS, and BYRD of West Virginia, and ask that it be received and appropriately referred. I also ask that the joint resolution lie on the table through February 16, 1967, for additional cosponsors.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, will lie on the desk through February 16, 1967, as requested by the Senator from Florida.

The joint resolution (S.J. Res. 30) to establish a commission to formulate plans for a memorial to astronauts who lose their lives in line of duty in the U.S. space program, introduced by Mr. HOLLAND (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Aeronautical and Space Sciences.

Mr. HOLLAND. Mr. President, let me say that February 16 will be the day following our return from the approaching Lincoln Day recess. I realize that the State of Florida has a peculiar interest in this matter because of the location of the Kennedy Space Center there; but each of the astronauts who lost his life recently comes from another State.

I also realize that this effort is a national effort in the truest sense.

I hope, therefore, that other Senators may feel that they should cosponsor the joint resolution, and I, therefore, invite those who wish to do so to cosponsor it with the two Senators from Florida.

Mr. President, the joint resolution would establish a commission, known as the Astronauts Memorial Commission, composed of five commissioners appointed by the President, one of which would be appointed from the National Aeronautics and Space Administration, another from the Department of Defense and three persons from civilian life.

The joint resolution, if adopted, would authorize the Commission, appointed by the President, to formulate plans for the design, construction, and location at Cape Kennedy, Fla., or in its immediate environs, of a permanent memorial to any astronauts who have lost their lives or who may in the future lose their lives in line of duty in the U.S. space program.

The joint resolution, as proposed, will also authorize the Commission to accept donations from public or private sources for use in planning and constructing the memorial as it is the intent of the resolution that the memorial will be financed by public and private donations, except for the transfer by the National Aeronautics and Space Administration, without cost, to any body authorized to construct the memorial designed by the Commission, any land owned by the United States at Cape Kennedy or its immediate environs, provided that the area so transferred would not affect adversely the space program of the United States and meets with the approval of the National Aeronautics and Space Administration.

The joint resolution further envisions that the Astronauts Memorial Commission will cease to exist within 1 year after it submits its final plans and recommendations to the President and the Congress, and will transfer to any body created to construct the memorial designed by the Commission, all funds and property and income therefrom remaining in the possession of the Commission prior to its termination.

Mr. President, Representative GURNEY, who represents the district in which the Kennedy Space Center is located, is today introducing a somewhat similar joint resolution, different in text but not at all in objectives, which I understand is supported by all members of the Florida delegation in the House.

Mr. President, I suggest again that we will welcome the sponsorship of all Senators of this joint resolution, which proposes a study which should result, in the near future, in the accumulation of funds and the making of plans for the erection of a suitable memorial at Cape Kennedy for those brave astronauts who have lost their lives, including the three astronauts who lost their lives so recently, as well as others who may lose their lives in the space effort in the future.

Mr. President, I ask unanimous consent that our joint resolution be printed in the RECORD at this time for the information of all Senators.

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

S.J. RES. 30

Resolution to establish a commission to formulate plans for a memorial to astronauts who lose their lives in line of duty in the United States States space program

Whereas on January 27 the people of this Nation were saddened and shocked to hear

that three gallant astronauts, Virgil I. Grissom, Jr., Edward H. White II, and Roger B. Chaffee gave their lives in the course of a test simulation of the planned first orbit of a manned Apollo spacecraft; and

Whereas other dedicated men have heretofore lost their lives while serving as United States astronauts; and

Whereas in view of the unknown perils attached to the nature of their duties, other astronauts may hereafter lose their lives while participating in the United States space program; and

Whereas the daily lives of all astronauts are filled with every danger that faces men who dare to pioneer in new and unknown places; and

Whereas their tireless efforts and their fearless dedication to their Nation should serve as an example to all Americans in these troubled days; and

Whereas our country is assured that the work of all astronauts who have lost or will lose their lives in the United States space program will be carried on by the selfless men who are their fellow astronauts: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a commission, to be known as the "Astronauts Memorial Commission" (hereinafter referred to as the "Commission"), for the purpose of considering and formulating plans for the design, construction, and location, at Cape Kennedy, Florida, or in its immediate environs, of a permanent memorial to any astronauts who have lost their lives or may hereafter lose their lives in line of duty in the United States space program.

(b) The Commission shall be composed of five commissioners appointed by the President as follows: One person to be appointed from the National Aeronautics and Space Administration, one person to be appointed from the Department of Defense, and three persons to be appointed from private life.

(c) The commissioners shall serve without compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in carrying out the duties of the Commission.

(d) The Commission shall report its final plans, together with its recommendations, to the President and Congress, at the earliest practicable date, and shall make interim reports of its progress to the President and Congress.

(e) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(f) The President shall designate a chairman of the Commission.

(g) Three members of the Commission shall constitute a quorum.

SEC. 2. The Commission is authorized to—

(a) appoint and fix the compensation of such personnel as it deems advisable;

(b) procure temporary and intermittent services to the same extent as authorized for the departments by section 3109 of title 5, United States Code;

(c) make such expenditures for the purpose of carrying out the provisions of this joint resolution as it may deem advisable from funds appropriated or received as gifts for such purpose;

(d) solicit and accept gifts, bequests, or devises of money, securities, or other property, from public or private sources, to be used in carrying out the provisions of this joint resolution or to be used in connection with the construction or other expenses of the memorial to be designed by the Commission, and to sell or exchange and to invest or reinvest in such investments as it may determine from time to time, the moneys, securities, or other property so given, bequeathed, or devised and to use or hold such moneys, securities, or property for the purposes of this joint resolution or the construction or other expenses of such memorial;

(e) accept and utilize the services of voluntary and uncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by section 5703 of title 5, United States Code;

(f) hold hearings, organize contests, enter into contracts for personal services and otherwise, and do such other things as may be necessary to carry out the provisions of this joint resolution; and

(g) avail itself of the assistance and advice of the Commission of Fine Arts and the National Council on the Arts, and such Commission and Council are authorized, upon request, to render such assistance and advice.

SEC. 3. The Administrator of the National Aeronautics and Space Administration is authorized to transfer, without cost, to any body which hereafter may be authorized to construct the memorial designed by the Commission, any land and interests in land owned by the United States at the site chosen by the Commission for the establishment of such memorial if such transfer would not affect adversely the space program of the United States.

SEC. 4. The Commission shall cease to exist within one year after the submission of its final report and shall transfer, to any body which may hereafter be created to construct the memorial designed by the Commission, all funds and property, and income therefrom, remaining in the possession of the Commission immediately prior to its termination.

SEC. 5. There is hereby authorized to be appropriated not more than $10,000 to carry out the provisions of this joint resolution.

LEGISLATIVE REORGANIZATION ACT OF 1967—AMENDMENT

AMENDMENT NO. 85

Mr. WILLIAMS of New Jersey submitted an amendment, intended to be proposed by him, to the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the name of the Senator from New York [Mr. JAVITS] be added as a cosponsor on S. 513. to amend the Public Health Service Act by adding a new title X thereto which will establish a program to protect adult health by providing assistance in the establishment and operation of regional and community health protection centers for the detection of disease, by providing assistance for the training of personnel to operate such centers, and by providing assistance in the conduct of certain research related to such centers and their operation, and that his name appear on the bill at the next printing.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the name of the Senator from Pennsylvania [Mr. SCOTT] be added as a cosponsor to S. 728 to provide for the expansion of the Beverly National Cemetery, Beverly, N.J., and that his name appear on the bill at the next printing.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that my name be added as a cosponsor of S. 794 making Columbus Day a legal holiday, and that my name appear thereon at the next printing.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. ALLOTT. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Wyoming [Mr. HANSEN] be added as a cosponsor of the bill (S. 522) to establish a national mining and minerals policy.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HARRIS. Mr. President, I am pleased to ask, at his request, that at the next printing of S. 836, a bill to create a National Foundation for the Social Sciences, the name of the distinguished Senator from South Dakota [Mr. MUNDT] be added. The Senator from South Dakota is the ranking minority member of the subcommittee now considering the bill, the Subcommittee on Government Research of the Committee on Government Operations.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF RESOLUTION

Mr. DIRKSEN. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from New Jersey [Mr. CASE], the Senator from Nebraska [Mr. CURTIS], the Senator from Connecticut [Mr. DODD], the Senator from Oklahoma [Mr. HARRIS], the Senator from South Carolina [Mr. HOLLINGS], and the Senator from New Mexico [Mr. MONTOYA] be added as additional cosponsors of the resolution (S. Res. 8) to create a standing Committee on Veterans' Affairs—for the Veterans' Administration.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of January 25, 1967, the name of Mr. SCOTT was added as a cosponsor of the bill (S. 677) to permit the compelling of testimony with respect to certain crimes, and the granting of immunity in connection therewith, introduced by Mr. MCCLELLAN (for himself and Mr. HRUSKA) on January 25, 1967.

NOTICE OF HEARING BY SUBCOMMITTEE ON INDIAN AFFAIRS OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. JACKSON. Mr. President, I wish to announce that the Subcommittee on Indian Affairs of the Committee on Interior and Insular Affairs will hold a hear-

ing on Friday, February 17, on S. 282, a bill to provide for the termination of Federal supervision over the property of the Confederated Tribes of Colville Indians located in the State of Washington and the individual members thereof, and for other purposes. The hearing will begin at 10 a.m. in room 3110 New Senate Office Building.

Those who may wish to testify on this proposal are requested to contact Mr. James Gamble, of the committee staff, in order that a witness list may be prepared.

EXTENSION OF TIME FOR FILING OF REPORT UNDER SENATE RESOLUTION 188, SECOND SESSION, 89TH CONGRESS—INDIVIDUAL AND MINORITY VIEWS

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the filing date of the report under Senate Resolution 188, second session, 89th Congress, be postponed until March 15, and that the report be filed on that date together with individual and minority views. The junior Senator from California [Mr. MURPHY] joins in this request.

The VICE PRESIDENT. Without objection, it is so ordered.

EXTENSION OF TIME FOR BILL TO BE HELD AT THE DESK

Mr. SCOTT. Mr. President, I ask unanimous consent that S. 799 to provide more economic, efficient, and effective implementation of the various Federal loan and grant-in-aid programs to improve the quality of urban and rural life through improved comprehensive development planning, programing, and coordination among and between Federal agencies, States, regions, metropolitan areas, and local governments, and to encourage greater coordination between States and their political subdivisions in the planning and programing of Federal loan and grant-in-aid programs, and for other purposes presently lying at the desk, may be permitted to lie at the desk until the close of business on February 17 for additional cosponsors.

The VICE PRESIDENT. Without objection, it is so ordered.

TREATY ON PRINCIPLES GOVERNING THE ACTIVITIES OF STATES IN THE EXPLORATION AND USE OF OUTER SPACE—REMOVAL OF INJUNCTION OF SECRECY

Mr. BYRD of West Virginia. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive D, 90th Congress, first session, the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies, transmitted to the Senate today by the President of the United States, and that the treaty, together with the President's message, be referred to the Committee on Foreign Relations, and that the President's message be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

I

I am today transmitting to the Senate, for your advice and consent, the first Treaty on Outer Space.

The provisions of this treaty reflect the will and desire of the signatory states, already numbering more than half the nations of the world, that the realms of space should forever remain realms of peace.

The privilege of transmitting this milestone agreement to you before the end of the first decade of space exploration is especially gratifying for me.

Only 10 years ago, as a Senator, I chaired the first congressional hearings called to determine what response our national policy should make to the challenges of the exploration of outer space. The hearings and the events of those times seem now a world away for us all. Yet I remember—as I know you do—the climate of great awe and greater anxiety in which Senators addressed themselves to their responsibilities. At that time:

No American satellite had yet been orbited.

The readiness of our rockets was much in question.

There was no NASA, no vast complex at what is now Cape Kennedy, no Manned Spaceflight Center at Houston. The very word, "astronaut," was not in our vocabulary.

Men questioned the capacity of our educational system to yield up the incalculably valuable resource of minds trained for the great tasks of the space age.

The stature of our advanced technology and our ability to participate as leaders in the explorations of the universe was far from being established with certainty.

In that uncertain climate, our concerns about space were quite different from now. We were rightly concerned for the safety of our Nation and for the survival of humankind. We directed our concern to the organization of our society and to the priority of our values as free men.

In November 1958, President Dwight D. Eisenhower asked me to appear before the United Nations to present the U.S. resolution urging that the exploration of outer space be undertaken for peaceful purposes, as an enterprise of international cooperation among all member nations.

On that occasion, speaking for the United States, I said:

> Today, outer space is free. It is unscarred by conflict. No nation holds a concession there. It must remain this way. We of the United States do not acknowledge that there are landlords of outer space who can presume to bargain with the nations of the Earth on the price of access to this domain. We must not—and we need not—corrupt this great opportunity by bringing to it the very antagonisms which we may, by courage, overcome and leave behind forever if we proceed with this joint adventure into this new realm.
>
> We know the gains of cooperation. We know the losses of the failure to cooperate. If we fail now to apply the lessons we have learned, or even if we delay their application, we know that the advances into space may only mean adding a new dimension to warfare. If, however, we proceed along the orderly course of full cooperation we shall, by the very fact of cooperation, make the most substantial contribution toward perfecting peace.
>
> Men who have worked together to reach the stars are not likely to descend together into the depths of war and desolation.

I believe those words remain valid today.

The "very fact of cooperation" in the evolution of this treaty is to be taken as a "substantial contribution toward perfecting peace." As long ago as 1958, President Eisenhower initiated an exchange of letters with the leadership of the Soviet Union, seeking agreements binding the uses of outer space to peaceful purposes. President Kennedy repeatedly reaffirmed our willingness to cooperate toward these ends.

In October 1963, the General Assembly of the United Nations called on nations of the world not to station nuclear or other weapons of mass destruction in outer space. Two months later the Assembly adopted a Declaration of Legal Principles to govern activities in space. On May 7, last year, I repeated, and Ambassador Goldberg reiterated many times thereafter, our view of the urgency of doing all that we could to assure that exploration of outer space would take place in peace, for peaceful ends.

In July 1966, negotiations on the treaty were formally begun at Geneva in the 28-member United Nations Outer Space Committee. Accord was subsequently reached at renewed negotiations in New York. The treaty was unanimously endorsed by the 21st session of the General Assembly just over a month ago.

On January 27, the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies was opened for signature in Washington, London, and Moscow. The United States, United Kingdom, and Soviet Union were among the 60 countries signing the treaty in Washington. Other nations are expected to add their signatures in the near future.

The climate in which such accord has been reached is clearly an encouraging omen for continuing in other realms our constant quest for understandings that will strengthen the chances for peace.

II

In the diplomacy of space, as in the technology of space, it is essential always that interim achievements not be mistaken for final success. This treaty I transmit to the Senate today is such an interim achievement—a significant, but not a final step forward.

It carries forward the thrust of the past decade to enlarge the perimeters of

peace by shrinking the arenas of potential conflict. This is a thrust to which the Senate has given its support by ratifying the four Geneva Conventions on the Law of the Sea in 1958, the Antarctic Treaty of 1959 and the Limited Test Ban Treaty of 1963.

As we have dealt with the sea, the atmosphere and the vast unpopulated continent of Antarctica, now in this treaty we extend reason to the activities of nations in the endless realm of outer space.

The treaty lays down fundamental principles:

No nation can claim sovereignty to outer space, to the moon, or to other celestial bodies.

All nations have the right to conduct space activities.

No one may use outer space or celestial bodies to begin a war. The rules of the United Nations Charter apply to space activities.

No country may station in space or orbit around the earth nuclear or other weapons of mass destruction.

No country may install such weapons on a celestial body.

No nation may establish military bases, installations, or fortifications, on a celestial body. Nor may any weapons be tested or military maneuvers be conducted there. The right to visit another country's installations and space vehicles on a celestial body is guaranteed.

Astronauts are "envoys of mankind." If an astronaut lands on another country's soil, he must be returned safely, promptly, and unconditionally.

Space activities and their results are to be reported for the benefit of all.

Each country is to avoid harmfully contaminating outer space and adversely changing the environment of the earth by introducing extraterrestrial matter.

These and other provisions of the treaty are described in detail in the accompanying report of the Secretary of State.

III

Space exploration has become an intimate part of our lives. The exploits of men and machines in outer space excite and thrill us all. The valiant young men who have become symbolic of our national effort as astronauts are close to every American family. The deaths in line of duty of Lt. Col. Virgil Grissom, Lt. Col. Edward White, and Lt. Comdr. Roger Chaffee, touched every American home and heart.

Yet, we must remember that these are only primitive years in the epoch of space exploration and utilization—an epoch that will run to the end of time. In the next decade and in all the decades to come, the capabilities of nations in space will multiply far beyond our comprehension today. If we should flag or falter in our support of this great extension of human knowledge, the concern and anxiety we felt so keenly a decade ago would be known again to other Americans in future times.

When we ask what this Nation or any nation expects to find from exploration in space, the answer is one word: knowledge—knowledge we shall need to maintain earth as a habitable environment for man.

The resources of this planet are already taxed to support human existence. Now and even more each day, as the family of man increases so rapidly, fertile soil, clear water, clean air, and a safe atmosphere all become more precious to men and nations than the metals and jewels of ages past.

The quest for gold and silver, and diamonds and rubies, once led men to explore the earth seeking enrichment for themselves and their nations. So now the realities of this and future ages require that nations pursue together the exploration of space within this galaxy, seeking new knowledge and new capabilities to enrich the life of all mankind.

The future leaves no option. Responsible men must push forward in the exploration of space, near and far. Their voyages must be made in peace for purposes of peace on earth. This treaty is a step—a first step, but a long step—toward assuring the peace essential for the longer journey.

I strongly recommend—in appropriate commemoration of the Senate's own role in charting the course that the world now seems willing to follow—that the Senate act promptly in giving consent to the ratification of this treaty. I hope that I may be able to affirm as President of the United States, what I said as a Senator to the United Nations in 1958:

> On the goal of dedicating outer space to peaceful purposes for the benefit of all mankind, there are no differences within our Government, between our parties or among our people.
>
> LYNDON B. JOHNSON.
>
> THE WHITE HOUSE, *February 7, 1967.*

OUTER SPACE TREATY

Mr. MANSFIELD. Mr. President, we have received from the President today, for our advice and consent, the Outer Space Treaty.

This treaty is not a cure-all for the many problems that face humanity.

It will not guarantee us peace.

It will not end the arms race.

It will not solve the menace of nuclear proliferation.

It will not ease all of the age-old tensions that have pitted nation against nation.

Nevertheless, I consider it one of the major documents of our time. For, if there is madness in the world, this treaty expresses man's determination to keep that madness from spreading into outer space. As such, it is a civilizing force that will be felt throughout the world.

And if this treaty succeeds, its implications for our children and our children's children will be beyond measure.

As President Johnson pointed out at the signing of this treaty less than 2 weeks ago:

> We have never succeeded in freeing our planet from the implements of war. But if we cannot yet achieve this goal here on earth, we can at least keep the virus from spreading.
>
> We can keep the ugly and wasteful weapons of mass destruction from contaminating space. And that is exactly what this treaty does.
>
> This Treaty means that the moon and our sister planets will serve only the purposes of peace and not of war.
>
> It means that orbiting man-made satellites will remain free of nuclear weapons.
>
> It means that astronaut and cosmonaut will meet some day on the surface of the moon as brothers and not as warriors for competing nationalities or ideologies.

If we can accomplish that, Mr. President, future generations will look back upon us with profound gratitude—and, in the light of history, perhaps amazement as well.

To me, it is a hopeful sign that nations should choose to rise above their differences of the moment so that they can agree on a sane course of action for the future.

Let us join with those nations in such an agreement.

We know it will be a fragile agreement. We know it may not succeed. We know that it may be openly violated at some future date.

But this opportunity may never come to us again. And if we ignore it, we may be certain, as the President has said, "that the advances into space may only mean adding a new dimension to warfare."

So if this first step we have been asked to take is uncertain, the alternative is unthinkable.

Mr. SPARKMAN. Mr. President, the Outer Space Treaty, which was signed at the White House on January 27, wisely forbids any party to orbit nuclear weapons around the earth. I am glad that the United States agreed to include this prohibition in the treaty. It is easier to refrain from arming an environment that has never been armed than to disarm an already armed area. Outer space is pure—let us keep it that way.

In August of 1962, Roswell Gilpatric, then Deputy Secretary of Defense, announced that the United States would refrain from placing nuclear weapons in orbit around the earth. We then took the lead in securing the agreement of the Soviet Union to adopt the same self-denying posture. In 1963 the Soviets agreed, and that autumn the U.N. General Assembly recorded in a resolution the policy statements of the two space powers that they would not orbit any weapons of mass destruction—General Assembly resolution 1884 (XVIII), October 13, 1963.

The United States adopted this policy, because putting nuclear weapons in orbit could not in any way strengthen our security. The expense of such a program would be great. The problem of control over the weapons would be exceedingly difficult. A race between the Soviets and us to orbit weapons would likely worsen the international situation and thus be harmful to our national security.

Some may wonder whether the Soviets will live up to their treaty commitment. We have no reason whatever to think that they have sought to orbit weapons of mass destruction since they stated their policy in 1963. We expect they will live up to what is their Outer Space Treaty commitment—not because we have blind faith in their word but because the treaty prohibits action by

both the United States and the Soviet Union which it is clearly not in their interest to take.

Mr. MOSS. Mr. President, there is one thing that struck me immediately on reading the Outer Space Treaty: only a few articles deal directly with arms control, but these few articles are the ones that have so far received most of the publicity.

This is understandable. The whole question of disarmament and arms control is probably the most important topic in world politics today, and, as President Johnson has said, this space treaty represents the biggest step in arms control since the limited test ban treaty.

But most of the Outer Space Treaty—perhaps three-quarters of it—deals with other rules for space exploration. In the future—50, 100, 200 years from now—these are probably the rules in which historians will be most interested. The world has seen other great ages of exploration, but none of them were guided by this sort of political foresight. In the great age of naval exploration, for example, when the new technologies of navigation and ship construction demonstrated to our ancestors that the world was round, expeditions were motivated by narrow national interests—by a desire for exploitation and colonization. There were conflicts between these national interests, and the following centuries saw many wars as a result. I find it very encouraging that the space age, almost from the start, will be guided by a series of agreed international principles. Sometimes I have thought that the major lesson of history is that men never learn lessons from history. Now, perhaps we have learned something after all.

Mr. McGEE. Mr. President, over the last 20 years, the United States has demonstrated time and again its desire to work for a durable peace. This has not been an easy task. The realities posed by the hard facts of power and by selfish interests have had to be squarely confronted. The task, however, has been given a special urgency by the destructive power of modern weapons.

The recently concluded Outer Space Treaty is therefore of utmost significance. That treaty prohibits the orbiting of nuclear weapons around the earth or their placement on the moon. It reserves the moon for peaceful uses only and prohibits weapons testing and military maneuvers on the moon. The total effect of these provisions is to reduce the possibility that the moon and outer space will be used as a stage for war between nations. We will be spared the immense expense which would be involved in deploying nuclear weapons in outer space. At the same time, our basic security interests will be preserved and we will retain our capability to determine whether other parties are living up to the treaty.

This treaty, therefore, is a major step in the direction of a lasting peace. It will narrow the possibilities of conflict. And it will encourage cooperation among nations in the exploration of space for the benefit of all.

Mr. BREWSTER. Mr. President, in these troubled times, it is a source of some comfort to find that nations continue to seek out and identify matters on which they can agree. The Outer Space Treaty—submitted today by President Johnson—is a notable example.

This treaty is not the answer to all of the world's problems. Indeed, it is only the first, not the last, agreement which will be needed to direct the efforts of men and states in outer space. But it is a reflection of what is possible politically. It enhances the orderly use of space and it furthers our national security. The treaty merits our support.

Mr. PELL. Mr. President, by some sad trick of fate, Col. Edward White lost his life last week at almost the very moment President Johnson was witnessing the signing of the Outer Space Treaty. Colonel White was the nephew of retired Army Col. James C. White, of Newport, R.I.

He said it was a sad trick because the treaty would have made Colonel White very proud and very hopeful. Its purpose is to assure that national boundaries and national conflicts are not extended to the moon and other celestial bodies. This was important to him.

We should all remember the great occasion last year when Colonel White visited the United Nations and presented a U.N. flag to Secretary General U Thant, which he had carried with him during his historic walk in space. During the ceremony, he recalled looking at the earth from his spaceship far above. As he saw the continents and oceans passing by, he reminisced, he was struck by the fact that something was missing: he could see no national boundaries.

Will there be national boundaries on the moon, Mr. President? And on Mars and the planets beyond? Will there be wars that such boundaries always seem to foment?

We can answer "no" by approval of the treaty now before us. This treaty assures freedom of exploration and use of outer space for all nations. And it bars the stationing of nuclear weapons or other weapons of mass destruction in outer space or on celestial bodies.

This is a major document of our times. It is a major weapon of peace. Let us act on it without delay.

Mr. MONTOYA. Mr. President, we have lived in the age of space for a good many years without binding rules of conduct. With the signing of the treaty on principles governing the activities of states in outer space, the nations have taken a first, and, most important step toward the peaceful uses of outer space. The terms of the treaty are important, and no more so than the willingness of the East and West to cooperate for their mutual benefit, which lay behind the Antarctic agreement and the partial test ban treaty. To the extent that we have limited national rivalries in the testing of nuclear weapons, in explorations of the South Pole and in outer space, perhaps it is not too much to hope that one day peace may come to all the earth.

The Treaty on Outer Space points the way. I hope that this body will give its advice and consent to the ratification of this treaty at an early date.

SUMMARY OF THE PRESIDENT'S ECONOMIC REPORT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that a statement made by Mr. Gardner Ackley, Chairman of the Council of Economic Advisers, before the Joint Economic Committee, on February 2, summarizing the major threads of this year's Economic Report, which I think is an excellent report, be incorporated at this point in the RECORD.

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

STATEMENT OF GARDNER ACKLEY, CHAIRMAN; JAMES S. DUESENBERRY, AND ARTHUR M. OKUN, MEMBERS, OF THE COUNCIL OF ECONOMIC ADVISERS, BEFORE THE JOINT ECONOMIC COMMITTEE, FEBRUARY 2, 1967

It has been the custom—at least over the past few years—for the Council to open its testimony on the President's Economic Report with a rather lengthy Statement. We intend to depart from that custom this year.

In each of the preceding years in which any Member of the present Council has been associated with these Hearings, it has been the Council's avowed intention *not* to prepare a lengthy opening Statement, reasoning that its own Report—already before the Committee—provided an adequate summary of the Council's views. Yet each year we have looked back at the labors of report-writing and decided there were some points we could have made more clearly, more accurately, or more persuasively if we were to start afresh.

Our different procedure this time does not reflect any smug self-satisfaction that, in contrast with previous years, we have this time said everything just right—nor even any weariness with our message. If anything, rather, it reflects compassion for the Committee, for our mimeograph operator, and for our friends in the press.

And so I shall take less than ten minutes of your time to summarize what seem to us to be the major threads of this year's Report.

First, the economy is in a basically sound and healthy condition, and we expect it to stay that way throughout 1967. We see an advance of GNP this year by about $47 billion to the neighborhood of $787 billion. This would be a smaller gain than last year's, and appropriately so. The real growth would be about in line with the increase in the economy's potential. We expect the advance to be somewhat slower in the first part of the year, speeding up later on.

Second, it is clear that we face significant economic problems. The principal ones are these. Prices have risen more than we would like, and will rise again in 1967, although by less. Our balance of payments still shows a troublesome deficit at least on the liquidity basis. Our housing industry is depressed as the result of last year's tight money and high interest rates. And despite the general prosperity, too many of our citizens are left behind by economic progress. None of these problems will be easily resolved, but we expect to make progress on all of them in 1967.

Third, because we already enjoy a high rate of utilization of our productive resources, the economy cannot be expected to expand at as rapid a pace this year as it has expanded over the past 6 years. During that period we have been absorbing idle or underutilized resources into productive use. Last

year, for example, an extra $10 billion of output came from reducing unemployment, converting part-time into full-time jobs, and attracting previously discouraged workers into the labor force. We expect no such extra bonus this year. But this is not bad news; on the contrary, it is welcome exidence of how far we have come in recent years. Further reduction of unemployment is feasible in the longer run. But the rate of progress will depend on the success of our manpower training programs and on an improvement in the operation of our labor markets.

Fourth, designing economic policy is more challenging in today's high-level economy than in an economy with an abundance of underutilized resources. In a slack economy, the appropriate policy is to stimulate an expansion of total demand at a faster rate than total productive capacity is growing. A high-level economy has to track a narrower path. There are stabilizing forces in our economy which help to keep it on an even keel. But timely adjustments of policy are necessary to promote a steady rate of growth. Too slow an expansion of demand would result in economic waste and human suffering. Too fast an expansion would build up inflationary pressures. To keep the economy moving steadily ahead, a close watch on economic developments and a maximum degree of flexibility in policy are required. The normal requirements for flexibility is intensified by the need for prompt action if, unexpectedly, peace should return in Southeast Asia. And the President has directed that preparations should be made for that event, and kept up to date.

Fifth, the economic policy which the President has outlined for 1967 involves a mixture of monetary and fiscal measures. The record of the Federal Reserve in responding to the changing economic climate of recent months as well as our consultations with the Federal Reserve make us confident that fiscal and monetary policies will be working toward the same objectives in the months ahead. Monetary policy is expected to continue the shift—already in process—away from the extreme tightness of last year. As a result, we expect substantial recovery in construction. During the first half of 1967 fiscal policy will be mildly stimulating. This will give time for easier credit conditions to be translated into improved liquidity of financial institutions, increased lending activity, and then increased spending. And it will cushion the effect of the reduction in inventory investment expected in the first half of the year.

In the second half of the year, the expansion in construction increased Social Security payments, and a leveling off in inventory investment will tend to accelerate the growth of total demand. That tendency will be partially offset by the income tax surcharge. The year should produce continued growth in total output and a better balance among residential construction, business fixed investment, and inventory investment.

Sixth, we expect an improved price record in 1967, primarily as a result of the more moderate pace of economic advance. Some of this improvement is already apparent. Unit labor costs will continue to rise during 1967 as a result of bigger wage settlements in a larger number of industries. But demand pressures on labor markets should abate somewhat, particularly in the unorganized sectors where pressures were greatest last year. Nevertheless, the need for restraint and responsibility in private wage and price decisions has not disappeared; if anything, it has become the more urgent. The Council has not specified a single numerical standard to be applied to wage increases in 1967. Such a numerical standard does not seem useful this year.

In any case, it has had in the past the unfortunate effect of making restraint appear to be a "yes" or "no" question. A 3.2 percent wage settlement was taken as evidence of restraint, a 3.4 percent settlement as no restraint, and a defeat for the policy. In fact, restraint and responsibility—or their opposites—constitute a continuous spectrum; and the more restraint and responsibility the better. A 4-percent wage settlement does involve more restraint than a 6-percent settlement. In a given situation, a price reduction may be a more responsible action than a 1-percent price increase, yet the latter is to be preferred to a 3-percent increase.

Seventh, we will be working to narrow the liquidity deficit in our balance of international payments in 1967, and to retain a major share of the 1966 improvement in our official settlements balance. In particular, our trade balance should strengthen significantly through a slower expansion of imports, reflecting the more moderate pace of domestic economic expansion and the lessening of specific pressures on productive capacity. To guard against a renewed excessive outflow of capital, the voluntary balance of payments programs have recently been strengthened; the President has asked for discretionary authority to vary, within limits, the rate of the Interest Equalization Tax; and initiatives have been taken to achieve better worldwide cooperation in lowering interest rates. The President has also suggested new steps to promote foreign travel in the United States.

Eighth, the problem of poverty will continue to be attacked through the many weapons already at our disposal. In addition, the President has singled out for special attention in 1967 an expansion and improvement of training activities for the disadvantaged, and some steps to modernize our system of public assistance. The Social Security changes which he has recommended will, among other things, contribute to a reduction of poverty among the aged. And he has indicated his intention to ask a commission of prominent Americans to study the possible merits of entirely new ways of attacking the problem of poverty.

Ninth, and finally, the President's Report, and our own, look back on an amazing record of economic performance during the past year and the past six. These accomplishments should give us confidence in our ability to find solutions to the economic problems remaining to be solved. In the last year alone, these are some of the achievements:

The largest increase in nonfarm payroll employment of any year in our history, except 1941 and 1942;

A nearly 5-½ percent growth in real output;

A 3-½ percent increase in the real, per-capita standard of living of the American people, led by a 7-percent increase in the real income of our farm operators, and including a 3-percent increase in the average real hourly compensation of employees.

Over the whole 6 years of unmatched expansion, our economy has—

Created nearly 9 million additional jobs;

Achieved more than a 50-percent expansion of industrial production, twice that of the preceding 6 years;

Accomplished a 50-percent increase in average real farm incomes, in contrast with a 9-percent gain in the preceding 6 years; and

Achieved almost a 25-percent increase in the real per-capita standard of living of the American people, a gain equivalent to that of the entire 13 years preceding.

Six years ago, when the current expansion began, the American people faced many and serious economic problems. Some of them still remain, and new ones have arisen. Finding solutions for these problems will be the continuing concern of the Administration, this Committee, and the American people. And when one strikes the balance between our progress and our problems, the record provides basis for confidence that these problems can and will be solved.

Mr. Chairman, we will be happy to attempt to respond to your questions.

VIETNAM—THE NEED FOR POLITICAL BOLDNESS

Mr. NELSON. Mr. President, if we are willing to lead now with political boldness the time may well be ripe for negotiations in Vietnam. We possess a flexibility of action which is soundly based on our power and security in the air and on the ground. We can afford a controlled gamble.

When the bombing truce begins on Wednesday we should announce our intention not to resume bombing of the north at the end of the truce. The announcement should have no strings or conditions attached. Furthermore, we should make it clear that once an honorable peace is negotiated that preserves the integrity of South Vietnam we will withdraw our military presence.

This action carries no serious military risk but it offers great opportunity for substantial political gain.

It will be argued that we unilaterally terminated bombing twice before and it did not work. But the fact is circumstances are dramatically different now than they were then—China is convulsed in a violent internal revolution; Russia is anxious for a settlement; Hanoi knows it cannot win a military victory; and we know our military posture is sound and our forces secure in the south.

It is true that Hanoi may not respond favorably. But the cost of finding out is minor when weighed in the total picture. In no war in modern history has any power been so favorably situated to openly explore all avenues of peace—and to do so without loss of face in the world or military position in the battlefield. No rational person in political or military leadership anywhere supposes we offer to negotiate out of fear of our adversary. It would be, rather, a mark of strength and not of weakness.

To those who say this is not the right time one might ask, When is the right time?

Is it a better alternative to pour in more troops, grind out more victories, bomb more cities and then, at some later date, test the attitude of our adversaries?

Now, it seems to me, is as good a time as any to explore Hanoi's intent. With our dominance of the air and our forces on the ground we can monitor and measure Hanoi's response with considerable accuracy. We can determine before very long whether Hanoi and the Vietcong want to escalate or de-escalate the conflict. If there is a positive response, both sides can de-escalate even before formal negotiations occur. If it fails, we have lost very little.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). The time of the Senator has expired.

Mr. NELSON. Mr. President, I ask unanimous consent that I may proceed for an additional minute and a half.

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

Mr. NELSON. Mr. President, it has been noted by everyone that Hanoi is talking more and more about a cessation of bombing the north as a condition precedent to negotiations and less and less about unilateral withdrawal of American troops. This is a significant turn of events. If, in fact, she has dropped that demand, it is a dramatic recognition of the realities of the situation. And, if so, we ought to recognize that for her, politically, this was a "damn tough bullet to chew." She not only faces tough internal ideological differences as well as a struggle for succession to political power in the north, but she is an involuntary pawn in the violent China-Russia dispute.

So the posture Hanoi assumes vis-a-vis the United States is directly influenced by her internal and external political problems.

If the political price of starting negotiations is a cessation of bombing the north, it is hardly more than a tuppence for us to pay.

VIETNAM ERA VETERANS' READJUSTMENT ASSISTANCE ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 11, S. 16.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 16) to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era, 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 Finance, with amendments, on page 3, line 14, after the word "period", to strike out "ending" and insert "ended"; on page 6, after line 19, to strike out:

"(h) The Administrator shall furnish to each veteran who is receiving additional compensation or allowance under chapter 11, or increased pension as a veteran of World War I, World War II, the Korean conflict, or the Vietnam era, by reason of being in need of regular aid and attendance, such drugs and medicines as may be ordered on prescription of a duly licensed physician as specific therapy in the treatment of any illness or injury suffered by such veteran."

And, in lieu thereof, to insert:

"(h) Any veteran who as a veteran of World War I, World War II, the Korean conflict, or the Vietnam era is receiving increased pension under section 521(d) of this title based on need of regular aid and attendance may be furnished drugs or medicines ordered on prescription of a duly licensed physician as specific therapy in the treatment of an illness or injury suffered by the veteran."

On page 7, after line 9, to strike out:

SEC. 5. (a) Section 1901 of title 38, United States Code, is amended by redesignating subsection (b) as subsection (c), and by adding after subsection (a) the following new subsection (b):

"(b) The benefits of this chapter shall also be made available to each veteran who is suffering from any disability described in subsection (a), if such disability is the result of an injury incurred or disease contracted in or aggravated by active military, naval, or air service since January 31, 1955, and if the injury was incurred or the disease was contracted in line of duty as a direct result of the performance of military duty."

(b) Section 1905 of title 38, United States Code, is amended (1) by striking out at the beginning of the first sentence thereof "The benefits", and inserting in lieu thereof "(a) Except as provided in subsection (b) of this section, the benefits", and (2) by adding at the end thereof a new subsection as follows:

"(b)(1) In the case of any veteran who is eligible for the benefits provided in this chapter by reason of section 1901(b) and who was discharged or released from active military, naval, or air service before the date of enactment of this subsection, any applicable time limitation contained in subsection (a) of this section which otherwise would have begun to run before the date of enactment of this subsection shall not begin to run until that date.

"(2) In the case of any veteran whose entitlement to the benefits provided in this chapter first arose by reason of the enactment of Public Law 85-857, application for such benefits may, notwithstanding the time limitations contained in subsection (a) of this section, be made within one year from the date of enactment of this amendatory Act."

And, in lieu thereof, to insert:

SEC. 5. (a) Section 1901(a) of title 38, United States Code, is amended by striking out "World War II or the Korean conflict" and inserting in lieu thereof "World War II, the Korean conflict, or the Vietnam era".

(b) Section 1905 of title 38, United States Code, is amended to read as follows:

"§ 1905. Applications

"The benefits of this chapter shall be made available to any veteran who meets the eligibility requirements of this chapter and who makes application for such benefits in accordance with regulations prescribed by the Administrator."

And, on page 9, after line 3, to strike out:

SEC. 6. Except as provided in section 7, the amendments made by the first section and sections 2 and 3 of this Act shall become effective on January 1, 1967. The amendments made by sections 4 and 5 of this Act shall become effective upon enactment.

And, in lieu thereof, to insert:

SEC. 6. Except as provided in section 7, the amendments made by sections 2 and 3 of this Act shall become effective on the first day of the first calendar month which begins more than ten days after the date of enactment of this Act. The amendments made by sections 4 and 5 of this Act shall become effective upon enactment.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known as the "Vietnam Era Veterans' Readjustment Assistance Act".

SEC. 2. (a) Paragraph (11) of section 101 of title 38, United States Code, is amended to read:

"(11) The term 'period of war' means the Spanish-American War, World War I, World War II, the Korean conflict, the Vietnam era, and the period beginning on the date of any future declaration of war by the Congress and ending on the date prescribed by Presidential proclamation or concurrent resolution of the Congress."

(b) Such section is further amended by adding at the end thereof the following new paragraph:

"(29) The term 'Vietnam era' means the period beginning August 5, 1964, and ending on such date as shall thereafter be determined by Presidential proclamation or concurrent resolution of the Congress."

SEC. 3. (a) Subsection (a) of section 521 of title 38, United States Code, is amended to read as follows:

"(a) The Administrator shall pay to each veteran of World War I, World War II, the Korean conflict, or the Vietnam era, who meets the service requirements of this section, and who is permanently and totally disabled from non-service-connected disability not the result of the veteran's willful misconduct or vicious habits, pension at the rate prescribed by this section."

(b) Such section is further amended by amending subsection (g) to read as follows:

"(g) A veteran meets the service requirements of this section if he served in the active military, naval, or air service—

"(1) for ninety days or more during either World War I, World War II, the Korean conflict, or the Vietnam era;

"(2) during World War I, World War II, the Korean conflict, or the Vietnam era, and was discharged or released from such service for a service-connected disability;

"(3) for a period of ninety consecutive days or more and such period ended during World War I, or began or ended during World War II, the Korean conflict, or the Vietnam era; or

"(4) for an aggregate of ninety days or more in two or more separate periods of service during more than one period of war."

(c) The catchline of section 521 of title 38, United States Code, is amended to read as follows:

"§ 521. Veterans of World War I, World War II, the Korean conflict, or the Vietnam era".

(d) Subsection (a) of section 541 of title 38, United States Code, is amended to read as follows:

"(a) The Administrator shall pay to the widow of each veteran of World War I, World War II, the Korean conflict, or the Vietnam era who met the service requirements of section 521 of this title, or who at the time of his death was receiving (or entitled to receive) compensation or retirement pay for a service-connected disability, pension at the rate prescribed by this section."

(e) Paragraph (1) of subsection (e) of such section is amended to read as follows:

"(1) before (A) December 14, 1944, in the case of a widow of a World War I veteran, or (B) January 1, 1957, in the case of a widow of a World War II veteran, or (C) February 1, 1965, in the case of a widow of a Korean conflict veteran, or (D) before the expiration of ten years following termination of the Vietnam era in the case of a widow of a Vietnam era veteran; or".

(f) The catchline of section 541 of title 38, United States Code, is amended to read as follows:

"§ 541. Widows of World War I, World War II, Korean conflict, or Vietnam era veterans".

(g) Subsection (a) of section 542 of title 38, United States Code, is amended by striking out "or the Korean conflict" and inserting in lieu thereof "the Korean conflict, or the Vietnam era".

(h) The catchline of section 542 of title 38, United States Code, is amended to read as follows:

"§ 542. Children of World War I, World War II, Korean conflict, or Vietnam era veterans".

(i) The table of sections at the beginning of chapter 15 of title 38, United States Code, is amended by striking out "521. Veterans of World War I, World War II, or the Korean conflict."

and substituting in lieu thereof

"521. Veterans of World War I, World War II, the Korean conflict, or the Vietnam era.";

by striking out the subheading

"World War I, World War II, and the Korean conflict"

and substituting in lieu thereof

"World War I, World War II, the Korean conflict, and the Vietnam era";

by striking out

"541. Widows of World War I, World War II, or Korean conflict veterans."

and substituting in lieu thereof

"541. Widows of World War I, World War II, Korean conflict, or Vietnam era veterans.";

and by striking out

"542. Children of World War I, World War II, or Korean conflict veterans."

and substituting in lieu thereof

"542. Children of World War I, World War II, Korean conflict, or Vietnam era veterans."

(j) Chapter 15 of title 38, United States Code, is amended by striking out the subheading "WORLD WAR I, WORLD WAR II, AND THE KOREAN CONFLICT" immediately preceding section 541 of such title, and substituting in lieu thereof "WORLD WAR I, WORLD WAR II, THE KOREAN CONFLICT, AND THE VIETNAM ERA".

SEC. 4. (a) Section 602 of title 38, United States Code, is amended to read as follows:

"§ 602. Presumption relating to psychosis

"For the purposes of this chapter, any veteran of World War II, the Korean conflict, or the Vietnam era who developed an active psychosis (1) within two years after his discharge or release from the active military, naval, or air service, and (2) before July 26, 1949, in the case of a veteran of World War II, or February 1, 1957, in the case of a veteran of the Korean conflict, or before the expiration of two years following termination of the Vietnam era in the case of a Vietnam era veteran, shall be deemed to have incurred such disability in the active military, naval, or air service.".

(b) Subsection (h) of section 612 of title 38, United States Code, is amended to read as follows:

"(h) Any veteran who as a veteran of World War I, World War II, the Korean conflict, or the Vietnam era is receiving increased pension under section 521(d) of this title based on need of regular aid and attendance may be furnished drugs or medicines ordered on prescription of a duly licensed physician as specific therapy in the treatment of an illness or injury suffered by the veteran."

SEC. 5. (a) Section 1901(a) of title 38, United States Code, is amended by striking out "World War II or the Korean conflict" and inserting in lieu thereof "World War II, the Korean conflict, or the Vietnam era".

(b) Section 1905 of title 38, United States Code, is amended to read as follows:

"§ 1905. Applications

"The benefits of this chapter shall be made available to any veteran who meets the eligibility requirements of this chapter and who makes application for such benefits in accordance with regulations prescribed by the Administrator."

SEC. 6. Except as provided in section 7, the amendments made by sections 2 and 3 of this Act shall become effective on the first day of the first calendar month which begins more than ten days after the date of enactment of this Act. The amendments made by sections 4 and 5 of this Act shall become effective upon enactment.

SEC. 7. (a) The amendments made by this Act relating to the payment of burial benefits in the case of veterans of the Vietnam era shall become effective on the date of enactment of this Act.

(b) If the burial allowance authorized by section 902 of title 38, United States Code, is payable solely by virtue of the enactment of this Act, the two-year period for filing applications, referred to in section 904 of such title 38, shall not end, with respect to an individual whose death occurred prior to the enactment of this Act, before the expiration of the two-year period which begins on the date of enactment of this Act, or, in any case involving the correction of a discharge after the date of enactment of this Act, before the expiration of two years from the date of such correction.

Mr. MONTOYA. Mr. President, the quest for justice should always be nonpartisan. Therefore, in a spirit of nonpartisanship I rise to speak today on behalf of hundreds of thousands of our young men and women who are today making the same sacrifices their fathers and grandfathers before them made in conflicts our Nation has seen fit to engage in.

It is a matter of record that since the Tonkin Gulf crisis of August 5, 1964, our Nation has called these young people to the colors in ever-increasing numbers. I do not choose to debate here and now the pros and cons of their callup.

What I do wish to speak of and call the attention of this body to is what we are doing to provide for their return. When these youngsters are mustered out of service of the Nation, what situation will they find when they return home to take up the interrupted threads of their existences?

All have left loved ones for long periods of time. Many have interrupted or postponed educations. All are now in the process of giving up to the Republic the most precious gifts they have to give—their well-being and glorious years of strong youth that, once used, are gone forever.

In addition, they are also putting something on the line for their country—their lives and limbs. Sadly I note our casualty lists and remind all present of the price these youngsters are now paying. Each passing week sees the continual stream of them coming home without limbs, without use of one or more of their senses, with their mental equilibrium in some cases unbalanced on a temporary or permanent basis. Truly we are paying a heavy cost in sorrow for our beliefs.

What provisions are being made for disability pensions for veterans and their surviving widows and children? Drug costs? Special conveyances for those crippled in limb? It is to our shame that we have not yet made full provision for these matters in the case of veterans returning from Vietnam. Each week sees the need grow. We cannot afford to let this situation go on and worsen. If we can pay so much for conflict, shall we not make available these aids for those doing the actual fighting?

Last week President Johnson made a series of proposals to the Congress, which, if enacted, would equalize treatment for all veterans of all our conflicts. It amounted to a hopeful declaration of intent on the part of the administration in regard to veterans benefits. I concur in what the President's message contained. This requires action as soon as possible.

In the last session of the 89th Congress I introduced my Vietnam Era Veterans Readjustment Assistance Act, which contains the essence of the President's proposals on benefits for Vietnam era veterans. It was approved by the Committee on Finance of which the distinguished Senator from Louisiana [Mr. LONG] is the chairman, and then by this body without a dissenting vote. Unfortunately, because of the need to adjourn, the other body did not have the opportunity to act favorably upon it.

Mr. President, I have therefore introduced my bill again this year. It is known as S. 16, and once again with the invaluable aid of Senator RUSSELL LONG, and the other members of the Committee on Finance, it has received the swift and considerate attention that this matter deserves and is once more before this body for consideration.

Senators will recall that the major provisions of the bill are as follows:

Military service of 90 days or more beginning August 4, 1964—date of the Tonkin Gulf crisis—and ending on a date determined by Presidential proclamation would be considered eligible service.

The $250 burial allowance would be extended to Vietnam veterans. The full compensation rate for wartime disability would be given them.

Their widows and surviving children would become eligible for monthly pension payments for non-service-connected disabilities and deaths.

A psychotic condition arising within 2 years after discharge or termination of the Vietnam conflict would be considered to be service connected for purposes of hospitalization by the Veterans' Administration.

Payment for prescribed drugs and medicines would be provided for Vietnam veterans who are on the pension rolls and in need of regular aid and attention.

Payments would be made by the Veterans' Administration of an amount up to $1,600 for autos or other conveyances, including special appliances to veterans who are amputees or blind.

Mr. President, the Veterans' Administration pronounced itself as heartily in favor of this bill when it was presented to the Congress last year. Mr. William Driver, the Administrator of the Veterans' Administration, testified in favor of it.

Every major veterans' organization in the Nation has pronounced itself in favor of this bill.

Most important of all, 72 Senators have joined me in cosponsoring this essential piece of legislation.

Mr. President, before this Nation began to make provisions for its returning

servicemen, no nation anywhere had made a comparable effort. It was the United States that really broke ground in this area of responsibility. Mr. Dixon Wecter, a distinguished American historian, detailed this history of veterans treatment in our land in his definitive work on the subject, "When Johnny Comes Marching Home." It would ill behoove us to stop after his last chapter, which does not include recent conflicts.

We must have a sense of social responsibility toward our returning service people, just as we have toward any group of individuals who are in need of aid or social justice. Is the returning Vietnam veteran to remain on the lowest rung of our national ladder? Or is he to be accorded the same honorable consideration he is now earning with his blood and well-being.

I say that the time for debate on this is over. I ask that each of my colleagues search his own heart and conscience, and then move to give this bill the swift passage it has earned and needs.

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

Mr. MONTOYA. I yield.

Mr. KUCHEL. Mr. President, the distinguished Senator from New Mexico [Mr. MONTOYA] has taken the leadership in this field with respect to the American who has put on his country's uniform and who defends freedom today halfway around the globe.

I am proud to have my name among the cosponsors of the bill which is about to pass the Senate. I wish to salute the distinguished Senator from New Mexico and say that he deserves the gratitude of the people of this country for his leadership in this important area.

Mr. MONTOYA. I thank the Senator from California for his comments.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. MONTOYA. I yield.

Mr. BYRD of West Virginia. Mr. President, I associate myself with the remarks which have just been made by the distinguished senior Senator from California [Mr. KUCHEL]. I wish to join in saluting the Senator from New Mexico [Mr. MONTOYA] for the splendid leadership he has given in regard to this very important measure.

I am glad to be associated with the Senator from New Mexico in cosponsoring this measure, and I appreciate the invitation which he extended to me to become a cosponsor of the measure. I am grateful to him for the great work he has done on behalf of our veterans. Again, I thank him, and join in saluting him for the splendid and able leadership which he has performed in this respect.

Mr. MONTOYA. I thank my colleague for his kind words.

Mr. President, I ask unanimous consent that the amendments be agreed to en bloc.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to en bloc.

Mr. LONG of Louisiana. Mr. President, the Committee on Finance unanimously approved this bill. Basically, the bill is designed to provide additional wartime benefits to veterans who have served since August 5, 1964, in the Armed Forces during the Vietnam crisis. The benefits afforded by the bill are comparable to those provided for veterans of World War I, World War II, and the Korean conflict. S. 16 would recognize that a man who serves his country during this critical period, whether his service be in Vietnam, United States, or West Germany, is serving during wartime. At present, his service is considered, ironically enough, to be during peacetime. Consequently this legislation is not only necessary but timely. Also, this bill rounds out and completes for the Vietnam era group what has heretofore been provided as benefits by the so-called GI cold war bill. It does this by supplementing benefits provided under the cold war bill in adding wartime benefits for this particular group.

Specifically, the bill would extend to Vietnam era veterans the following benefits not presently available to them. It would provide disability compensation at wartime rates under all circumstances. It would also guarantee pensions to the veterans and his survivors for a non-service-connected disability or death. It would assist his survivors by making a $250 burial allowance available. The seriously disabled veteran, one who has lost his sight or limb in the line of duty or as a result of service to our country, would be entitled to receive $1,600 toward the purchase of an automobile. The bill would also provide medical care benefits, such as drugs and invalid lifts.

The committee liberalized the law by removing present time limitations upon applications by eligible disabled veterans to apply for an automobile allowance. It also amended the bill to limit the automobile allowance to veterans of the Vietnam era who sustained their loss of limb or sight as a result of their military service after August 4, 1964. Further, in line with the underlying philosophy of the bill to extend benefits only to Vietnam era veterans, the drug and medicine benefits would likewise be limited to aid and attendance pensioners who qualify because of service during the Vietnam era.

The committee bill makes the pension, disability compensation, and therapeutic devices available as of the first day of the first month which begins more than 10 days after the date of enactment of S. 16. The remaining benefits such as allowances for burial, and automobiles, and benefits for drugs and medicines would be available immediately after the bill becomes law. This action of the committee will assure orderly implementation of these new benefits to the Vietnam era veterans.

During committee hearings last year concerning benefits for Vietnam era veterans, it was demonstrated that since August 5, 1964, military operations not only escalated but also changed in their nature from an advisory function to a retaliatory full-scale military operation. The most recent figures submitted by the Office of Defense to the committee show that we have nearly 390,000 troops in that area, and that as of January 1, 1967, 6,644 of our servicemen had given their lives in the performance of their duty—and this figure grows every day.

Further, the Congress just recently enacted legislation amending charters of various major veterans' organizations to include servicemen who have served since August 5, 1964, to become members of those organizations.

Perhaps, most significant is the fact that the President of the United States, in his recent message to Congress regarding American servicemen and veterans, urged that additional steps must be taken to fulfill our obligations to those who have borne the cost of conflict in the cause of liberty. To achieve this aim the President proposes to remove inequities in the treatment of Vietnam veterans, and recommends enactment of identical benefits that are provided by the committee's bill.

The estimated first-year cost of this bill is $9.7 million. Certainly, an insignificant amount in comparison of the magnitude of the sacrifices we call upon our servicemen to make.

The committee concluded that it is time to assure these fine gallant servicemen who are serving during the Vietnam war, and their dependents and survivors, that they will receive benefits commensurate with the great risks of life and limb to which they are exposed. Passage of this bill would go far in fulfilling the responsibility of Congress to provide equitably for the men serving our country during the Vietnam crisis.

I wholeheartedly recommend passage of this bill by the Senate.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MONTOYA. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. BYRD of West Virginia. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

REMOVE RHODESIAN ECONOMIC SANCTIONS

Mr. BYRD of West Virginia. Mr. President, to suggest that the United States reconsider its participation in economic sanctions against Rhodesia appears to me to be a matter of good policy. Our support of the British request for economic sanctions through the United Nations was defended on the basis that the Ian Smith-guided Government was pursuing policies which offered a threat to world peace. Yet current reports on the relationship between Rhodesia and other African nations do not appear to substantiate this so-called threat.

As evidence of this, I invite attention to the February 1 Washington

Evening Star article written by Gordon Lindsay, entitled "Zambia Growing Wary on Rhodesia Sanctions," in which he points out that Zambian officials are losing their taste for any confrontation with the Ian Smith-Rhodesian government, recognizing that economic cooperation, rather than economic sanctions to boycott trade, offers a brighter promise for security and prosperity.

I ask unanimous consent to have the newspaper article printed in the RECORD.

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

[From the Washington (D.C.) Evening Star, Feb. 1, 1967]

ZAMBIA GROWING WARY ON RHODESIA SANCTIONS

(By Gordon Lindsay)

JOHANNESBURG.—As Zambia's reappraisal of its confrontation with Rhodesia drags on, a clear reluctance is growing in the Zambian cabinet to approve any hardening of the current limited sanctions.

Government economists estimate that it costs Zambia $300 million to sustain its opposition to the white Rhodesian regime last year.

Copper revenue would have been at least $180 million higher had production not been lost due to coal shortages, rail difficulties and strikes in the mines.

More than $90 million was committed to hasty improvements of Zambia's northern supply routes (the Great North Road from Abercorn, south of Lake Tanganyika, to Dar es Salaam) and a further $30 million can be written off for a variety of reasons including higher prices for goods imported from sources other than Rhodesia and higher traffic rates on routes other than Rhodesian railways.

Reorganization costs spread throughout private business probably would make a mockery of the last figure.

COPPER PRODUCES SURPLUS

But, with the luck of a reckless gambler who throws away winning cards and still finds an ace up his sleeve, Zambia ended 1966 with a $90 million improvement in its balance of payments.

Government estimates are that Zambia will have a favorable trade surplus of $360 million this year.

Exports in 1966 were worth $720 million (compared to $570 million in 1965) and imports were valued at $360 million ($315 million in 1965).

Foreign reserves are now well over $240 million—by far the highest in black independent Africa.

Copper accounts for nearly all Zambian exports and the phenomenal price for copper this year—once as high as $1,800 a ton because of worldwide shortage—is the reason for the record surplus.

Doubts over Zambian supplies contributed to the scarcity value of copper although the Vietnamese war, Chilean strikes and the Congo-Union Miniere wrangle, would still have pushed prices higher than in 1965.

There is little jubilation over the trade surplus among the more level-headed members of the Zambian cabinet, who point out that if Zambia had ignored the Rhodesian issue and exported normally, the copper industry would have been worth at least $900 million this year.

The loss of revenue is by no means their only argument. Christmas goods were arriving in Lusaka shops last week—an odd proof that things are not going at all well with the new supply routes.

In fact, Rhodesian railways still carry more than 80 percent of Zambia's imports. The rest is brought in by road from Dar es Salaam and Malawi and by rail through the Congo to the Copperbelt. All the routes are affected by practical or political factors.

Export routes are slightly better with Rhodesian railways now carrying only about half of Zambia's reduced copper output of some 48,000 tons a month.

Against the monetary costs Zambia can also blame its often hysterical stance over Rhodesia for the steady exodus of whites caused by worsening race relations. An easing of tension would arrest any new trek south.

ARGUMENTS LESS VALID

Meanwhile, the arguments for Zambia increasing the confrontation with Rhodesia become less valid.

Zambia has always recognized that if it decides to go it alone against Rhodesia and undertake a complete boycott, it risks economic suicide. While there is still strong support for this sort of move in the cause of pan-Africanism, those in favor of it can do nothing to prove it will have any effect.

A $33 million cutback last year of imports from Rhodesia does not appear to have unduly shaken Ian Smith, the Rhodesian premier.

And those in favor of weakening the confrontation with Rhodesia can show that Zambia still needs at least $60 million worth of Rhodesian goods a year.

PRESIDENT JOHNSON MARKS EFFECTIVE DATE OF MINIMUM WAGE LAW

Mr. YARBOROUGH. Mr. President, last week marked the effective date of the minimum wage amendments passed by Congress last year. As President Lyndon B. Johnson said February 1:

This is another D-Day in our fight to help those that are in need.

As of February 1, 8 million more workers became entitled to the protections of the Federal Fair Labor Standards Act and the 30 million presently covered workers became entitled to $1.40 per hour.

Congressional action on the 1966 amendments took many hours of work on the part of many persons in 1965 and 1966; the issues were vigorously contested before the majority worked its will and produced the meritorious legislation enacted into law.

I am much pleased that President Johnson chose to commemorate the February 1 effective date of the act in a White House ceremony last week. I ask unanimous consent that the President's fine statement hailing the new law be printed at this point in the RECORD.

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

MINIMUM WAGE AMENDMENTS—THE PRESIDENT'S REMARKS AT A CEREMONY MARKING THE EFFECTIVE DATE OF THE FAIR LABOR STANDARDS AMENDMENTS OF 1966, FEBRUARY 1, 1967

Mr. Keenan, Secretary Wirtz, General O'Brien, the distinguished chairman and members of the House committee who worked so long and effectively to bring about passage of these amendments, my friend Senator Yarborough, members of the AFL–CIO, ladies and gentlemen:

To me this is another D-Day in our fight to help those that are in need.

Twenty-eight years ago, as a young Congressman, I worked to get the first minimum wage law passed. I was brought into that effort by Dr. David Dubinsky, who is represented here today, and by other members of the AFL–CIO.

The thing that I particularly want to mention is then, as now, most of the enlightened members of organized labor have never been personally affected by the minimum wage laws. As a result of their bargaining, they have all, generally speaking, been above the minimum levels. But union after union and leader after leader in the workers' movement in this country have spent time to see that their colleagues and their fellow workers had the benefits of this legislation.

It is my humble pride as President to see that this declaration of decency has been made real in millions of lives and homes—for as we meet here this afternoon, a new minimum wage has become effective in this country. It will mean a great deal to a great many people—none of whom are here. It will help them to carry on.

Eight million workers, as Mr. Keenan has told you, have new benefits this afternoon—for the first time since this act was passed 28 years ago.

One million more workers are going to get benefits next year.

The minimum rate for most workers—those 30 million previously covered—becomes, today, $1.40 an hour. This still means less, for a year's work, than what we count as a poverty wage. But this brings minimum wages closer in line with minimum decencies than they have ever been before.

An additional billion dollars will go, this year, into those pay envelopes where it is needed most—and this will be for services rendered, for work performed.

If this means very small increases in prices—that we have heard a good deal about—and in costs—and I believe it does mean increases in both—the American people will accept this as a better answer than denying human beings a decent wage.

These are the workers that you rarely see, the workers that we all too often forget to acknowledge. They are the workers that make life a little more complete for everyone of us, every day. They are the charwomen who clean our rooms after we are gone in the evening, through the night. They are the people who make our beds after we leave in the morning. They are the waitresses who get up early to give us coffee before we go to work, the hotel and the motel employees, the hospital service employees, the laundry workers that clean our clothes, the workers in the apparel trades that try to make us look presentable. And, for the first time, the farm workers—several hundred thousand of them.

They are not here in the White House this afternoon, but those who have worked for them and fought for them are, the Members of Congress who could hear their voices and heeded their plea, the leaders of the workers in this country who had done so much to help the people of their own union, but decided to do something to help all people.

This is a great day for America. America is entitled to the feeling that it has done something very right and something very good.

I shall never forget a breakfast I had at a very dark period in the life of this bill over in the Mansion several months ago when Mr. George Meany and Mr. David Dubinsky and several of us were talking about the problems we faced.

Well, those hurdles have been overcome. What was a hope yesterday is now today a reality—and some 9 million will benefit from it. Just knowing that gives you a great deal of satisfaction that can never come to you from any paycheck.

So to you leaders of labor, particularly Secretary Wirtz who testified so long and so eloquently and so effectively, to you Members who heard him, all of you, in behalf of these workers, I say thank you for your efforts.

ARBITRARY DISCRIMINATION IN EMPLOYMENT BASED SOLELY ON AGE

Mr. CANNON. Mr. President, I am privileged to join the distinguished senior Senator from Texas [Mr. YARBOROUGH] in calling for an end to arbitrary discrimination in employment based solely on age.

The Senate last year passed such legislation, but it was modified in conference to include a request to the administration to make specific legislative recommendations to deal effectively with the growing problem of arbitrary age discrimination in employment.

The bill is commendable not only because it offers flexible procedures for eliminating discrimination in hiring, but also because it provides for research of problems of older workers and for fostering job opportunities for these workers through the public employment service.

Arbitrary discrimination in hiring is costly and will become even more costly to the Nation as technological developments make physical labor more outmoded and demand more sophisticated judgment and experience. Yet, because of myths about older workers, it is becoming more and more difficult for persons in the over-45 category to obtain new jobs commensurate with their abilities.

Mr. President, television station KSL in Salt Lake City aired during the week of January 23 an excellent editorial underscoring the need to eliminate prejudices against older workers. I ask unanimous consent that the editorial be printed in the RECORD.

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

Is any nation rich enough to throw away $4 billion a year? That's the estimated cost of this country's outmoded prejudices against hiring workers over 45 years old.

It's a strange paradox in which America is caught. As *Time Magazine* expressed it recently, the men and women over 45 make up "The Command Generation." They run our industries and professions. They make our laws, and enforce them. They teach our children. They are the most valued employees of virtually any company you can name.

These are the over-45's with jobs. They run the country. But what about the over-45's without jobs? They really aren't all that different. Yet, they are a drag on the job market. It is a rare and fortunate man in that category who can find a new job commensurate with his abilities.

Why is this? Because we have built up a whole series of myths—that it costs much more to hire older workers; that they are absent more; that they can't keep up the pace; that "you can't teach an old dog new tricks."

Actually, none of these prejudices is true. A recent Department of Labor study shows that putting an older worker on the payroll, including all fringe benefits, costs an average of just 5c an hour more than hiring a younger worker. Another study shows that older workers actually lose fewer days from work; that they are just as adaptable; that their average performance, is as good as, and sometimes better, than younger workers.

These facts will become increasingly true as the job market demands less and less physical labor and more and more brain-power, judgment, and management of people.

America cannot afford the continuing waste of productive people who are not producing.

KSL calls on its listeners, particularly those who employ workers, to change our costly prejudices against the older worker and to give him a chance.

PEACE TALKS IN VIETNAM—OPTIMISM OR WISHFUL THINKING?

Mr. MCGEE. Mr. President, as the hopes of all of us rise for possible peace talks in Vietnam, we find it sometimes difficult to stay in touch with reality. Lest false expectations escalate our hopes beyond reality, it is well that we face up to a simple, harsh truth; namely, that the most optimistic hope remains still a very dim one.

The distinguished columnist, Richard Wilson, in a recent column published in the Evening Star, sounds this sober warning to his readers.

I ask unanimous consent that his column be printed in the RECORD.

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

THE SIGNALS FROM HANOI AND WISHFUL THINKING

(By Richard Wilson)

About as much as can be said with any authority about the outlook for Vietnam peace talks is that the prospect is better than six or eight months ago. The air is filled with gossip and something seems to be stirring.

Beyond this there is not much to say for the simple reason that the United States government has heard less through its private and discreet channels on Hanoi's intentions than has been heard publicly.

But there has been enough talk and atmospherics to cause this government to consider the minimum reciprocal action by Hanoi which would justify the beginning of de-escalation of the war. Perhaps this is the beginning of the withering away of major actions in the war which will amount to a de facto cease-fire, interrupted as in the case of Korea by a long and continuous series of bloody incidents which do not change the status quo.

Experience has taught officials of the U.S. government the lesson that Communist nations relinquish their stated objectives in strange and indirect ways. Their intentions can be explored through suspense novel techniques.

A Russian official sent an important message to the White House during the Cuban missile crisis through a newsman he met secretly in a downtown Washington cocktail lounge.

The Berlin blockade was suspended because an omission in a Stalin speech was explored by a U.S. diplomat through casual contacts with the Soviet representative in the United Nations members lounge. The omission was found to be the key to a changed Soviet attitude. This bar room diplomacy is absurd, melodramatic and hardly believable. But there it is, a fact of international life which Secretary of State Dean Rusk cannot and does not overlook.

So, we are now going through a cat-and-mouse period, or a pregnant period, as some say, which eventually could lead to a de facto end of major military action in Vietnam. Or, then again, this could be but another incident in a systematic campaign which has been going on worldwide for six months to induce the United States to stop bombing North Vietnam without getting anything in return.

All that can be judged from President Johnson's attitude, and that of Secretary Rusk and Secretary of Defense Robert S. McNamara, is that they currently have no intention of stopping the bombing without getting something out of it.

What they fear most is that a stoppage now which produced no result except increased infiltration from the North, as was the case a year ago, would arouse such anger in the United States that the pressure in this country for quick, decisive action could no longer be held back.

They are unquestionably justified in this fear. An unrequited bombing pause could be disastrous for Hanoi, whose leaders have already had a taste of what unintentional bombing can do.

One point is of paramount importance. The bombing cannot be stopped as the first step in de-escalation unless there is a firm and enforced guarantee on the part of the North not to move more men and supplies into the South. Who is to be held responsible if a convoy of trucks moves across the demilitarized zone, spills its men and guns into an American position and kills a few hundred because those trucks were not interdicted by U.S. bombers?

Hanoi is now calling for an unconditional stoppage of bombing, not a pause or anything like that. It would be an act of the utmost irresponsibility to pledge such a stoppage without knowing beyond any doubt precisely what would happen as a result of the stoppage.

The lives of many men hang on that thread. No games can be played, no theoretical humanitarianism can be indulged, no bar room diplomacy will justify the colossal blunder of stopping the bombing without a firm guarantee that the movement of men and supplies from the North will also be stopped.

President Johnson's call for "just almost any" sign from the North may suffice as a preliminary to beginning talks. It will not suffice as a reason for stopping the bombing unconditionally and exposing Americans to death and injury because new forces from the North had gotten through.

There is no reason to suppose that the attitude of the U.S. government is otherwise than stated here. But in Congress and elsewhere there is an oversimplification of how the signals from Hanoi can be exploited. Wishfulness has broken through. It would be folly to permit this wishfulness to destroy the clear advantages to the United States which have been created by the new complex of conditions in Asia.

VFW VOICES SUPPORT FOR S. 9, THE GI BILL

Mr. YARBOROUGH. Mr. President, the Veterans of Foreign Wars, long one of the stanchest supporters among our leading veterans organizations of veterans readjustment assistance, has indicated that it is still way out in front with its ringing endorsement of S. 9, the cold war GI bill amendments of 1967.

The VFW has issued the following statement in support of a more adequate GI bill:

The V.F.W. strongly recommends that the rehabilitation assistance authorized for those

who have served in the armed forces during this post-Korean period be broadened to provide the same assistance as was given veterans of the Korean Conflict. The present $100 a month allowance is inadequate. The rates should be substantially increased since even the $110 a month allowance given to Korean veterans would not purchase the same amount of education as in 1952. The program should be broadened to include other types of assistance such as on-the-job training, a pilot training program and on-the-farm training, with educational assistance of one and one-half days for each day of service.

I congratulate the members and officers of the VFW for their continuing leadership in the fight for justice for the veterans of this era.

I ask unanimous consent that a letter, with the accompanying resolution by VFW, from Mr. Francis W. Stover the able and energetic director of National Legislative Service, VFW, be printed at this point in the RECORD.

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

VETERANS OF FOREIGN WARS,
OF THE UNITED STATES,
Washington, D.C., January 30, 1966.

HON. RALPH YARBOROUGH,
Committee on Appropriations,
U.S. Senate, Washington, D.C.

DEAR SENATOR YARBOROUGH: This is to indicate the support of the Veterans of Foreign Wars for your bill (S. 9), which was introduced in the 90th Congress on January 11, which will provide for present day veterans who have served in the Armed Forces since the end of the Korean Conflict a full measure of readjustment benefits in line with those provided to veterans of that Conflict.

The V.F.W. position is contained in a national mandate unanimously approved by the delegates to our New York National Convention, which was held in New York City last August, identified as No. 129 entitled "To Broaden G.I. Educational Benefits," a copy of which is enclosed.

Subsequently, this past fall our National Legislative Committee met here in Washington, D.C. to review all of the mandates approved at our New York Convention for the purpose of recommending our National Legislative Goals for 1967. It is most pleasing to let you know that the No. 3 Legislative Goal recommended by the Committee and approved by our Commander-in-Chief for the first session of the 90th Congress is "Broaden GI Bill." The goal with explanatory text reads as follows:

"The V.F.W. strongly recommends that the rehabilitation assistance authorized for those who have served in the armed forces during this post-Korean period be broadened to provide the same assistance as was given veterans of the Korean Conflict. The present $100 a month allowance is inadequate. The rates should be substantially increased since even the $110 a month allowance given to Korean veterans would not purchase the same amount of education as in 1952. The program should be broadened to include other types of assistance such as on-the-job training, a pilot training program and on-the-farm training, with educational assistance of one and one-half days for each day of service."

Rest assured, therefore, that the V.F.W. will be extending every effort to have the GI Bill broadened as contained in these mandates and directives. Your continuing leadership to have this legislation approved in the Senate is deeply appreciated by the Veterans of Foreign Wars.

With kind personal regards, I am,
Sincerely,

FRANCIS W. STOVER,
Director, National Legislative Service.

RESOLUTION NO. 129: TO BROADEN G.I. EDUCATIONAL BENEFITS

Whereas the Veterans of Foreign Wars of the United States took the lead in 1956 in advocating educational benefits for "Cold War" veterans; and

Whereas our efforts bore fruit in 1966 with the enactment of Public Law 89-358, providing educational benefits for all "Cold War" servicemen; and

Whereas the Veterans of Foreign Wars of the United States was the largest and oldest veterans organization which campaigned for the last decade to do justice for our comrades of the "Cold War"; and

Whereas the final result of the "Cold War" G.I. Bill was not as broad as that provided veterans' education programs; and

Whereas Public Law 89-358 does not provide on-the-job training or on-the-farm training, as in previous veterans' education programs; now, therefore

Be it resolved, by the 67th National Convention of the Veterans of Foreign Wars of the United States, that we support legislation which will broaden Public Law 89-358 by increases in the educational allowance and on-the-job training, and on-the-farm training for all veterans eligible under this law.

CONSERVATION OF NATURAL RESOURCES

Mr. MORSE. Mr. President, last month I had a very interesting and constructive breakfast meeting with representatives of several conservation groups who are active in promoting the conservation of our great natural resources in the western United States.

One of those attending the breakfast meeting was Dr. Donald McKinley, an Oregonian, who is one of the officers of the Federation of Western Outdoor Clubs and who has long been dedicated to conservation in the Pacific Northwest. Dr. McKinley brought to my attention the 31 resolutions that were adopted at the 1966 Conference of the Federation of Western Outdoor Clubs.

Mr. President, it is my belief that these resolutions should be made available to the Members of the Senate. I ask unanimous consent that they be printed at this point in my remarks.

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

RESOLUTIONS AND POLICIES OF THE FWOC, 1966

A Federation tradition is to avoid having delegates serve on the Resolutions Committee because that committee must deliberate during the business sessions as well as long into the night. The remoteness of the 1966 Convention adding to our tradition resulted in one of the smallest (in numbers) Resolutions Committees. Whether due to or in spite of there being only four members of the Resolutions Committee, they achieved a distinction of reporting for favorable consideration of the delegates the largest number of resolutions of any Federation convention.

The 31 resolutions that follow are the product of Rodger W. Pegues, Northwest Conservation Representative, Chairman, and Resolutions Committee members Daniel B. Luten, Dr. Donald McKinley and Robert Wenkam. The resolution of thanks to officers, host club, and cooperating agencies is omitted as is custom.

RESOLUTION NO. 1—KAUAI NATIONAL PARK

Proposals have been made that the Kokoe, NaPali, Kalalau Velley, Ke'e, Haena, Wainiha, Lumahai, Alakai Swamp, Maimea Canyou, Barking Sands, and Waialeale areas, on the Island of Kauai be established as a national park.

The rare and exquisite beauty of the area by itself is justification for a national park. In addition the intricate display of the consequences of a complex ecologic history, which includes the widespread introduction of animals and plants, should be made available to all people for their educational, scientific and recreational benefits. An ever-expanding national population, a growing economy, and an affluent society threaten eventual adverse use and consequent loss of scenic treasure and opportunities for public use, education, and enjoyment.

Wildlife management and existing property rights militate against ordinary national park management practices. Nevertheless, some form of Federal protection in the manner of a national park will almost certainly be required within the foreseeable future.

It is therefore resolved that the Federation of Western Outdoor Clubs urges the National Park Service to prepare, and the Congress to consider, a plan for a Kauai National Park consistent with the Island's special needs, existing and future.

It is further resolved that the Federation of Western Outdoor Clubs urges (1) special consideration for existing property rights, including those of present Kokee cabin owners and kuleana landowners, so that those rights may be continued undisturbed as long as park values are not threatened; and (2) special studies to determine if public participation in the park game management program is necessary to control populations of feral animals which have a destructive impact on park flora.

RESOLUTION NO. 2—REDWOOD NATIONAL PARK

Two different proposals for a Redwood National Park are now before Congress. One would establish a park of 90,000 acres in the Redwook Creek area, where the National Park Service originally recommended. The other would establish a park of only 45,000 acres in the Mill Creek area, where there is little virgin timber yet to be saved outside the existing state parks there.

By almost any standard, the Redwood Creek area is the preferable area for a meaningful Redwood National Park. The area has the largest blocks of virgin forest still unprotected; it has trees of record heights, as well as the most diverse range of growing habitats. Moreover, the area has a variety of scenic and recreational resources unmatched by any other area where such a park might be established, including the capacity to sustain heavy recreational use without impairment. In the Redwood Creek area, more watershed protection is provided than in the Mill Creek area. The Mill Creek area seems to have been proposed primarily as a move toward economy in Federal outlays. However, for whatever sum is available, a superior park can be purchased in the Redwood Creek area. In recent public hearings and in two years of written comment to the Federal government, public sentiment has been overwhelmingly in favor of the Redwood Creek area.

It is therefore resolved that the Federation of Western Outdoor Clubs reaffirms its

resolution No. 3 of 1964 in favor of a Redwood National Park and it specifically endorses legislation now before Congress (H.R. 11723 and companion bills, and Amendment No. 487 to S. 2962 in the Senate) to establish a Redwood National Park of 90,000 acres in the Redwood Creek area.

RESOLUTION NO. 3—GRAND CANYON NATIONAL PARK

The entire Grand Canyon constitutes a scenic attraction and record of natural history unequaled on the face of the earth. Of the 280 miles of the geological Grand Canyon, only 105 miles is within the present Grand Canyon National Park. The entire canyon needs to be protected forever as a national park, free of threats of dams and other destructive influences.

It is therefore resolved that the Federation of Western Outdoor Clubs supports legislation to enlarge Grand Canyon National Park (H.R. 14176, Saylor; 14177, Dingell; 14211, Reuss) to include the entire geological formation of the Grand Canyon from Lees Ferry to the Grand Wash Cliffs.

RESOLUTION NO. 4—NORTH CASCADES

Great public and private interest in the future of the North Cascades had led to the development of many land use reports for the area. The North Cascades Conservation Council report of 1963, the Agriculture-Interior Departments Study Team Report, the report of the Governor's Committee, and the Governor's recommendations. The latter two adequately reflect the balance of present political and economic pressures within the State of Washington, but do not satisfactorily reflect the interests of true owners of this superlative area, the present and future generations of all the citizens of this Nation.

The North Cascades Conservation Council report of 1963 and the Federal Study Team report reflect the national viewpoint; the former, however, takes a longer range view than the latter.

The North Cascades Conservation Council report of 1963 forms an entirely satisfactory basis for North Cascades legislation. The Federal Report, with certain modifications, can also form a satisfactory basis. These modifications include:

1. High capacity recreation must be limited to the immediate environs of the North Cascades Highway and the south end of Ross Lake. No means for mass access or facilities for mass recreation are permissible except in those areas; however, boat access and lesser facilities are permissible at Stehekin.

2. No aerial trams, ski lifts, or helicopter facilities may be installed at any location within the park area.

3. A national recreation area must be established around the high country to provide a suitable location for high capacity outdoor recreation. This recreation area should include the forested valleys to the west and south of the Glacier Peak Wilderness Area; the Lake Chelan area northwest of Safety Harbor Creek; and parts of the east slope of the Cascades, east of the park boundary and south of the proposed Okanogan Wilderness Area. For the most part, the lands within the proposed park are too high and the recreation season too short to permit high capacity recreation within its limits. To protect the park resources and to provide a suitable place for high capacity outdoor recreation, the peripheral national recreation area is essential.

4. The existing roadless areas in the proposed park, with the exception of the route of the North Cascades Highway, must be classified as wilderness.

5. No north-south roads may be constructed along the shores of Ross Lake or into the valley of Thunder Creek.

6. No road may be constructed to connect Stehekin with the North Cascades Highway.

7. The enabling legislation cannot provide for the construction of dams within the park area.

8. The Glacier Peak Wilderness Area must be withdrawn from mineral entry.

It is therefore resolved that the Federation of Western Outdoor Clubs recommends that federal legislation concerning the North Cascades be based on the North Cascades Conservation Council report of 1963 or on the Federal Study Team report with the above recommended modifications.

RESOLUTION NO. 5—KOKEE WATER PROJECT

The Alakai Swamp Wilderness Preserve was established by the Hawaii State Board of Natural Resources to preserve and protect rare endemic birdlife, flowers, plants, and forest cover of the Alakai Swamp in an undisturbed environment.

The proposed state-federal Kokee Water Project to construct a large earth dam and multiple-use water storage reservoir for hydroelectric peaking power and irrigation water may irreparably damage and destroy by drowning, and by "die-back" beyond the reservoir limits, several hundred acres of fragile native forest and thereby jeopardize the precarious margin of survival for several species of almost extinct endemic birds within the wilderness preserve, one of the most unusual wilderness areas in the nation.

Opportunities for private investment to finance the essential irrigation works and alternative power sources do not appear to have received fair consideration, even though their utilization would protect the unusual, even rare, resources of the wilderness preserve.

It is therefore resolved that the Federation of Western Outdoor Clubs opposes plans for a large, federally supported multiple-use project which would encroach upon the state wilderness preserve and seriously threaten the survival of rare and endangered species of endemic birds and their essential habitat.

It is further resolved that the Federation of Western Outdoor Clubs urges consideration of alternative and less expensive power sources, and of alternative irrigation development, including conventional private investment, to avoid the flooding of Alakai Swamp by a major water storage reservoir.

RESOLUTION NO. 6—HAWAII VOLCANOES NATIONAL PARK

The proximity of the active volcanoes of Mauna Loa and Kilauea to adjacent mountain areas provides an opportunity to expand the original boundaries of Hawaii Volcanoes National Park to include the extinct volcanic mountain of Hualalai and the surrounding slopes of Mauna Loa down to approximately the 9500 foot contour, including the saddle lands between Hualalai and Mauna Loa and the Hawaiian historical sites within the saddle, in particular, the Ahuaumi Heiau.

This park expansion will also justify construction of a high mountain scenic parkway, connecting Puna, Kilauea, Mauna Loa, Hualalai, the upper forest lands of Kona, and the City of Refuge National Historic Park at Honaunau Bay.

It is therefore resolved that the Federation of Western Outdoor Clubs supports the expansion of Hawaii Volcanoes National Park by approximately 120,000 acres and the construction of a 70-mile scenic parkway connecting Hawaii Volcanoes National Park and the City of Refuge Historical Park, and urges favorable recommendation by the National Park Service; with the qualification, however, that the scenic parkway be constructed and located so as not to impair wilderness qualities and ecology away from the immediate vicinity of the parkway, and so as to cause no disruption of the wilderness experience along trails or near shelters.

RESOLUTION NO. 7—OLYMPIC NATIONAL PARK

For too many years the periphery of the Olympic National Park has been threatened by invasion and by nonconforming uses. Sincere efforts to effect proper boundary adjustments have degenerated into timber raids on some of the finest forested areas in the park.

It is therefore resolved that the Federation of Western Outdoor Clubs opposes the deletion of the Bogachiel Valley from the park.

It is further resolved that the Federation of Western Outdoor Clubs urges the Department of the Interior to adopt the recommendations of the Quinault Report of 1962 to acquire the several Quinault inholdings.

It is further resolved that the Federation of Western Outdoor Clubs urges the Department of the Interior to adopt a continuing program of acquiring inholdings and peripheral lands whenever their use, or their potential and pending use, depreciates or threatens to depreciate the outstanding scenic and recreation values of the park.

It is further resolved that the Federation of Western Outdoor Clubs urges the Congress to appropriate the funds necessary for the acquisition of lands in and near the park.

RESOLUTION NO. 8—SONORAN DESERT INTERNATIONAL PARK

The Sonoran Desert constitutes on outstanding scientific, scenic, historical, and recreational resource and is the most scenic and destinctive of American deserts.

A combination of the Organ Pipe National Monument, somewhat enlarged, and the Cabeza Prieta Game Range, together with the spectacular craters of the adjoining Mexican desert country, would constitute a unique collection of desert features.

Grazing and mining threaten the scenic and biological resources of the area which are eminently worthy of preservation in perpetuity.

It is therefore resolved that the Federation of Western Outdoor Clubs supports the establishment of a Sonoran Desert International Park to provide meaningful protection for the above areas together with an optimum opportunity for public use and enjoyment and international cooperation.

RESOLUTION NO. 9—MINERS RIDGE

Persistent rumors indicate that open-pit mining of patented copper deposits in the vicinity of Miners Ridge in the Glacier Peak Wilderness Area is imminent. Open-pit mining of this area would destroy on unmatched scenic resource.

The Secretary of Agriculture has insisted repeatedly that his agency is entirely competent to protect the wilderness values of this region and that National Park status is unnecessary. However, the lands are patented and even under the Wilderness Act it is difficult to understand how the Forest Service can provide effective protection.

It should not be necessary to point out that had these lands been placed in a national park years ago, the current threat could not exist.

It is therefore resolved that the Federation of Western Outdoor Clubs appeal to the Secretary of Agriculture to demonstrate his agency's claim to be able to protect the magnificence of the Miners Ridge area.

It is further resolved by the Federation of Western Outdoor Clubs that the patented lands be purchased by the federal government, restored to the Forest Service, and withdrawn from mineral entry.

RESOLUTION NO. 10—NATIONAL PARK DEVELOPMENT AND USE

The 1916 Act that established the National Park System states the purpose of the National Parks to be, in part, "to conserve the

scenery and the natural historic objects and the wildlife therein, and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations."

As a consequence of this standard of management, a visitor to a national park by automobile enjoys not only the immediate spectacle but also the knowledge that he is looking at, and being near to, vast, awesome, primeval areas—areas which have been kept unimpaired for his enjoyment and for those who will follow him.

In recent years, many Park Service officials, beset with the problems brought on by enormous and continuing increases in national park visitation, have begun advocating road patterns and other means of affording mass access which will fragment vast backcountry areas of the national parks.

Advocates of mass access have failed to demonstrate how this will avoid—rather than duplicate—crowding, how the scenic, biological, and geological resources of the parks will be protected, or how meaningful, natural wilderness areas can be established and maintained in the face of mass visitation and visitation facilities.

It is therefore resolved that the Federation of Western Outdoor Clubs condemns proposals for mass access to national park backcountry and urges instead that the national parks be managed so that public use will be consistent with the preservation of the park environment in a natural condition.

RESOLUTION NO. 11—HELIPORTS IN NATIONAL AND STATE PARKS

Recent management plans for the Great Smoky Mountains National Park and the proposed North Cascades National Park reveal a National Park Service desire to locate heliports within park backcountry. Similar plans are proposed for State Parks in Hawaii.

The use of helicopters in park backcountry, except in cases of emergency, is contrary to the basic concept of wilderness as expressed in the Wilderness Act. The noise and attendant over use result in loss of wilderness character in no way compensated for by the transitory gain to the helicopter user.

It is therefore resolved that the Federation of Western Outdoor Clubs most emphatically opposes plans for heliports in wilderness or backcountry of national and state parks.

It is further resolved that the Federation of Western Outdoor Clubs recognizes helicopter use in park wilderness or backcountry as permissible in emergencies when other means of access are inadequate; such use in no way justifies the installation of heliports.

RESOLUTION NO. 12—WATER RESOURCES POLICIES

The culture of peoples is intimately related in many respects to the availability of water.

In the United States, water use, supply, and distribution have become a major problem of local, state, regional and national levels.

It appears that obsolete, inconsistent, and often nonsensical concepts have come to govern our management of water.

It is therefore resolved that the Federation of Western Outdoor Clubs urges swift enactment of S. 3107 (by Senator Jackson) to establish a National Water Commission to investigate all aspects of the nation's water resources, including social and economic aspects of water use.

RESOLUTION NO. 13—WENATCHEE RIVER PROJECT

The Chelan Public Utility District has applied for a federal license to construct a hydroelectric project on the Chiwawa and Wenatchee Rivers which would result in great damage to scenic, wildlands, and fisheries resources in the affected area. The Federation expressed its opposition to the project at its 1965 convention.

In a precedent setting decision, the Department of Agriculture has, on the recommendation of the Forest Service, determined that the project would be inconsistent with the purposes for which the Wenatchee National Forest was established and has notified the Federal Power Commission of its determination.

It is therefore resolved that the Federation of Western Outdoor Clubs commends the action of the Forest Service and the Department of Agriculture in regard to the application of the Chelan Public Utility District.

It is further resolved that the Federation of Western Outdoor Clubs urges the Forest Service and the Department of Agriculture to review all similar project applications in the future not only for the purpose of determining protective conditions but also, as in the case of the Wenatchee River Project, for the purpose of determining the propriety of the project on national forest lands.

RESOLUTION NO. 14—LAND LAW REVIEW

Historically, federal lands have been managed, for the most part, to spur economic development and activity.

Implicit in the theory of management was the proposition that economic expansion and consequent population growth are positive results, in the best interest of the nation.

Burgeoning economic activity and population are now, however, creating problems quite difficult, if not impossible, of solution. Air pollution, water pollution, slums, crowded highways, water shortages, loss of green space, flood damages, crowded schools, and crowded recreation lands are a few products of our mass economy and its concomitant mass population.

Trapped in a philosophy of another day, we continue to manage our activities, including our public lands, as if continuing expansion in economic activity and population were always a positive result. However, if we consider the alternatives it becomes obvious that there are already too many people in the world who are already exploiting its land, air, and water much too rapidly and carelessly.

It is therefore resolved that the Federation of Western Outdoor Clubs urges that the study of the Public Land Law Review Commission include a re-examination of the basic principles of resource management and that this re-examination inquire into the methodology of managing our natural resources in a manner consistent with the maintenance of a stable economy and a stable population.

RESOLUTION NO. 15—RESOURCE AGENCIES AND THE QUALITY OF THE ENVIRONMENT

All too often, state and federal agencies charged with the management or development of various natural resources pursue their goals with little thought for other resource values or uses. The result is often an appreciable loss in the quality of the environment.

No resource has a single use or value. Where, for instance, an official of an agency concerned with mineral development sees a substantial and valuable supply of sand and gravel, the general public may see, and prefer, a wooded hillside, a restful swath of green, a place for footpaths, picnics, or family housing.

If the several values and uses of a resource are to be considered fairly, our governmental processes must provide for a formal, inter-disciplinary appraisal of those values and uses. Inter-agency commissions and public hearings are generally effective instruments for achieving the desired results.

It is therefore resolved that the Federation of Western Outdoor Clubs recommends the enactment of legislation by the Congress and the several states to provide for interdisciplinary and inter-agency inventory and evaluation of natural resources and their uses so as to provide adequate protection for aesthetic, recreation, wildlife, water and fisheries values.

RESOLUTION NO. 16—ROCK AND ROCK PRODUCTS

The future needs of society for economical supplies of sand, gravel, rock and building stone will require the utilization of extensive land areas to supply such materials. Serious conflicts will arise between potential alternative uses of such areas: fisheries spawning and habitat, recreation of many types, scenic values, residential development and industrial sites.

It is therefore resolved that the Federation of Western Outdoor Clubs recommends that federal, state and local governments (both administrative and legislative), in cooperation with private industry, conservation groups and other interested parties:

(1) Conduct surveys and studies and assemble information with respect to sources of future supplies of sand, gravel, rock and building stone, obtain estimates of future needs for such materials, and assess the potential adverse effect of future use of such sources of supplies on other values.

(2) Determine the suitability of such future sources of supply of such materials after giving due consideration (a) to availability of alternative materials to meet the same needs, and (b) to the values of the resources or potential alternative uses destroyed, damaged or precluded by use of the areas involved.

(3) Take action by way of zoning, reservation and acquisition to preserve from future use as sources of supplies of sand, gravel, rock and building stone, those locations better suited for residential or recreational use or scenic enjoyment.

(4) Take steps to require and insure that as areas used for rock or rock products are exhausted or are to be abandoned, they are returned to a condition which will permit them to be utilized for their then highest and best potential use: residential, industrial, recreational, scenic, or agricultural.

RESOLUTION NO. 17—ECOLOGICAL STUDIES

Man's use of natural resources and the enormous impact of this use upon natural life processes has far outrun man's knowledge of these natural life processes and of man's effect upon them.

It is therefore resolved that the Federation of Western Outdoor Clubs supports S. 2282 (by Senator Nelson) to provide for scientific study of environmental systems through grants, federal programs, the establishment of special areas, and inter-governmental cooperation.

RESOLUTION NO. 18—RANGE REHABILITATION

Increasing sagebrush eradication followed by seeding to grass on federal and state lands in the western states tends to result in an elimination of various plant species and a consequent loss in dependent wildlife.

While range managers generally provide suitable habitat for the important game species, non-game species tend to be neglected.

The perpetuation of diversification in animal and plant species is almost certainly essential to maintenance of stable ecosystems, and very much worth the additional cost required to achieve it.

It is therefore resolved that the Federation of Western Outdoor Clubs urges all range managing agencies to provide an optimum diversification of habitat in range rehabilitation projects so as to benefit all varieties of wildlife and maintain stable ecosystems.

RESOLUTION NO. 19—POLLUTION OF THE ENVIRONMENT

The disposal of mankind's waste materials has placed an intolerable burden on the environment. The consequences affect the health and welfare of humanity.

Destruction of plants and animals has been, and is, occurring. Numerous deaths of humans, sometimes in epidemic proportions,

are fairly attributable to pollution. Destruction of esthetic and recreational resources diminishes each of us.

It is therefore resolved that the Federation of Western Outdoor Clubs strongly supports effective efforts to curb environmental pollution and strongly condemns half-measures which not only fail to prevent pollution but in addition succeed in convincing the public that its health and welfare are being protected.

It is further resolved that the Federation of Western Outdoor Clubs urges that local, state, and federal agencies charged with controlling environmental pollution be given the financial and political support sufficient to the task.

RESOLUTION NO. 20—AIR POLLUTION MOTOR VEHICLES

Increasingly, the automobile becomes the greatest single contributor to the pollution of the nation's air.

Various control devices are being developed and applied, but the likelihood of adequate elimination of pollutants seems improbable, the problem being inherent in the fuels and internal-combustion engine currently used and in the sheer number of polluting units.

It is therefore resolved that the Federation of Western Outdoor Clubs urges the President of the United States to initiate a substantial research project to develop power systems for motor vehicles which will not generate pollutants.

RESOLUTION NO. 21—ACQUISITION OF RECREATION LANDS

Crowded recreation areas and a continuing disappearance of "green space" together with increasing acquisition costs for all land require acquisition of recreation and open lands, as much as possible and as soon as possible.

It is therefore resolved that the Federation of Western Outdoor Clubs urges local, state, and federal agencies to adopt a program of "acquire now, build later."

It is further resolved that the Federation of Western Outdoor Clubs specifically urges those agencies which are faced with acquisition-development conflicts to set aside development plans temporarily and use all available funds for land acquisition.

RESOLUTION NO. 22—COST OF RECREATION LANDS

Between the time that plans are announced for acquiring lands for park and recreation areas and the time that funds are appropriated and available for purchase, land prices in the affected area tend to appreciate considerably.

Often, this appreciation of land values results in additional delays in acquisition and disruption to recreational development and conservation programs.

It is therefore resolved that the Federation of Western Outdoor Clubs urges the Federal and State Governments to appropriate funds for acquisition at the time acquisition is authorized.

It is further resolved that the Federation of Western Outdoor Clubs urges Congress to investigate other means of blocking speculation in lands earmarked for park acquisition.

RESOLUTION NO. 23—PAYMENTS TO STATES ON TRANSFER OF RECREATION LANDS TO THE FEDERAL GOVERNMENT

Suggestions have been made that the federal government reimburse states whenever it acquires state recreation lands for national parks or recreation areas, the money to be used by the states to acquire new recreation lands.

While the suggestions have merit, it is likely that the end result would often be delayed in establishing national parks and recreation areas, to the detriment of the general public.

It is therefore resolved that the Federation of Western Outdoor Clubs opposes such reimbursement in principle and urges the states to seek other avenues for securing federal assistance to acquire recreation lands.

RESOLUTION NO. 24—PROPERTY TAX ASSESSMENT OF OPEN SPACE

The California State Constitution requires that property be assessed for property tax purposes at its "highest use." As a result, lands near expanding communities are generally assessed at the value they have for developed use. Lands being held in an unused condition or being used for forest or for agricultural production are incapable of supporting the tax burden necessarily imposed.

A similar situation obtains in other states where similiar constitutional provisions, judicial decisions, or customary practice result in lands being assessed for property tax purposes at the value they have for developed use rather than for undeveloped use.

Often it is in the best interest of the general public that these lands not be developed. Recreational potential or actual use, scenic enjoyment, adequate breathing space, and an escape from expanding demands for expensive community facilities and services are a few of the benefits the public receives when these lands remain in an undeveloped condition.

So long as these lands are assessed on the basis of their so-called "highest use," few property owners will be able to retain them in an undeveloped condition.

It is therefore resolved that the Federation of Western Outdoor Clubs supports constitutional amendments, such as Senate Constitutional Amendment No. 4, for the State of California, or legislation where appropriate, to provide for property tax assessment of open lands on the basis of their value in an undeveloped condition.

RESOLUTION NO. 25—WILD OR SCENIC RIVERS

Proposals have been made to preserve free-flowing portions of some of the nation's magnificent rivers. Legislation (S. 1446) has passed the Senate and is before the House. A more comprehensive bill (H.R. 14922) has been introduced in the House.

The Senate bill leaves much to be desired. It proposed but six streams for classification and the consideration of but nine others. It fails to specify the degree of protection to be afforded. It fails to differentiate between degrees of protection which will be necessary for different streams or different portions of the same stream. It fails to spread the protective federal umbrella over streams which the several states may wish to protect. Most importantly, it fails to suspend the authority of the Federal Power Commission to license dams on streams being studied for permanent protection.

Congressman Saylor's bill (H.R. 14922) overcomes each of these weaknesses. Its coverage is broad and it specifies some sixty-six streams to be considered for ultimate classification and protection. Protection is definite, and applied through a classification system based on the degree of naturalness of the stream or portion of the stream. It provides for staying the power of the Federal Power Commission to license dam projects on streams being studied and those classified by the states.

It is therefore resolved that the Federation of Western Outdoor Clubs supports H.R. 14922 by Congressman Saylor and urges its prompt consideration and passage by the Congress.

RESOLUTION NO. 26—NATIONAL TRAIL SYSTEM

A reluctance to act on the part of local and state governments, a geographic overlap in federal agency jurisdiction, and a patchwork of federal-state-private landholdings necessitate federal action to establish a nationwide plan for a national trail system.

Federal leadership will provide rights-of-way, scenic preservation, protection of the system from the use of eminent domain by other agencies, and a comprehensive, urban-rural trail system.

It is therefore resolved that the Federation of Western Outdoor Clubs urges enactment of S. 3171, the national Trail System bill.

It is further resolved that the Federation of Western Outdoor Clubs urges the Forest Service, the National Park Service, and the Bureau of Outdoor Recreation to enlarge their recommendations for specific trails within the National Trail System both in urban and rural areas. Member clubs are urged to make specific recommendations to the three agencies.

RESOLUTION NO. 27—FLORISSANT (COLORADO) FOSSIL LAKE BEDS

The fossil lake beds at Florissant, Colorado, deposited 30 to 40 million years ago, contains the richest assemblage of fossil insects in the Rocky Mountain region.

The area is also rich in unique remains of plant and fish life, and contains numerous petrified redwood stumps in growth position.

It is therefore resolved that the Federation of Western Outdoor Clubs urges enactment of H.R. 8031 (by Rep. Frank Evans) to establish the Florissant National Monument as proposed by the National Park Service, the boundaries to be determined as soon as possible by a Park Service boundary study.

RESOLUTION NO. 28—MINERAL KING

The Forest Service has entered into preliminary agreements for the development of a major ski resort at the Mineral King Game Refuge in California.

The affected area is bordered on three sides by Sequoia National Park, is predominantly of wilderness character, is recognizably of national park quality, and was excluded from the Sequoia National Park when that park was established in 1890 solely because of the then existence of now defunct mining operations.

It is therefore resolved that the Federation of Western Outdoor Clubs opposes the development of a ski resort at Mineral King and urges instead that the mistake of 1890 be corrected by the transfer of the area to Sequoia National Park.

RESOLUTION NO. 29—CHARLES M. RUSSEL GAME RANGE

The Burnt Lodge Roadless Area in the Charles M. Russel Game Range is now a de facto wilderness, containing approximately 13,000 acres of primeval lands.

The area contains some of the roughest and most picturesque badlands in the entire state of Montana, highly populated by various species of wildlife.

It is therefore resolved that the Federation of Western Outdoor Clubs urges the Department of the Interior to initiate the necessary action to bring the Burnt Lodge area into the National Wilderness Preservation System.

RESOLUTION NO. 30—DESOLATION VALLEY PRIMITIVE AREA RECLASSIFICATION

This region, lying southwest of Lake Tahoe on the crest of the Sierra Nevada, is one of the most heavily used of all wilderness regions and merits early reclassification as a Wilderness Area under the Wilderness Act. In addition to the 41,000 acres in the Primitive Area lying in Desolation Valley itself and, largely to the north and east, an additional 24,000 acres of Eldorado National Forest land largely to the west of the Crystal Range is of wilderness quality and would enhance the quality of the region.

It is therefore resolved that the Federation of Western Outdoor Clubs supports proposals for early reclassification of the Primitive Area as a Wilderness Area under the Wilderness Act which would increase its size from 41,000 to 65,000 acres.

RESOLUTION NO. 31—COMMENDATION

As her retirement from the United States Senate nears, the Federation of Western Outdoor Clubs expresses its appreciation to Senator Maurine Neuberger, and her late husband who preceded her, for their work over a twelve-year period in making conservation a major concern of government.

SENATE NEEDS TO KNOW TREMENDOUSLY WIDE SUPPORT GIVEN GENOCIDE CONVENTION IN THE UNITED STATES

Mr. PROXMIRE. Mr. President, it is good for us to recall the tremendously wide support accorded the United Nations Convention on Genocide when the Foreign Relations Committee held their only hearings on this treaty, over 17 years ago. Just a few of the groups whose representatives testified or presented statements in support of Senate ratification at that time were: American Legion, American Federation of Labor, General Federation of Women's Clubs, National Association for the Advancement of Colored People, the Salvation Army, Young Women's Christian Association, Women's Christian Temperance Union, General Federation of Women's Clubs, and the Congress of Industrial Organizations.

This small sampling represents groups of diverse and frequently conflicting interests. However, each recognized the fundamental precept that the barbaric crime of genocide cannot be countenanced by civilized man.

These groups and so many other distinguished Americans who today support ratification realized that the Genocide Convention had evolved from the amendments of 58 nations, after proceedings in the five official languages—French, Spanish, Russian, Chinese, and English. They perceived as well that the lengthy deliberations which produced this convention were conducted in over 30 other languages and dialects.

Perhaps, Mr. President, as I have previously conceded, the Genocide Convention is not the ultimate in legislative draftsmanship. Perhaps there are reservations which the United States should insist upon. But the principal issue—the question of the right to live—is of such overriding importance to all mankind that this Senate cannot continue to ignore it.

Let us stop procrastinating and start deliberating. The convention on Genocide has been calcified instead of ratified by the Senate. There is no defense, no reason, no excuse for further delay.

THE AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967

Mr. YARBOROUGH. Mr. President, last Friday I introduced, for other Senators and myself, S. 830, the Age Discrimination in Employment Act of 1967. A nation so richly endowed should be able to guarantee to all its able-bodied working men and women an opportunity to work, regardless of age. The proposed legislation is President Johnson's recommendation to Congress to establish, as a touchstone of national labor policy, a program to eliminate arbitrary age discrimination in employment. I feel that Congress should give thorough consideration to this legislation, which will carry out one of the most important recommendations in the President's message on older workers.

The bill is being held at the desk through Thursday, February 9, so that other Senators may add their names as cosponsors. I ask unanimous consent that the bill be printed at this point in the RECORD.

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

S. 830

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

STATEMENT OF FINDINGS AND PURPOSE

SEC. 2. (a) The Congress hereby finds and declares that—

(1) in the face of rising productivity and affluence, older workers find themselves disadvantaged in their efforts to retain employment, and especially to regain employment when displaced from jobs;

(2) the setting of arbitrary age limits regardless of potential for job performance has become a common practice, and certain otherwise desirable practices may work to the disadvantage of older persons;

(3) the incidence of unemployment, especially long-term unemployment with resultant deterioration of skill, morale, and employer acceptability is, relative to the younger ages, high among older workers; their numbers are great and growing; and their employment problems grave;

(4) the existence in industries affecting commerce of arbitrary discrimination in employment because of age burdens commerce and the free flow of goods in commerce.

(b) It is therefore the purpose of this Act to promote employment of older persons based on their ability rather than age; to prohibit arbitrary age discrimination in employment; to help employers and workers find ways of meeting problems arising from the impact of age on employment.

EDUCATION AND RESEARCH PROGRAM

SEC. 3. The Secretary of Labor shall undertake studies and provide information to labor unions, management, and the general public concerning the needs and abilities of older workers, and their potentials for continued employment and contribution to the economy. In order to achieve the purposes of this Act, the Secretary of Labor shall carry on a continuing program of education and information, under which he may, among other measures:

(a) undertake research, and promote research, with a view to reducing barriers to the employment of older persons, and the promotion of measures for utilizing their skills;

(b) publish and otherwise make available to employers, professional societies, the various media of communication, and other interested persons the findings of studies and other materials for the promotion of employment;

(c) foster through the public employment service system and through cooperative effort the development of facilities of public and private agencies for expanding the opportunities and potentials of older persons;

(d) sponsor and assist State and community informational and educational programs.

PROHIBITION OF AGE DISCRIMINATION

SEC. 4. (a) It shall be unlawful for an employer—

(1) to fail or refuse to hire or to discharge any individual or otherwise discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's age; or

(2) to limit, segregate, or classify his employees in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's age.

(b) It shall be unlawful for an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against, any individual because of such individual's age, or to classify or refer for employment any individual on the basis of such individual's age.

(c) It shall be unlawful for a labor organization—

(1) to exclude or to expel from its membership, or otherwise to discriminate against, any individual because of his age;

(2) to limit, segregate, or classify its membership, or to classify or fail or refuse to refer for employment any individual, in any way which would deprive or tend to deprive any individual of employment opportunities, or would limit such employment opportunities or otherwise adversely affect his status as an employee or as an applicant for employment, because of such individual's age;

(3) to cause or attempt to cause an employer to discriminate against an individual in violation of this section.

(d) It shall be unlawful for an employer to discriminate against any of his employees or applicants for employment, for an employment agency to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership, because such individual, member or applicant for membership, has opposed any practice made unlawful by this section, or because such individual, member or applicant for membership has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this Act.

(e) It shall be unlawful for an employer, labor organization, or employment agency to print or publish, or cause to be printed or published, any notice or advertisement relating to employment by such an employer or membership in or any classification or referral for employment by such a labor organization, or relating to any classification or referral for employment by such an employment agency, indicating any preference, limitation, specification, or discrimination, based on age.

(f) It shall not be unlawful for an employer, employment agency or labor organization—

(1) to take any action otherwise prohibited under subsections (a), (b), (c), or (e) of this section where age is a bona fide occupational qualification reasonably necessary to the normal operation of the particular business, or where the differentiation is based on reasonable reactors other than age;

(2) to separate involuntarily an employee under a retirement policy or system where such policy or system is not merely a subterfuge to evade the purposes of this Act; or

(3) to discharge or otherwise discipline an individual for good cause.

STUDY BY SECRETARY OF LABOR

SEC. 5. The Secretary of Labor is directed to undertake an appropriate study of institutional and other arrangements giving rise to involuntary retirement, and report his findings and any appropriate legislative recommendations to the President and to the Congress.

ADMINISTRATION

SEC. 6. The Secretary shall have the power—

(a) to make delegations, to appoint such

agents and employees, and to pay for technical assistance on a fee for service basis, as he deems necessary to assist him in the performance of his functions under this Act;

(b) to cooperate with regional, State, local, and other agencies, and to cooperate with and furnish technical assistance to employers, labor organizations, and employment agencies to aid in effectuating the purposes of this Act.

ENFORCEMENT

SEC. 7. (a) Whenever the Secretary on his own investigation or upon the basis of a written charge by any person claiming to be adversely affected or aggrieved, or on his behalf has reason to believe, that a practice made unlawful by this Act has been committed, he shall endeavor to eliminate any such practice by informal methods of conference, conciliation, and persuasion.

(b)(1) If the Secretary fails to effect voluntary compliance with the Act as a result of such informal methods, he shall issue and serve upon the person who has allegedly committed the unlawful practice a complaint stating such allegations and containing a notice of opportunity for a hearing thereon. After such opportunity for a hearing, the Secretary shall decide on the record whether or not an unlawful practice has been committed under this Act. If it is found that any person has engaged in an unlawful practice, the Secretary may issue an order requiring such person to cease and desist therefrom and to take such affirmative action, including reinstatement or hiring of employees, with or without back pay, as will carry out the purposes of this Act.

(2) For the purpose of any hearing or investigation under this Act, the provisions of section 21 of the Act of June 6, 1934, as amended (48 Stat. 899), are hereby made applicable to the jurisdiction, powers, and duties of the Secretary.

(3) The Secretary may petition any United States court of appeals for any circuit wherein the discriminatory practice in question occurred or wherein the person alleged to have committed an unlawful practice resides or transacts business, for the enforcement of any order issued under subsection (b)(1) of this section and for appropriate temporary relief or restraining order, and any person aggrieved by an order of the Secretary under that section may obtain review thereof in such court. Upon the filing of a petition for enforcement or review the Secretary shall certify and file in the court the record of the proceeding, as provided in section 2112 of title 28, United States Code. No objection to the order of the Secretary shall be considered by the court unless such objection has been urged before the Secretary, or unless the failure or neglect to urge such an objection shall be excused because of extraordinary circumstances. The findings of the Secretary with respect to questions of fact, if supported by substantial evidence on the record considered as a whole, shall be conclusive. If application is made to the court for leave to adduce additional evidence, and it is shown to the satisfaction of the court that such additional evidence may materially affect the result of the proceeding, the court may order such additional evidence to be taken before the Secretary and to be adduced upon hearing in such manner and upon such terms and conditions as the court may direct. The Secretary may modify his findings as to the facts, or make new findings, by reason of the additional evidence so taken, and shall file with the court such modified or new findings. The judgment and decree of the court shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification, as provided in section 1254 of title 28 of the United States Code.

The filing of a petition for court review by any aggrieved person shall not operate as a stay of the Secretary's order, unless specifically ordered by the court.

NOTICES TO BE POSTED

SEC. 8. Every employer, employment agency, and labor organization shall post and keep posted in conspicuous places upon its premises a notice to be prepared or approved by the Secretary setting forth information as the Secretary deems appropriate to effectuate the purposes of this Act.

RECORDKEEPING

SEC. 9. Every employer, employment agency, and labor organization subject to this Act shall make, keep, and preserve such records and shall preserve such records for such time, and shall make such reports, as the Secretary shall prescribe by regulation or order as necessary or appropriate for the enforcement of this Act.

RULES AND REGULATIONS

SEC. 10. The Secretary of Labor may issue such rules and regulations as he may consider necessary or appropriate for carrying out this Act, and may establish such reasonable exemptions to and from any or all provisions of this Act as he may find necessary and proper in the public interest.

CRIMINAL PENALTIES

SEC. 11. Whoever shall (1) forcibly resist, oppose, impede, intimidate or interfere with a duly authorized representative of the Secretary while he is engaged in the performance of duties under this Act or (2) willfully commit a practice made unlawful by this Act shall be punished by a fine of not more than $500 or by imprisonment for not more than one year, or by both: *Provided, however,* That no person shall be imprisoned under this section except when there has been a prior conviction hereunder.

DEFINITIONS

SEC. 12. For the purposes of this Act—

(a) The term "person" means one or more individuals, partnerships, associations, labor organizations, corporations, business trusts, legal representatives, or any organized groups of persons.

(b) The term "employer" means a person engaged in an industry affecting commerce who has twenty-five or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year: *Provided,* That prior to June 30, 1968, employers having fewer than fifty employees shall not be considered employers. The term also means any agent of such a person, but such term does not include the United States, a corporation wholly owned by the Government of the United States, or a State or political subdivision thereof.

(c) The term "employment agency" means any person regularly undertaking with or without compensation to procure employees for an employer and includes an agent of such a person; but shall not include an agency of the United States, or an agency of a State or political subdivision of a State, except that such term shall include the United States Employment Service and the system of State and local employment services receiving Federal assistance.

(d) The term "labor organization" means a labor organization engaged in an industry affecting commerce, and any agent of such an organization, and includes any organization of any kind, any agency, or employee representation committee, group, association, or plan so engaged in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment, and any conference, general committee, joint or system board, or joint council so engaged which is subordinate to a national or international labor organization.

(e) A labor organization shall be deemed to be engaged in an industry affecting commerce if (1) it maintains or operates a hiring hall or hiring office which procures employees for an employer or procures for employees opportunities to work for an employer, or (2) the number of its members (or, where it is a labor organization composed of other labor organizations or their representatives, if the aggregate number of the members of such other labor organizations) is fifty or more prior to July 1, 1968, or twenty-five or more on or after July 1, 1968, and such labor organization—

(1) is the certified representative of employees under the provisions of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended; or

(2) although not certified, is a national or international labor organization or a local labor organization recognized or acting as the representative of employees of an employer or employers engaged in an industry affecting commerce; or

(3) has chartered a local labor organization or subsidiary body which is representing or actively seeking to represent employees of employers within the meaning of paragraph (1) or (2); or

(4) has been chartered by a labor organization representing or actively seeking to represent employees within the meaning of paragraph (1) or (2) as the local or subordinate body through which such employees may enjoy membership or become affiliated with such labor organization; or

(5) is a conference, general committee, joint or system board, or joint council subordinate to a national or international labor organization, which includes a labor organization engaged in an industry affecting commerce within the meaning of any of the preceding paragraphs of this subsection.

(f) The term "employee" means an individual employed by an employer.

(g) The term "commerce" means trade, traffic, commerce, transportation, transmission, or communication among the several States; or between a State and any place outside thereof; or within the District of Columbia, or a possession of the United States; or between points in the same State but through a point outside thereof.

(h) The term "industry affecting commerce" means any activity, business, or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce and includes any activity or industry "affecting commerce" within the meaning of the Labor-Management Reporting and Disclosure Act of 1959.

(i) The term "State" includes a State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act.

LIMITATION

SEC. 13. The prohibitions in this Act shall be limited to individuals who are at least forty-five years of age but less than sixty-five years of age: *Provided,* That in order to effectuate the purposes of this Act the Secretary may by rule or regulation issued under section 10 of this Act provide for appropriate adjustments, either upward or downward, in the maximum and minimum age limits, provided in this section.

FEDERAL-STATE RELATIONSHIP

SEC. 14. Nothing in this Act shall affect the jurisdiction of any agency of any State performing like functions with regard to discriminatory employment practices on account of age.

EFFECTIVE DATE

SEC. 15. This Act shall become effective one hundred and eighty days after enactment, except (a) that the Secretary of Labor may extend the delay in effective date of any

provision of this Act up to an additional ninety days thereafter if he finds that such time is necessary in permitting adjustments to the provisions hereof, and (b) that on or after the date of enactment the Secretary of Labor is authorized to issue such rules and regulations as may be necessary to carry out its provisions.

APPROPRIATIONS

SEC. 16. There are hereby authorized to be appropriated such sums as may be necessary to carry out this Act.

THE CONSULAR CONVENTION WITH THE SOVIET UNION

Mr. McGEE. Mr. President, another excellent column explaining why Senate approval of the pending Soviet Consular Convention is important to the United States was published in today's Washington Post.

Columnist Richard Reston details ways in which Americans would gain a great deal more from the convention than would Russians.

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

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

[From the Washington Post, Feb. 7, 1967]

A CONSULAR TREATY FOR SAFER TRAVEL

(By Richard Reston)

Moscow.—On Oct. 31, 1963, a professor from Yale University disappeared while traveling in the Soviet Union. American diplomats in Moscow soon suspected something had gone wrong, but they could not be sure of the whereabouts of Prof. Frederick C. Barghoorn.

Later, the Embassy confirmed its worst suspicions, notably that Barghoorn was in the hands of Soviet authorities for alleged espionage activity. But, still, there was no notification from the Soviet Foreign Ministry of any such detention or arrest. In fact, Barghoorn was held incommunicado for 13 days.

In response to heavy pressure from Washington, the professor was finally released and expelled from the Soviet Union on Nov. 14 of that same year.

The Barghoorn case might have been quite another story if a formal consular treaty between the United States and the Soviet Union had existed at the time. Indeed the events surrounding the Barghoorn incident deal with the heart of the Soviet-American consular convention now under discussion in Washington. That treaty, signed in June, 1964, but never ratified by the U.S. Senate, provides for official notification by either the Soviet Union or the United States within three days of the arrest or detention of one of its nationals.

It further specifies that official diplomatic representatives be given the right to visit and communicate with a detained citizen within four days of detention.

In short, the consular treaty that has stirred such controversy in Washington would provide for a far greater degree of protection for Americans traveling in the Soviet Union. The two countries have not had normal consular relations since 1948. Proper consular relations are becoming increasingly important as the number of Americans coming to this country continues to rise.

For example, it is estimated that some 18,000 U.S. tourists now visit the Soviet Union annually. Most of this travel, averaging between three and five days, comes between May and September, and the American tourist figure may go higher in 1967 as the Soviet Union celebrates the 50th anniversary of the 1917 Bolshevik revolution.

All of these American citizens could need U.S. consular assistance at one time or another. A final consular treaty between the Soviet Union and the United States would spell out the rights, duties and operation procedures of consuls, who look after nondiplomatic transactions of their citizens. It would extend not only general assistance and protection but would also cover such other areas as notary rights, birth and marriage certificates, wills and travel documents. Proper consular service could provide American nationals with translation help, advice about domestic laws and assistance in personal and professional dealings with the Soviet government.

What is perhaps more important is that a new consular treaty might produce a more business like approach to some lesser Soviet-American transactions.

But the heart of the matter is more extensive protection for Americans in the Soviet Union. Similar conditions would of course apply to a smaller number of Soviet citizens traveling to the United States.

Since the Barghoorn case—perhaps because the consular treaty has been hanging fire since 1964—the Soviet government generally has been better on the question, at least, of official notification in the event of detention or arrest of American citizens. It is not to suggest that the situation is now perfect.

Only last month, two Americans, Ray Buel Wortham, 25, and Craddock Gilmore, 24, were tried in Leningrad for seemingly minor currency violations and the theft of a bronze bear.

The American Embassy in Moscow was able to assist these two almost from the beginning. Gilmore was fined one thousand dollars and released. Wortham, who was sentenced to three years in a labor camp, is now out on bail while his case is appealed to the Supreme Court of the Russian Federation.

If Wortham is finally convicted, there is no assurance that U.S. diplomats will be allowed further contact with him. With a consular treaty in existence, Wortham would have the right of contact with U.S. officials on a "continuing basis."

The point about such a treaty is that it may, if only slightly, diminish the politics of the cold war and, at the same time, provide Americans with a wider legal backdrop for travel in the Soviet Union.

THE CONSULAR TREATY

Mr. SYMINGTON. Mr. President, after studying the matter of the proposed Consular Treaty with the Soviet Union, for many reasons I am convinced that its ratification is important to the security of the United States.

When people have written to me about this treaty, I have, of course, answered them, and ask unanimous consent that a copy of my letter of reply be included in the RECORD.

I also ask unanimous consent that an editorial, entitled "Consular Pact With Russia Can Help the United States," published in the Kansas City Times of January 28, be printed in the RECORD.

I also ask unanimous consent that an editorial on this subject, entitled "Rickety but Passable Bridges," and published yesterday in the Wall Street Journal, be printed in the RECORD.

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

U.S. SENATE,
Washington, D.C.

Re: The Consular Treaty

Acknowledging your letter in regard to the consular treaty with the Soviet Union now pending in the Senate Foreign Relations Committee, it appears that opposition to this proposal arises from a misunderstanding of its provisions and purposes and overlooks the advantages to the United States.

There are more than three times as many American visitors to the Soviet Union now than there were when this treaty was proposed under the Eisenhower Administration in 1959. The primary purpose, then as now, is to protect and assist Americans visiting the Soviet Union.

As you may know, an accused person in the Soviet Union is not permitted to consult with a lawyer or anyone during the period of investigation which can extend up to 90 days. Under this treaty, which would afford an American citizen arrested in the Soviet Union a higher degree of protection than that enjoyed by a Soviet citizen, in from one to three days United States officials must be notified of the arrest of an American and visits by American officials with the arrested American would be guaranteed.

The treaty does not itself provide for the opening of consular offices in each country. It simply provides a legal framework for their operation if they are opened. Under the proposed convention, the receiving country has the right to approve the number and the persons in the consular office. The consular officials and employees are granted immunity from the receiving country's criminal but not civil laws. It should be borne in mind that, after admission, a Soviet consular officer or employee is subject to being declared persona non grata and expelled from the United States.

Secretary of State Dean Dusk has stated that, should the treaty be ratified by both the United States and the Soviet Union, the United States would contemplate the opening of one consular office with 10 to 15 persons. If that occurred, similarly the Soviet Union could open one consulate here to which would be assigned 10 to 15 Soviet nationals.

It is my understanding that J. Edgar Hoover, for whom I have high respect, does not take a position on this treaty pro or con; and has given assurance that the FBI is fully capable of handling any additional work created by the small increase of potential espionage agents.

Of the 1,000 Soviet citizens residing in the United States today, 452 have diplomatic immunity. I believe the FBI can also be responsible for 10 or 15 more.

The rights in this proposed treaty are reciprocal; and it is interesting to note that last year, whereas 900 Soviet tourists and exchange visitors travelled in the United States, 18,000 of our citizens travelled in the Soviet Union.

It is indeed unfortunate that this proposed treaty comes before the American people at a time when the Soviet Union is supplying materials and weapons used in Vietnam against American military forces. But we do not see how the refusal of the United States to ratify this treaty could, in any way, affect Soviet activities in Vietnam. If its ratification would affect our military efforts out there, I do not believe it would have been brought to the Senate.

There are a great many areas of disagreement which exist in the world today; and I believe it important to increase areas of agreement which could serve the interests of the United States as well as other countries.

In our open society, Americans have a right to travel and they expect the protection of their government. I would hope that protection could be afforded on an orderly, legal

basis, without every arrest in the Soviet Union requiring high level negotiations between officials in each government, thereby creating an incident which could be perilous in the shrunken but nuclear world in which we live today.

Sincerely,

STUART SYMINGTON.

[From the Kansas City Times, Jan. 28, 1967]

CONSULAR PACT WITH RUSSIA CAN HELP THE UNITED STATES

Our faith in the spy-surveillance abilities of the Federal Bureau of Investigation apparently is greater than that of certain members of the United States Senate. Ratification of a U.S.-Soviet consular treaty that was signed in 1964—an important step toward better relations between the two nations—has once more run into Senate opposition. The reason: Concern that the pact would open the way to increased spying in the United States.

J. Edgar Hoover has again placed himself on record with a warning about spying. Most recently, the FBI director wrote Sen. Karl E. Mundt (R-S.D.), an opponent of the treaty, that he stood unequivocally by his statement of March, 1965, that the consular convention would make "more difficult" the work of the FBI in combating Soviet espionage. But he also said he had not intended to imply that the convention "would impose any additional burdens of responsibility upon the FBI that we are incapable of handling." Presumably, Hoover is saying that the FBI could handle the problem. In so far as we know, he has not made a policy recommendation for or against the treaty.

Critics of the pact have cited an unusual provision that would exempt consular officials from criminal prosecution under diplomatic immunity. They could, however, be expelled. The FBI has shown itself more than a match for clandestine operations. Then, too, the United States is not above cloak-and-dagger activities, which are standard procedure in the give-and-take of the cold war. And if there is to be a Russian consulate in Chicago, a similar U.S. establishment will function in Leningrad. The treaty is reciprocal.

But a mutual exchange of spy facilities is not the purpose of the pending agreement. Both governments presumably regard it as a step in the long-range goal of normal relations. Consular offices in the two countries would serve the convenience and protection of tourists. Dean Rusk, secretary of state, has noted that 60 Americans visit the Soviet Union for every Russian who comes here. Thus it appears that the United States has the most to gain.

In addition to making it safer for Americans to travel in Russia, the pact would reduce the difficulties of nonstrategic trade between the two countries. A great deal of paperwork is required for such transactions and present channels are inadequate.

Such commerce and increased contacts between the Russian and American peoples would continue the favorable trend that brought the test-ban and space treaties and direct air service between New York and Moscow. Every small step can contribute to the lessening of tensions. Surely the scarecrow of espionage is not a sufficient reason to abandon the consular pact.

[From the Wall Street Journal, Feb. 6, 1967]

RICKETY BUT PASSABLE BRIDGES

A good deal of confusion envelops the question of building "bridges to the East," as the current cliche has it. And it is a subject on which it is especially unwise to be dogmatic.

The bitter opponents of the immediately pertinent Congressional bills—to expand U.S.-Soviet consular representation and to ease East-West trade somewhat—naturally concede no uncertainty. Yet we think their underlying confusion consists in making too much of these particular steps and in failing to see the implications of a policy of complete rigidity toward the Eastern bloc.

President Johnson dealt rather persuasively with the opposition arguments to the consular treaty, it seems to us, at his press conference last week.

A principal reason the U.S. wants the agreement, he said, is to protect the 18,000 American citizens who travel to the Soviet Union each year. Moreover, if the opening of any new Soviet consulates in this country should afford fresh opportunities for Russian espionage, the FBI can handle the problem effectively and efficiently.

As for easier East-West trade, Senate Majority Leader Mansfield observed the other day that it is a delusion to believe tight trade restrictions significantly affect Communist policies. What they don't get from us (and no one is talking about doing away with the curbs on strategic materials) they will get from others.

But let us move beyond these specifics, which are not too important in themselves, to the whole larger question of easier relations with the Soviet Union and Eastern Europe.

Only a fool would deny the dangers in detente. The U.S. could be gulled again by the Kremlin, as it was during World War II, trapped into dangerous concessions. Whatever is done now in the way of relaxation must be done with a long memory and a healthy skepticism about Communist intentions.

At the same time a new mood has been gradually developing in Western Europe, and sometimes it seems in the East as well. It is a feeling that the cold war is a dead end from which no good can come and from which a lot of harm could. In part, perhaps, it reflects boredom with the cold war and a desire for more of the material rewards of peace; in part it doubtless is wishful thinking. All the same, it is there.

President de Gaulle gave the move toward relaxation its biggest initial impetus, but now the West Germans, in a sharp turn from previous post-war policy, are joining the French. Chancellor Kiesinger, who has just opened diplomatic relations with Rumania, says he thinks better relations can accomplish a lot that was never possible in a cold-war atmosphere, including the solution of the German problem.

Why should the Soviets, after 22 years of divided Germany, want to solve that problem? Maybe they don't and won't. All that is certain is that change is in the air. One plausible possibility is that fear of Red China might cause the Kremlin to want a new stability on its European flank.

In any case, the mere fact that our French and German allies are turning East is no reason, by itself, for the U.S. to follow suit. We question that Washington is in fact looking at it that way; rather, it seems that the policy makers believe the Franco-German approach is sensible, or at least half-way hopeful. Here is how President Johnson has put it:

"Our relations with the Soviet Union and Eastern Europe are . . . in transition. We have avoided both the acts and the rhetoric of the cold war. When we have differed with the Soviet Union, or other nations for that matter, I tried to differ quietly and with courtesy and without venom. Our objective is not to continue the cold war, but to end it."

Again, why? Overridingly, we would say, because in the nuclear age the nation does have a duty to try to secure the foundations of peace with other powers, where that can be done safely in terms of American security. The cold war, after all, wasn't this country's idea; it was the Soviet Union that made a genuinely peaceful coexistence impossible. If the Soviets, for their own reasons, now are willing—or will be after Vietnam—to undertake more normal relations, so should we be.

Always, of course, with a sharp eye to that long history of Communist treachery, which is what makes it so hard to be categorical about these matters. On balance, though, and in light of the emerging changes in these two decades, we think the Administration is on the right track.

The bridges are not sturdy, and we doubt they ever will lead to a real harmony of view. But they can carry the freight of American initiatives for peace—if the drivers are but careful.

DALLAS TIMES-HERALD ENDORSES SOUTHWESTERN HUMAN DEVELOPMENT ACT AND BILINGUAL AMERICAN EDUCATION ACT

Mr. YARBOROUGH. Mr. President, S. 428 and S. 429, two bills to further the achievement of equality of opportunity by Spanish-speaking persons through education, training, health, citizenship, and other self-help programs, have elicited a spontaneous outpouring of support from individuals of many diverse views. No matter what one's politics, one must agree that the time has come when we can and when we must take affirmative action to enable the Mexican-Americans of the Southwest to move themselves to a position of equality of opportunity.

As the Dallas-Times Herald so rightly points out:

Texas and the Southwest owes much to its heritage from its Mexican-American people and has lagged sadly in paying their debt to these people through aiding them to achieve their rightful place in our society.

I ask unanimous consent that the Dallas Times-Herald editorial entitled "Overdue Help," published on February 1, 1967, be printed in the RECORD.

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

OVERDUE HELP

In the hue and cry over aid to minority groups, we seem prone to emphasize the needs of the large minority groups and forget about those of the smaller groups. It is, therefore, with satisfaction that we note an effort by Sen. Ralph Yarborough to aid a minority which is one of the most important and deserving in Texas and the Southwest—the Latin-Americans.

Sen. Yarborough proposes spending some $147 million to help Spanish-speaking Americans acquire equal economic opportunity. The Texas senator has asked the Senate to pass a Southwestern Human Development Act which he said would "begin to make the myth of equality of opportunity a reality for Mexican-Americans of the Southwest," and a four-year bilingual American Education Act to help Spanish-speaking people on linguistic-cultural problems.

Texas and the Southwest owes much to its heritage from its Mexican-American people and has lagged sadly in paying their debt to these people through aiding them to achieve their rightful place in our society.

THE GREAT ICE BEAR

Mr. BARTLETT. Mr. President, the November–December issue of Audubon

magazine contains a colorful and interesting article on the polar bear. This article, "Plight of the Ice Bear," was written by my good friend and longtime Alaskan, Frank Dufresne, shortly before his death. Frank was 70 when he died last year. He first came to Alaska on the *Nome* steamer in 1920, and for the next 46 years he worked in behalf of the well-being and the preservation of Alaska wildlife. He is missed by Alaskans and conservationists everywhere.

It is fitting that Frank's last article should be about the great polar bear. This fine white animal is one of the great treasures of the Arctic and of Alaska. It is truly an animal without a country, an international creature wandering across the Arctic paying no heed to international boundaries or territorial limits.

The importance of this resource has been recognized by all the circum-polar nations. At a conference held, in part, at my suggestion in Fairbanks in September of 1965, representatives of these nations agreed that they have "a responsibility for the preservation of these bears." They agreed "that existing scientific knowledge of the polar bear is far from being sufficient as a foundation for sound management policies."

The participants at the conference agreed to pool whatever knowledge they have and new knowledge they obtain on the bear with the International Union for the Conservation of Nature and Natural Resources. They also agreed that future conferences on the bear would be desirable.

I have suggested and I am hopeful that it will be found possible to hold just such another meeting in the fall of 1967. Two years after the original conference, much has happened in the field of bear research. New and valuable information has been obtained and a good deal of interest has been stirred in scientific as well as popular circles. I believe this interest can be maintained and that a new conference will be helpful in sustaining it.

Because of this widespread interest in the polar bear and its habits, I ask unanimous consent that Frank Dufresne's excellent article may be made part of the RECORD at this point together with a letter from me which was printed in conjunction with the Dufresne article. I sincerely regret that the RECORD cannot print the photographs which illustrated the Dufresne article. They are splendid and beautiful; they were taken by Photographer Frederick C. Baldwin off Norway's Vestspitsbergen.

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

PLIGHT OF THE ICE BEAR

(By Frank Dufresne)

While driving my dog team along the Arctic coast of Alaska on a moon-bright December day some years ago, I suddenly came across the tracks of a polar bear. The enormous pad prints led from the frozen surface of the sea across a wind-swept beach to a huge pressure ridge, and there disappeared in a jumble of up-ended ice slabs and drifted snow. I knew immediately that I had chanced upon the winter den of a female white bear, and that at that very moment she must be only a few feet from my sniffing Malemutes.

Quickly I loosened my rifle from the sled lashings, in case of sudden encounter, but there was no need. Lady Nanook had affairs of her own to tend to, there in her icy cocoon. She was awaiting the birth of tiny, naked, blind infants who would come into the world with instinct only to nuzzle into the thick, warm fur of the mother and nurse for many weeks through the dark of the winter. Not until the coming of April with its ruby sunlight would the cubs, then grown to spaniel size, follow their parent as she broke through the snowy wall of her cell to strike out across the vast, white world of the polar bear.

Then would begin a nomadic existence on fields of drifting ice aggregating half the size of all North America, a frappé waste extending from the beaches of Arctic Alaska, Canada and Greenland clear across the North Pole to Siberia and to Spitsbergen, Norway's northern archipelago. In a white wilderness not nearly as barren of life as it might first appear, the polar bear family would make the fat hair seals its favorite food.

There would be enormous patches of rich plankton in these icy waters, supporting endless schools of shrimp, small fish and whales. There would be clam beds on the bottom to feed great pods of walrus. Eider ducks and many other hardy birds would arrive in multitudes during the summers. Arctic foxes, airy as powder puffs, would dog the polar bears constantly, as jackals follow a lion, for their leavings.

Lady Nanook would devote a full year of her life to rearing her cubs. Guided by one of the keenest senses of smell possessed by any living creature, she would shuffle across the floating ice pans in search of food, queen of the Arctic!

Then in the second year of their lives, when each cub had grown to a weight of about 300 pounds—teenage twins by human standards—Lady Nanook would send them away to make a life of their own while she prepared for her next family. Though nary a suitor might be in sight, the aroma of her estrus period, which occurs only once in two years, would draw the burly males from extraordinarily long distances, far beyond the range of eyesight. Soon the white queen would be surrounded by persistent swains, and at the right moment she would indulge in somewhat promiscuous interludes involving several boars.

With the approach of another winter and the need to find shelter from the boreal blizzards, the female snow bear would once more seek another pressure ridge or huge snow drift to bring forth her cubs. But whether her hideaway would be near her previous den or many miles away, no one can be sure. And because of this gap in our knowledge of the ice bear's life history, global regulations may be needed to save the polar bear from being exterminated within the century.

Arctic explorers and Eskimo hunters have observed many time that most polar bears encountered along the shorelines are females. Those remaining far out on the ice fields, even at the North Pole itself, are likely to be males. When these animals are out among the floes they are bound to be traveling constantly as the floating ice cakes ferry them hundreds, if not thousands, of miles in their 30-year life span.

Far from being the stationary, ice-locked mass of popular belief, the gelid Arctic seas surge with action. At the North Pole the floes grind ceaselessly under the force of winds and tides, heaving enormous slabs as high as the top of a village church, rumbling and tumbling in titanic chaos. Aviators flying over the polar regions have reported the entire white surface of the ocean, veined with green channels, in constant turmoil.

In 1937 the Russians established an experimental base on this pack ice, near the pole, and drifted southward more than a thousand miles before having to abandon their station when it rounded the top of Greenland and threatened to break apart in the warming North Atlantic waters known to sailors as "iceberg alley."

A few years later the U.S. Air Force built an airfield, complete with barracks, of crushed and compacted ice which they called "ice-crete," on a great slab of shelf ice broken off from Ellesmere Land abutting west Greenland. It had already drifted several hundred miles before the Air Force boarded it an hour's flying time off Point Barrow. Since it was moving in a clockwise direction, it would, in several years, float up the international date line between Alaska and Siberia to the pole, thence east and south to Ellesmere Land again. Like the Russians' wandering outpost, our floating T–3 was visited regularly by polar bears.

Once I stood on the anchored shore ice of the Bering Strait and saw in the distance a cluster of dark specks on the moving ice fields. The specks drew steadily closer, and soon a herd of sleeping walrus swept past my lookout and faded away on the white horizon, migrating northward the easy way by drifting with the current.

While there is considerable proof that some polar bears tend to become locally abundant and more or less colonized in certain areas where their food is plentiful—such as the Canadian Archipelago and Hudson Bay, Soviet-owned Wrangell Island across the polar cap, Novaya Zemlya, Franz Josef Land, and off the northern tip of Spitsbergen—there is also substantial evidence that they will drift and roam for interminable distances.

It is these populations of polar bears, the beasts without a country, which are now causing alarm among conservationists in all parts of the world. Much of the concern is focused on Alaska, where "sportsmen" are not only allowed but encouraged by law to fly out over the ice fields in small, ski-equipped airplanes, land alongside helpless polar bears and gun them down. The highly respected Boone and Crockett Club, which has long served as registrar of American big game trophies, has condemned this practice as "unfair chase," and has gone so far as to withdraw its listing of polar bears until the Alaska Department of Fish and Game sees fit to correct the abuse.

A sportsman's association in Fairbanks has done the same. This travesty on sport has been deplored by many outdoor writers across the nation. One of them wrote: "Anyone who displays a polar bear rug will be suspected of taking unfair advantage."

The deep feelings of Alaska's Senator E. L. Bartlett about what is happening to the polar bear in his state are such that he instigated a world conference in his home town of Fairbanks, attended by representatives of nations bordering the Arctic ice mass. Russia, which controls more land on the polar perimeter than all other countries combined, frankly admitted that its white bears had decreased throughout their vast range. It recommended special agreements between the Soviet Union, United States, Canada, Denmark and Norway for conserving dwindling populations. Russia even went so far as to urge a five-year moratorium on the harvesting of polar bears, and subsequently a limit on the take.

Other attending nations followed with their own reports. Canada said that only northern natives may legally hunt polar bears, and that scientific permits for others to take the white giants are issued only with great care. It said the Canadian kill has approached 600 in a single year, and that the sale of polar bear pelts greatly augments the living of the Eskimos. It explained that decreases in regional stocks may be influenced

by encroaching warm ocean currents which destroy some of the white bear's habitat.

Canada's neighbor, Greenland, reported that occurrence of snow bears there is closely related to the shifting mass of Baffin Bay ice. Greenland confessed that over the years the annual kill has dropped from about 200 to 100. Greenland, among its restrictions, permits only residents to hunt polar bears. The bears may not be fired upon from ships. Hunting from aircraft is prohibited.

Norway's wildlife managers said their country averages a take of 324 polar bears a year—mostly at the northern tip of Spitsbergen—by wintering hunters, weather station crews and sealing ships. Where extensive denning of females occurs on Kong Karls Land on Murmansk Rise, between Spitsbergen proper and Franz Josef Land, polar bears are completely protected.

Alaska reported that polar bears no longer are found on St. Matthew Island in the Bering Sea as they were back in the 1880's, and that the animals appear to be shifting their range deeper into the Arctic. But it called the proposal of the Soviet Union for a five-year moratorium on polar bear killing unnecessary at this time. Then the Alaska Department of Fish and Game made this significant statement:

The main economic value of the polar bear has changed during the past 15 years from a subsistence item for Eskimos to sport and trophies for outside hunters. The 1965 harvest of 292 polar bears contributed approximately $450,000 to the economy of Alaska. The hunting methods legalized by the Alaska Department of Fish and Game included small aircraft working, in pairs, flying out from shore bases, locating a polar bear and landing alongside it on the ice, frequently 100 miles or more from the Alaska mainland on what must be classed as international waters.

In what it termed a "statement of accord," the Fairbanks conference agreed that (1) polar bears should be considered an international circumpolar resource and the responsibility of all countries bordering on the Arctic Ocean, and (2) all cubs, and females accompanied by cubs, require protection throughout the year. The delegates agreed they should study polar bear conditions carefully in their respective countries, and that they should meet again for the purpose of drawing up some kind of treaty binding on them all.

The polar bear is not an ancient breed. All of its fossils have been of fairly recent origin, and its tenure on earth may not be very long unless the Fairbanks conference is implemented by corrective legislation. *Thalarctos maritimus* is believed to have evolved from the common European brown bear (*Ursus arctos*) sometime during the Ice Age, when glaciation reached into Eurasia and the northern United States. In adapting itself to life on the frozen seas, the bear became decolored to match its new environment. Its fur thickened and waterproofed itself; its nails became shorter and sharper for gripping slick ice; it developed a shuffling gait quite unlike that of its dark forebears; and it learned to swim, eat and even sleep on the icy waters, sometimes beyond sight of the nearest ice.

There is but one recognized species, and its blood ties with brown and grizzly bears are still so close that it will interbreed in captivity and produce fertile young. In size it ranks among the very largest of all four-footed predators attaining weights in excess of 1,200—possibly even 1,500—pounds to match the bulk of our heaviest Kodiak and Alaska Peninsula brownies and a huge species found on Kamchatka Peninsula across the Bering Sea.

Aside from the apparent widespread decrease of the white bears themselves, there is another adverse factor to their continued existence—the melting of Arctic ice in a gradually warming trend that is spreading open water all through the various seas and bays of the Arctic. Some scientists already predict that if the present trend of rising temperatures continues we shall have within this century an ice-free Arctic Ocean in the summer.

Staple food fish of many varieties will follow the milder water to new bottoms. Fishing nations like Japan, Great Britain and many others with no land possessions in the Arctic will be moving in with seines and dragnets, perhaps even plying back and forth across the North Pole itself. In the long-range view this can only mean that the polar bear will be harder pressed than ever to find a man-free habitat in the ice-locked seclusion it must have.

The plight of the ice bear is already upon it; the danger point has been reached. Big city furriers, seeking to turn a quick profit by the publicity calling for *better protection of the great white bear*, are displaying hides and mounted specimens in their store windows to push sales and, of course, create demand for more killing.

Recently a promoter from Sweden who claims to have a special "in" with the Soviet Union has been visiting America's leading sporting goods stores to drum up wholesale polar bear package hunts behind the Iron Curtain. Alaskan flying guides are advertising quickie bear hunts beyond local jurisdiction on international ice fields.

Today there are probably no more than 10,000 white bears on the northern polar cap—possibly less—roaming across 5,000,000 square miles of "no law" region, subject to indiscriminate killing. The public has been aroused. It is calling on the responsible nations to call a halt, to think less of exacting a profit from a disappearing species and more about perpetuating a unique form of life in which all the world shares an interest.

(NOTE.—*"Plight of the Ice Bear" is one of the last stories written by Frank Dufresne, who knew our North American bears more intimately than perhaps any other outdoor-nature writer. The bears had no finer champion.*

(Frank Dufresne was a young newspaperman when he boarded an aging steamer bound for Nome, Alaska, in 1920. It was to be a visit, no more, but there he stayed for 24 years, first as field man for the old U.S. Bureau of Biological Survey, then as director of the Alaska Game Commission. He helped write the original territorial game laws.

(After a seven-year stint in Washington, beginning in 1944, as chief of information for the new U.S. Fish and Wildlife Service, he "retired" to become West Coast associate editor for Field & Stream. His byline has appeared on hundreds of stories in such magazines as Reader's Digest, The Saturday Evening Post, Holiday and This Week.

(Paradise, Calif., was the Dufresne home, and there he and his wife, Klondy, nightly entertained—on the edge of a canyon—a host of free-loading raccoons, gray foxes, and a rare cacomistle.

(Frank Dufresne's recent "No Room for Bears" prompted an Audubon assignment to tell readers of the grave threat to the polar bear. A widely acclaimed plea for preservation of these great carnivores, this book has been a conservation best seller; 100,000 copies have been sold.

(Less than two months after mailing this article, Frank Dufresne died unexpectedly, at 70. A memorable autobiography of those 24 years in Alaska, "My Way Was North," has just been published by Holt, Rinehart and Winston.)

U.S. SENATE,
Washington, D.C.

Polar bears are stateless animals. They live on the Arctic icepack beyond the territorial limits of any nation, only occasionally and only in a few places ever coming ashore. Their welfare, their protection are the responsibility not just of America or of Russia, but of all the Arctic nations.

These nations acknowledged this responsibility when, at the First International Scientific Meeting on the Polar Bear in Fairbanks, Alaska, in September of last year, they agreed that each country should conduct "a research program on the polar bear" and "give consideration to the prompt exchange of research and management information."

This information is badly needed. No one knows much about the great white bear. No one knows whether its population is stable or declining, whether its existence is endangered or not. It will take the efforts and the cooperation of all the Arctic nations to find out.

My own State of Alaska has been a leader in the scientific study of the polar bear. The Alaska Department of Fish and Game records the size of skull and hide, the sex, the date and location of all bears harvested; laboratory work is being done on bear teeth and reproductive tracts; and all Alaskans have been asked to report to the department the numbers, locations and population component of all bears seen. In recent years, a bag limit has been set for hunting the polar bear. When Alaska became a state, it imposed a closed season on bear hunting and last year it shortened the hunting season. The state believes that "harvests must be regulated in accordance with bear productivity" and its regulations and research are directed to this end.

It is hoped that federal and private research can now be stepped up, not only in the United States but in Canada, Norway, Denmark and the U.S.S.R. as well. With national effort and international cooperation, there is every reason to believe the survival of the polar bear can be assured.

There is, after all, room enough in the Arctic for both man and polar bear.

E. L. BARTLETT,
Senator From Alaska.

IMPLICATIONS OF RECENT ELECTIONS IN JAPAN

Mr. McGEE. Mr. President, the implications of the recent elections in Japan are the subject of a meaningful column by Joseph Alsop published in the Washington Post yesterday. The point which Mr. Alsop makes is that if Premier Sato's government had been defeated, it would have been front page news heralding a slap at the American policy in Vietnam. Inasmuch as he won by a healthy margin, however, there was no similar disposition to herald it in the counterterms of support or an endorsement of the American position in Vietnam.

Instead, as he points out, it was generally relegated to the inside pages of most papers. What this constitutes, in the judgment of Joseph Alsop, is a double standard. If something is critical of American policy, it is front page news. If, on the other hand, it is a development that reflects support, it disappears in the limbo of the inner pages.

Mr. President, I ask unanimous consent that Mr. Alsop's column be printed in the RECORD.

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

[From the Washington Post, Feb. 6, 1967]

(By Joseph Alsop)

GENERAL, MEET SATO-SAN

If the outcome of the Japanese election had been just a bit different—if the ruling Liberal Democrats had lost no more than 10

or 15 seats—we should now be hearing great outcry in this country.

Premier Eisako Sato boldly and squarely chose the American alliance as the central issue for the voters to decide on. Arthur Schlesinger Jr. and many others have told us that Vietnam has alienated from the U.S. every "independent Asian nation." A small setback for Sato would have been on many a front page, as final proof of the Schlesinger thesis.

Instead, Premier Sato won a resounding victory, electing no less than 277 members of his Party to the lower house. As one great newspaper's correspondent reported—on Page six!—this was a "solid gain for the pro-American element."

It is important to note these facts, because it is important to understand the power of the double standard that now prevails in some quarters, making Page six the right place for a "solid" U.S. gain, and the front page the right place for the most moderate American setback. But these facts are also important because of the great importance of Japan, whose people have once again shown a strong attachment, not only to the American alliance, but also to constitutional and democratic processes.

Sometimes one wonders at the way the vastest changes in the shape of the world we live in, such as the forward movement of Japan, go all but unnoticed by wise persons. Thus we are told we are an Atlantic power, and the Vietnamese war is a mistake because our business is in Europe. As it happens, however, we are just as much a Pacific power as an Atlantic power. East Asia, too, "is where the action is nowadays," as a banker-friend of this reporter's crisply remarked. And the progess of Japan is the best proof, both that this banker is right, and that our role as a Pacific power is something we should not take lightly.

Briefly, as previously reported in this space, Japan has already passed West Germany, to become the world's third steel-producing power, next to this country and the U.S.S.R., as well as the world's leading steel exporter. This has been achieved, mind you, without any appreciable domestic supplies of coal or iron! And this is by no means the end of the story.

According to the economists of the World Bank, Japan is also due to pass all the European nations in general industrial output, becoming the world's third industrial producer within two to three years. And more astonishing still, the same economists predict that it should take only about a decade for the 100,000,000 people of the Japanese islands to attain a per capita income equal to the present per capita income in Britain.

When and if that happens, please note, Japan will possess a potential power and general weight in the world very nearly equal to the weight and power-potential of any two of the old Western European nations that were the unique industrial "great powers" only half a century ago. Indeed, Japan may then be nudging the U.S.S.R. for second place in the industrial-power lineup.

Please note, too, that this Japanese development is only an advanced example of a process now going on in every East Asian society, except for China, whose people will surely take the same road as soon as they can throw off the shackles of paranoia. In the circumstances, it seems odd to be overly preoccupied, for instance, with the views and postures of General de Gaulle.

The leader of France is an obviously great man, with an unusual knack for throwing his weight about to maximum effect. But his real weight is already a trifle less than Premier Sato's who does not throw his weight about. In a decade, moreover, the weight of de Gaulle or his successor is due to be hardly more than half the weight of Sato or his successor. One is inclined to say, "while on this subject of grandeur, General, let me introduce Sato-San!"

More seriously, this country has a particularly hard row to hoe, for the United States must somehow manage to perform adequately, both as an Atlantic power and as a Pacific power. The reason for the Vietnamese war is precisely the same as the reason for the Korean war—the need to discharge our responsibilities and to protect our position as a Pacific power.

The Japanese development and the Japanese election both mean, one hopes, that Japan and later other nations will actually shoulder more of the burden, not in Vietnam, but in the Pacific in the future. President Johnson has the sense and foresight to be inviting Japan to do precisely that, in a quiet way and at the present moment.

FEDERAL MONEY FOR EDUCATION, FISCAL YEAR 1967

Mr. MORSE. Mr. President, in order that senatorial offices may have available for ready reference the programs administered by the U.S. Office of Education, I ask unanimous consent that a table prepared by that agency showing the funding of programs in fiscal year 1967 be printed at this point in my remarks.

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

Federal money for education: Programs administered by the U.S. Office of Education, fiscal year 1967

GROUP I: FOR CONSTRUCTION

Type of assistance	Authorization	Purpose	Appropriation	Who may apply	Where to apply
1. Public schools	School aid to federally impacted and major disaster areas (Public Law 815).	Aid school districts in providing minimum school facilities in federally impacted and disaster areas.	$22,937,000	Local school districts	OE's Division of School Assistance in Federally Affected Areas.
2. Educational television	Public Law 87-447, amending Communications Act of 1934.	Aid in the acquisition and installation of transmitting and production equipment for ETV broadcasting.	3,000,000	Nonprofit agencies, public colleges, State television agencies, education agencies.	Assistant to the Assistant Secretary (Educational Television), Dept. of HEW, Washington, D.C.
3. Community colleges, technical institutes.	Higher Education Facilities Act, title I.	Construct or improve academic facilities	99,660,000	Public community colleges and technical institutes.	State commissions.
4. Other undergraduate facilities.	do	Construct or improve undergraduate academic facilities.	353,340,000	Colleges and universities	State commissions.
5. Graduate facilities	Higher Education Facilities Act, title II.	Construct or improve graduate academic facilities.	60,000,000	Public and private academic institutions, grad. center boards.	OE's Graduate Facilities Branch, Division of Graduate Programs.
6. Undergraduate and graduate facilities.	Higher Education Facilities Act, title III.	Loans to construct or improve higher education facilities.	200,000,000	Public and private nonprofit institutions, cooperative centers, boards of higher education.	OE's Division of College Facilities.
7. Vocational facilities	Appalachian Regional Development Act of 1965.	Construct vocational education facilities in the Appalachian region.	8,000,000	State education agencies in Appalachian region.	OE's Division of Vocational and Technical Education.
8. Area vocational schools	Vocational Education Act of 1963.	Construct or improve area vocational education school facilities.	(1)	Public secondary and postsecondary schools providing education in 5 or more fields.	State boards of vocational education (information from OE's Division of Vocational-Technical Education).
9. Public libraries	Library Services and Construction Act, title II.	Aid construction of public libraries.	40,000,000	State library administrative agencies.	OE's Division of Library Services and Educational Facilities.
10. Educational laboratories	Cooperative Research Act (amended by ESEA, title IV).	Construct and equip national and regional research facilities.	12,400,000	Colleges, school systems, State education departments, industry.	OE's Division of Laboratories and Research Development.

GROUP II: FOR PROGRAMS, INSTRUCTION, AND ADMINISTRATION

1. School maintenance and operation.	School aid to federally impacted and major disaster areas (Public Law 874).	Aid school districts on which Federal activities or major disasters have placed a financial burden.	$416,200,000	Local school districts	OE's Division of School Assistance in Federally Affected Areas.
2. Strengthening instruction in critical subjects in public schools.	National Defense Education Act, title III.	Strengthen instruction in science, mathematics, modern foreign languages, and other critical subjects.	79,200,000	do	State education agency.
3. Strengthening instruction in nonpublic schools.	do	Loans to private schools to improve instruction in critical subjects.	1,500,000	Nonprofit private elementary and secondary schools.	OE's Division of Plans and Supplementary Centers.

See footnotes at end of table.

Federal money for education: Programs administered by the U.S. Office of Education, fiscal year 1967—Continued

GROUP II: FOR PROGRAMS, INSTRUCTION, AND ADMINISTRATION

Type of assistance	Authorization	Purpose	Appropriation	Who may apply	Where to apply
4. Strengthening instruction in arts and humanities in public schools.	National Foundation on the Arts and Humanities Act of 1965.	Improve instructional capabilities of public schools in humanities-arts fields.	$440,000	Public schools	State education agency.
5. Strengthening instruction in arts and humanities in nonpublic schools.	do	Loans to private schools to improve humanities-arts instruction.	60,000	Private nonprofit schools	OE's Division of Plans and Supplementary Centers.
6. Cuban refugee program	Migration and Refugee Assistance Act.	Assist in providing education for Cuban refugee children.	8,167,000	Board of Public Instruction, Dade County, Fla.	OE's Division of School Assistance in Federally Affected Areas.
7. Programs for the disadvantaged.	Elementary and Secondary Education Act, title I.	Support educational programs in areas having high concentrations of low-income families.	1,053,410,000	State education agencies	OE's Division of Compensatory Education.
8. School library resources and instructional materials.	Elementary and Secondary Education Act, title II.	Support provision of school library resources, textbooks, and other instructional materials.	102,000,000	Local education agencies	OE's Division of Plans and Supplementary Centers.
9. Supplementary centers	Elementary and Secondary Education Act, title III.	Support supplementary educational centers and services.	135,000,000	do	Do.
10. Vocational programs	Smith-Hughes, George Barden, Vocational Education Acts.	Maintain, extend, and improve vocational education programs; develop programs in new occupations.	255,377,455	Public schools	State boards of vocational education (information from OE's Division of Vocational Technical Education).
11. Captioned film loan program.	Captioned films for the deaf	Provide cultural and educational services to the deaf through films.	2,350,000	Groups of deaf persons; nondeaf groups for training.	OE's Division of Research Training and Dissemination.
12. Desegregation assistance	Civil Rights Act of 1964	Aid school boards in hiring advisers and training employees on problems incident to school desegregation.	3,350,000	School boards and other agencies responsible for public school operation.	OE's Office of Equal Educational Opportunities.
13. Guidance, counseling, and testing in public schools.	National Defense Education Act, title V-A.	Assist in establishing and maintaining guidance, counseling, and testing programs.	24,500,000	Public elementary and secondary schools, junior colleges, technical institutes.	State education agencies.
14. Testing in nonpublic schools.	do	Provide for aptitude-achievement testing of private school students.	(2)	Testing agencies	State education agency or OE's Division of Plans and Supplementary Centers.
15. Services of foreign curriculum specialists.	Mutual Educational and Cultural Exchange Act.	Provide foreign curriculum specialists to U.S. schools to strengthen language-area studies programs.	(3)	Local school agencies, State education agencies, colleges and universities.	OE's Division of Foreign Studies.
16. Pilot youth programs in science.	Science clubs (Public Law 85-875).	Encourage young people interested in science.	50,000	Colleges and universities, State education agencies.	OE's Division of Plans and Supplementary Centers.
17. Teacher institutes	National Defense Education Act, title XI.	Improve qualifications of elementary and secondary teachers and related specialists.	30,000,000	Colleges and universities	OE's Division of Educational Personnel Training.
18. Do	Civil Rights Act of 1964	Improve ability of school personnel to deal with problems incident to school desegregation.	3,185,000	do	OE's Office of Equal Educational Opportunities.
19. Teacher training (handicapped).	Mental Retardation Facilities Act, and others.	Prepare teachers and others who work in education of handicapped.	24,500,000	State education agencies, colleges and universities.	OE's Bureau of Elementary and Secondary Education.
20. Counselor institutes	National Defense Education Act, title V-B.	Improve qualifications of guidance workers in schools and colleges.	7,250,000	Public and private nonprofit colleges and universities.	OE's Division of Educational Personnel Training.
21. Teacher training (vocational).	Smith-Hughes, George Barden, Vocational Education Acts.	Improve qualifications of teachers, supervisors, and directors of vocational education programs.	(1)	Local school districts	State boards of vocational education (information from OE's Division of Vocational-Technical Education).
22. National Teacher Corps	Higher Education Act of 1965, title V-B.	Strengthen educational opportunities of children in low-income areas.	7,500,000	Local education agencies, colleges and universities.	OE's National Teacher Corps.
23. Experienced teacher fellowships.	Higher Education Act of 1965, title V-C.	Improve the quality of education of elementary and secondary teachers and related personnel.	12,500,000	Institutions of higher education offering graduate programs.	OE's Division of Educational Personnel Training.
24. Prospective teacher fellowships.	do	Improve the quality of education of persons planning careers in elementary and secondary education.	12,500,000	Institutions of higher education offering graduate programs.	OE's Division of Graduate Programs.
25. Institutional assistance grants.	do	Develop and strengthen teacher training programs (elementary-secondary).	5,000,000	Institutions participating in fellowship programs 11-23, 11-24.	Do.
26. Librarian training	Higher Education Act of 1965, title II.	Increase opportunities for training in librarianship.	3,750,000	Colleges and universities	OE's Division of Library Services and Educational Facilities.
27. State administration of HEFA program.	Higher Education Facilities Act of 1963.	Help States administer program under HEFA, title I.	7,000,000	State commissions that administer program.	OE's Division of College Facilities.
28. Endowment of colleges of agriculture and mechanic arts.	Morrill Acts, amended	Support instruction in agriculture and mechanic arts in the land-grant colleges.	14,500,000	The 68 land-grant colleges	Do.
29. Language and area centers.	National Defense Education Act, title VI.	Improve quality of instruction in uncommon-languages-area subjects.	12,700,000	Colleges and universities	OE's Division of Foreign Studies.
30. Acquisition of educational media.	Higher Education Act of 1965, title VI-A.	Improve instruction in selected subject areas.	14,500,000	do	State commissions.
31. Workshops, institutes in educational media.	Higher Education Act of 1965, title VI-B.	Improve capabilities of persons using educational media for undergraduate instruction.	2,500,000	do	OE's Division of College Facilities.
32. Strengthening community service programs.	Higher Education Act of 1965, title I.	Strengthen higher education capabilities in helping communities solve their problems.	10,000,000	Colleges and universities	State agency or institution designated to administer State plan.

See footnotes at end of table.

Federal money for education: Programs administered by the U.S. Office of Education, fiscal year 1967—Continued

GROUP II: FOR PROGRAMS, INSTRUCTION, AND ADMINISTRATION

Type of assistance	Authorization	Purpose	Appropriation	Who may apply	Where to apply
33. Strengthening developing institutions.	Higher Education Act of 1965, title III.	Provide partial support for cooperative arrangements between developing and established institutions.	$28,560,000	Accredited colleges and universities in existence at least 5 years.	OE's Division of College Support.
34. National teaching fellowships.	Higher Education Act of 1965, title IV.	Augment the teaching resources of developing institutions.	1,440,000	Developing institutions nominating prospective fellows from established institutions.	Do.
35. College library resources.	Higher Education Act of 1965, title II.	Strengthen library resources of colleges and universities.	25,000,000	Institutions of higher education and combinations thereof.	OE's Division of Library Resources and Educational Facilities.
36. Student loans—matching funds.	National Defense Education Act, title II.	Provide for loans to colleges and universities that cannot meet program's matching obligations.	2,000,000	Accredited nonprofit institutions (including business schools and technical institutes).	OE's Division of Student Financial Aid.
37. Cuban student loans	Migration and Refugee Assistance Act.	Provide a loan fund to aid Cuban refugee students.	3,600,000	Colleges and universities	Do.
38. College work-study	Higher Education Act of 1965, title IV-C.	Provide part-time employment for college students.	134,100,000	do	Do.
39. Reserve contributions to guarantee agencies.	Higher Education Act of 1965, title IV-B.	Help provide adequate loan insurance reserves to guarantee loans.	43,000,000	State or nonprofit private guarantee agencies.	Do.
40. Talent search	Higher Education Act of 1965, title IV-A.	Assist in identifying and encouraging promising high school graduates.	2,500,000	State, local education agencies, public or nonprofit organizations.	Do.
41. Educational opportunity grants.	do	Assist qualified high school graduates to go to college.	112,000,000	Colleges and universities	Do.
42. Cuban refugee professional training.	Migration and Refugee Assistance Act.	Provide refresher training programs for professional personnel.	500,000	do	OE's Division of Educational Personnel Training.
43. Foreign study	Mutual Education and Cultural Exchange Act.	Assist U.S. institutions in promoting language and area studies abroad.	500,000	do	OE's Division of Foreign Studies.
44. State statistical services	National Defense Education Act, title X.	Improve statistical services of State education agencies.	2,250,000	State education agencies	OE's Division of Data Sources and Standards.
45. Strengthening State education agencies.	Elementary and Secondary Education Act, title V.	Improve leadership resources of State education agencies.	22,000,000	State education agencies and combinations thereof.	OE's Division of State Agency Cooperation.
46. Supervision and instruction.	National Defense Education Act, title III.	Strengthen supervision and administration in State education agencies.	7,500,000	State education agencies	OE's Division of Plans and Supplementary Centers.
47. Public library services	Library Services and Construction Act, title I.	Extend and improve public library services.	35,000,000	State library administrative agencies.	OE's Division of Library Services and Educational Facilities.
48. Interlibrary cooperation	Library Services and Construction Act, title III.	Planning for establishemnt of cooperative networks of libraries.	375,000	do	Do.
49. State institutional library services.	Library Services Construction Act, title IV-A.	Planning for improved institutional library services.	365,000	do	Do.
50. Library services to physically handicapped.	Library Services and Construction Act, title IV-B.	Planning for improved library services to physically handicapped.	250,000	do	Do.
51. Civil defense adult education.	Federal Civil Defense Act of 1950.	Provide information on civil defense procedures to the public.	4,055,000	Chief State school officers or State agencies.	OE's Division of Adult Education Programs.
52. Adult basic education	Adult Education Act of 1966	Provide literacy programs for adults.	30,000,000	State education agencies	Do.
53. Occupational training and retraining.	Manpower Development and Training Act of 1962.	Provide training programs to equip persons for work in needed employment fields.	123,700,000	Local school authorities (public, private nonprofit).	State vocational education agency (information from OE's Division of Vocational and Technical Education).
54. Vocational guarantee reserve funds.	National Vocational Student Loan Insurance Act.	Provide adequate loan reserves for vocational student loans.	1,800,000	State and private nonprofit guarantee agencies.	OE's Division of Student Financial Aid.
55. Vocational work-study	Vocational Education Act of 1963, sec. 13.	Provide part-time employment opportunities for vocational education students.	10,000,000	High schools, colleges, vocational or technical schools.	State education agencies (information from OE's Division of Vocational and Technical Education).
56. Researcher training	Cooperative Research Act (amended by ESEA, title IV).	Develop and strengthen programs for training educational researchers.	(4)	State education agencies, institutions, and organizations.	OE's Division of Research Training and Dissemination.

GROUP III: FOR TEACHER TRAINING AND STUDENT ASSISTANCE

1. Handicapped teacher scholarships.	Mental Retardation Facilities Act, and others.	Improve training of persons responsible for the education of the handicapped.	(5)	Persons employed or preparing for employment as teachers, supervisors, etc., of handicapped.	Participating institutions (information from OE's Bureau of Elementary and Secondary Education).
2. Desegregation training grants.	Civil Rights Act of 1964	Improve ability of school personnel to deal with desegregation problems.	(6)	Teachers and other personnel of public schools.	OE's Office of Equal Educational Opportunities.
3. Experienced teacher fellowships.	Higher Education Act of 1965, Title V-C.	Improve the quality of education of elementary and secondary teachers and related personnel.	(7)	Experienced teachers planning to continue in elementary and secondary teaching careers.	Local school boards or participating institutions (information from OE's Division of Educational Personnel Training).
4. Prospective teacher fellowships.	do	Improve the quality of education of persons planning careers in elementary and secondary education.	(8)	Prospective teachers and school personnel in related professional areas.	Participating institutions (information from OE's Division of Graduate Programs).
5. Arts and humanities training grants (institutes).	National Foundation on the Arts and Humanities Act of 1965.	Strengthen the teaching of the humanities and the arts in elementary and secondary schools.	$500,000	Persons engaged in or preparing to engage in teaching or supervising or training teachers.	Participating institutions (information from OE's Division of Educational Personnel Training).
6. National Teacher Corps.	Higher Education Act of 1965, Title V-B.	Strengthen educational opportunities of children in low-income areas.	(9)	Qualified teachers and prospective teachers.	Participating institutions (information, OE's National Teacher Corps).
7. Study abroad	Mutual Educational and Cultural Exchange Act.	Improve teacher competence and curriculums in modern foreign languages and area studies.	721,000	Teachers and supervisors of foreign languages-area studies (minimum 5 years' experience).	OE's Division of Foreign Studies.

See footnotes at end of table.

Federal money for education: Programs administered by the U.S. Office of Education, fiscal year 1967—Continued

GROUP III: FOR TEACHER TRAINING AND STUDENT ASSISTANCE—Continued

Type of assistance	Authorization	Purpose	Appropriation	Who may apply	Where to apply
8. Summer seminars abroad	....do....	Improve quality of instruction in modern foreign languages and area studies in the United States.	$178,000	Secondary school and college languages-area studies teachers (minimum 2 years experience).	OE's Division of Foreign Studies.
9. Counseling and guidance training grants (institutes).	National Defense Education Act, title V-A.	Improve counseling of students in schools and colleges.	(9)	Persons engaged in or preparing to engage in counseling and guidance of students.	Participating institutions (information from OE's Division of Educational Personnel Training).
10. Teacher training grants (institutes).	National Defense Education Act, title XI.	Improve the quality of teachers, school librarians, other specialists.	(10)	Teachers, teacher trainers, and supervisors in 12 areas.	Participating institutions (information, OE's Division of Educational Personnel Training).
11. Foreign teacher development.	Mutual Educational and Cultural Exchange Act.	Provide opportunity for foreign educators to observe U.S. methods, curriculum, organization (elementary and secondary).	420,000	Foreign educators (administrators, teachers, teacher trainers, education ministry officials).	U.S. embassies, educational commissions, foundations abroad (information from OE's International Exchange and Training Branch).
12. Teacher exchange	....do....	Improve and strengthen relations between United States and foreign nations by exchange of teachers.	350,000	Elementary and secondary teachers, college instructors and assistant professors.	OE's Teacher Exchange Section, International Exchange and Training Branch.
13. Captioned films—training grants.	Captioned films for the deaf...	Improve quality of instruction available to deaf persons.	(3)	Persons who will use captioned film equipment.	OE's Division of Research Training and Dissemination.
14. Graduate fellowships	National Defense Education Act, title IV.	Increase the number of well-qualified college teachers.	81,957,000	Prospective college teachers working toward doctoral degrees.	Participating institutions (information, OE's Division of Graduate programs).
15. College work-study	Higher Education Act of 1965, title IV.	Provide part-time employment for college students.	(11)	College students	Participating institutions (information, OE's Division of Student Financial Aid).
16. Foreign language fellowships.	National Defense Education Act, title VI.	Train college teachers of modern foreign languages and area studies.	(12)	Undergraduate, graduate, and postdoctoral students trained in modern foreign languages.	Participating institutions (information from OE's Institutional Support Branch, Division of Foreign Studies).
17. Student loans	National Defense Education Act, title II.	Provide for low-interest loans to college students.	190,000,000	College students	Participating institutions (information, OE's Division of Student Financial Aid).
18. Educational opportunity grants.	Higher Education Act of 1965, title IV-A.	Assist qualified high school graduates to go to college.	(13)	Promising high school graduates and college undergraduates of exceptional financial need.	Participating institutions (information from OE's Division of Student Financial aid).
19. Study abroad	Mutual Educational and Cultural Exchange Act.	Assist U.S. institutions in promoting language and area studies.	(14)	Professors, college, and secondary school teachers.	Participating institutions (information, OE's Division of Foreign Studies).
20. National Teaching Fellowships.	Higher Education Act of 1965, title III.	Augment the teaching resources of developing institutions.	(15)	Highly qualified graduate students or junior faculty members from established institutions.	Participating institutions (information from OE's Division of College Support).
21. Study abroad	Mutual Educational and Cultural Exchange Act.	Improve instructional programs in NDEA language and area centers.	640,000	Center faculty members	OE's Division of Foreign Studies.
22. Do	....do....	Develop competence in language and area studies for graduate students preparing for college teaching.	610,000	Graduate students preparing for college teaching of non-Western language and area studies.	Do.
23. Insured loans and interest benefits.	Higher Education Act of 1965, title IV-B.	Provide student loan program through commercial lenders.	(16)	College students	Participating lenders (information, OE's Division of Student Financial Aid).
24. Educational media personnel training grants (institutes).	....do....	Improve capabilities of educational media specialists and others using such media at college level.	2,500,000	Those who will use educational media for instruction at undergraduate level.	Participating institutions (information from OE's Division of College Support).
25. Technical assistance, training grants.	Act for International Development of 1961.	Provide specialist training to foreign educators and strengthen education and economy in developing nations.	3,000,000	Foreign nationals from countries with which U.S. has bilateral technical assistance agreements.	AID mission with concurrence local education ministry (information from OE's International Exchange nd Training Branch).
26. Cuban student loans	Migration and Refugee Assistance Act.	Aid needy Cuban refugee college students to finance their education.	(17)	Cubans who became refugees after Jan. 1, 1959.	Participating institutions (information, OE's Division of Student Financial Aid).
27. Librarian fellowships and traineeships.	Higher Education Act of 1965, title II.	Increase opportunities throughout the Nation for training in librarianship.	(18)	Fellows and others undergoing training in librarianship and related fields.	Participating institutions (information from OE's Division of Library Services and Educational Facilities).
28. Cuban professionals retraining grants.	Migration and Refugee Assistance Act.	Aid Cuban refugee teachers and other professional personnel who need assistance for further study.	(19)	Cuban refugee teachers, physicians, and other professional personnel.	Participating institutions (information from OE's Division of Educational Personnel Training).
29. Leadership and vocational training grants.	Government and relief in occupied areas.	Provide opportunities for Ryukyuans to observe and study in U.S. to improve education, economy.	21,711	Ryukyuan nationals selected by their government.	Ryukyu Island government in cooperation with High Commissioner (information from OE's International Exchange and Training Branch).
30. Vocational work-study	Vocational Education Act of 1963, sec. 13.	Provide part-time employment for young people to help them begin or continue vocational training.	(20)	Vocational education students.	Participating institutions (information from State education agencies or OE's Division of Vocational-Technical Education).
31. Occupational training and retraining.	Manpower Development and Training Act.	Train skilled workers in all sections of the Nation.	(21)	Persons referred by State employment services.	Participating institutions (information from OE's Division of Manpower Development and Training).
32. Vocational loans and interest benefits.	National Vocational Student Loan Insurance Act.	Provide loan program for vocational school students through commercial lenders.	(22)	Vocational students	Participating lenders or schools (information from OE's Division of Student Financial Aid).
33. Vocational teacher training grants.	Smith-Hughes, George Barden, Vocational Education Acts.	Improve qualifications of vocational education teachers.	(1)	Teachers of vocational education subjects.	Participating institutions (information from State boards of vocational education or OE's Division of Vocational-Technical Education).

See footnotes at end of table.

Federal money for education: Programs administered by the U.S. Office of Education, fiscal year 1967—Continued

GROUP III: FOR TEACHER TRAINING AND STUDENT ASSISTANCE—Continued

Type of assistance	Authorization	Purpose	Appropriation	Who may apply	Where to apply
34. Adult basic education teacher training grants.	Adult Education Act of 1966	Improve qualifications of teachers of adult basic education courses.	[23]	Teachers and teacher trainers of adult basic education courses.	Participating institutions (information, OE's Division of Adult Education Programs).
35. Researcher training grants.	Cooperative Research Act (amended by ESEA, title IV).	Improve qualifications of educational researchers.	6,500,000	Present and prospective researchers in education.	Participating institutions (information from OE's Division of Research Training and Dissemination).
GROUP IV: FOR RESEARCH					
1. Comparative education research.	Special foreign currency program (Public Law 480).	Use counterpart funds for educational research of value to the U.S. and other nations.	$500,000	Ministries of education and colleges and universities abroad.	OE's Division of Higher Education Research.
2. Curriculum research (general) (arts and humanities).	Cooperative Research Act	Support research on the improvement of curriculum, including arts and humanities at all levels.	16,085,000	Colleges, universities, State education agencies, private or public groups, or individuals.	OE's Division of Elementary and Secondary Research (Arts-Humanities: Division of Laboratories and Research Development).
3. Curriculum research (demonstration and development).	do	Support research—demonstration and development—on school curriculum improvement.	3,000,000	(Same as IV-2)	OE's Division of Elementary and Secondary Research.
4. Curriculum research (dissemination).	do	Support dissemination of research to improve curriculum.	2,415,000	(Same as IV-2)	OE's Division of Elementary and Secondary Research.
5. Deaf education research	Captioned films for the deaf	Research and demonstration; includes film production.	450,000	Colleges, universities, foundations, agencies, organizations.	OE's Division of Research Training and Dissemination.
6. Educational media research.	National Defense Education Act, title VII.	Support research on educational uses of television, radio, motion pictures, other media.	4,400,000	Grants: Public or nonprofit institutions, individuals; contracts: public agencies, individuals.	Do.
7. Foreign language research.	National Defense Education Act, title VI.	Support research on improved instruction in modern foreign languages and teaching methods.	3,100,000	Colleges, universities, professional associations, public school systems, and individuals.	OE's Division of Higher Education Research.
8. Handicapped research and demonstration.	Mental Retardation Facilities Act, and others.	Promote research and demonstration on education of the handicapped.	6,100,000	State education agencies, local school districts, nonprofit private organizations, public groups.	OE's Division of Elementary and Secondary Research.
9. Library research and demonstration.	Higher Education Act of 1965, title II-B.	Research and demonstrations on libraries and library personnel training.	3,550,000	Colleges and universities, agencies, and organizations.	OE's Division of Research Training and Dissemination.
10. Research and Development Centers.	Cooperative Research Act (amended by ESEA, title IV).	Support research on the major problems of education.	29,600,000	do	OE's Division of Laboratories and Research Development.
11. Vocational research	Vocational Education Act of 1963, sec. 4(c).	Develop research and training, experimental and pilot programs for special vocational needs.	10,000,000	State education agencies, colleges, and universities, local education agencies.	OE's Division of Adult and Vocational Research.

[1] See II-10.
[2] See II-13.
[3] See III-11.
[4] See III-35.
[5] See II-19.
[6] See II-12.
[7] See II-23.
[8] See II-24.
[9] See II-22.
[10] See II-17.
[11] See II-38.
[12] See IV-7.
[13] See II-41.
[14] See II-43.
[15] See II-34.
[16] See II-39.
[17] See II-37.
[18] See II-26.
[19] See II-42.
[20] See II-55.
[21] See II-53.
[22] See II-54.
[23] See II-52.

NOTE.—Discrimination prohibited: Title VI of the Civil Rights Act of 1964 states: "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance." All programs cited herein, like every other program or activity receiving financial assistance from the Department of Health, Education, and Welfare, operate in compliance with this law.

COURT ASKED TO DECLARE PHILANTHROPIST CURRIERS LEGALLY DEAD

Mr. YARBOROUGH. Mr. President, the wills of Mr. and Mrs. Stephen R. Currier, one of the world's most active philanthropic couples, have been filed, and the Manhattan Surrogate's Court has been asked to declare these outstanding persons legally dead.

Mr. and Mrs. Currier disappeared on a chartered plane flight on January 17, 1967, between Puerto Rico and the Virgin Islands. A funeral service is scheduled for 10 a.m. Tuesday, February 7, 1967, at the St. James Episcopal Church in New York City.

This couple made a pact over 12 years ago to expend their great fortune on causes of human need. They were diligent in their chosen task, setting up the Taconic Foundation in 1958 to fund such causes as the civil rights movements, child welfare, race relations, and youth work. Recently, they formed the Urban America, Inc., and sought to serve as catalysts in solving urban problems.

The loss of the Curriers is a heavy one for this Nation and its people in all walks of life. Their imagination and dedication, coupled with their concern and interest in human need, are seldom found.

Mr. President, I ask unanimous consent to have printed in the RECORD the account published on page 1 of the Washington Post of Thursday, February 2, 1967, which tells of some of their philanthropic activities.

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

COURT ASKED TO DECLARE CURRIERS LEGALLY DEAD—WILLS FILED IN NEW YORK

(By Robert E. Baker)

The wills of Mr. and Mrs. Stephen R. Currier—philanthropic patrons of human need rather than the arts—have been filed in Manhattan Surrogate's Court.

The court has also been asked to declare officially that the Curriers who disappeared on a chartered plane flight between Puerto Rico and the Virgin Islands on Jan. 17 are dead.

Thus ends the story of a remarkable couple who made a pact a dozen years ago to spend their immense wealth during their lifetimes on causes they felt were good for the country. They died young, before they could do it.

Their wills call for the distribution of $30 million—two-thirds to the Taconic Foundation that they established in 1958 and a quarter to their children, Anrea, 10, Lavinia, 9, and Michael, 6.

That $30 million is only a fraction of the

Curriers' wealth. The personal fortune of Audrey Currier, daughter of David K. E. Bruce, U.S. Ambassador in London, and granddaughter of the late Andrew W. Mellon, the Pittsburgh financier, is estimated at $700 million. And Stephen Currier was wealthy in his own right. The bulk of their estates, it is understood, is in various trusts for their children.

Stephen Currier, 36, was Harvard-educated, stiff, formal. Mrs. Currier, 33, was small and shy. They were married secretly in 1955 because she wanted to finish her senior year at Radcliffe without the distraction of planning for a big wedding. The secrecy was enough to drop her from the New York Register.

But that wouldn't hurt the Curriers, for they spurned the "jet-set" types. Mrs. Currier turned over $300 million to her husband for philanthropic work so she could spend time with her children out of the headlines.

FULL-TIME PHILANTHROPIST

Stephen Currier was not the desk-type philanthropist. He worked full-time at it. He went into the slums of Harlem to see what they looked like, smelled like and what the people said. He often started to work at his New York office at 6 a.m. and worked on till late at night.

In 1958, he established the Taconic Foundation to deal in the sensitive area of civil rights at a time when few other foundations were willing, or perceptive enough, to do so. But this was Currier's mark—the innovative, inventive philanthropist.

In 1961, Currier brought in a group of people to Potomac Institute here, which Taconic supports, to "brain storm" the next program for helping the cause of civil rights. They came up with the Voter Education Project four years before the Voting Rights Act, for they saw Negro voter registration as a root problem in the South.

ROLE IN ALABAMA

But Currier was not just a spender. He saw value in diversified support for civil rights. In 1963, when Bull Connor turned the dogs loose on Birmingham Negroes, Currier went out and solicited $1.5 million from the wealthy for a financial pool for seven civil rights organizations.

He saw his role as a catalyst for solving problems—one of them was money—in the civil rights movement. His action steadied the major civil rights groups at a time of despair and growing distress.

He provided financial help to the venerable Southern Regional Council in Atlanta and the NAACP Legal Defense Fund in New York.

During these years, Currier had a passion for anonymity. His public relations men were supposed to keep him that way. It didn't always work. The Curriers made the headlines when they purchased a $418,000 apartment in New York, although the reporters didn't say exactly who he was. And he was accused of "defanging" the March on Washington by using funds to control Negro leaders.

AIDED MRS. JOHNSON

Recently, however, Currier began to emerge into the public. To bolster Lady Bird Johnson's desire for a more beautiful capital city, he retained Lawrence Halprin who came up with bold proposals for new parks and recreation areas for Washington.

And, with the thrust of the civil rights movement blunted, Currier turned to the problems of the big cities. He formed Urban America, Inc., and, shortly before his death, was serving as the catalyst to bring together the mayors, industry, labor and civil rights leaders in an effort to make the urban crisis a top-priority item on the national agenda.

This was the reason he was in the Caribbean at the time of his death. He had been talking to industrial leaders in Boca Raton, Fla., about joining in the battle to solve the urban crisis.

Despite such big projects, Currier was also interested in the little man and young people. The Curriers built a multi-million-dollar home that was a work of art—"Kinlock" in Fauquier County, Va.—but also took a personal interest in the adjacent town of The Plains. And the survivors of the Curriers reflected their thinking by asking that no flowers be sent to the memorial services, scheduled for 10 a.m. Tuesday at St. James Episcopal Church in New York. Any contributions, they said, should be donated to the Curriers' "Harvard Gamble."

This is a fund—some $45,000 a year—for average students, the forgotten students who show promise but are below scholarship level and without financial means, to go to Harvard.

The $20 million left in the Curriers' wills to the Taconic Foundation will provide about a million dollars a year, below the average amount the Curriers were contributing but sufficient to keep it a going concern to provide innovative ideas in the human rights field.

Under Mr. Currier's will, guardians of the children will be Mr. and Mrs. John G. Simon, who were also bequeathed $500,000. This was a typical Currier touch. Simon is not a man of great social status. He is a professor at Yale University, a member of the Taconic board, a thinker of new ideas, a man who saw eye-to-eye with Currier.

THE 100TH ANNIVERSARY OF WEST VIRGINIA UNIVERSITY

Mr. RANDOLPH. Mr. President, today West Virginia University celebrates its 100th anniversary as an institution of higher learning dedicated to enriching the lives of citizens of the Mountain State.

During the past few years that university has experienced substantial growth and has strengthened its primary mission of serving as the major center of professional and graduate training and research in West Virginia.

The university had its origin in the Morrill Act of July 2, 1862, and in an act of the 1863 State legislature accepting the provision of that act.

On January 9, 1866, trustees of the Monongalia Academy in Morgantown offered the State all of its property, including the site of Woodburn Female Seminary, presently the oldest building on the West Virginia University campus, on condition that the new State university be located there. The offer was accepted. On February 7, 1867, the Agricultural College of West Virginia was established. The following year, West Virginia University President Alexander Martin succeeded in persuading the legislature to change the name of the institution to West Virginia University.

During the institution's early years, its supporters were divided on whether it should be a State-supported university or a first-class State-supported college. The university concept won. In 1895, West Virginia University President James L. Goodknight organized a college of engineering and mechanic arts, a college of arts and sciences, a college of law, and a college of agriculture.

Perhaps the best known of the university facilities is the new multimillion-dollar medical center which offers teaching, research, and service programs in the health professions and sciences not duplicated elsewhere in the State. More than 2,000 persons are involved in the threefold purpose of teaching, research, and service.

Four schools—dentistry, medicine, nursing, and pharmacy—are located at the medical center, and a major part of the facility is the West Virginia University Hospital, a statewide referral center for diagnostic and treatment services for patients with difficult medical problems.

Educational programs are offered in the four professional schools and in medical technology and dental hygiene, as well as postgraduate degree programs in anatomy, biochemistry, microbiology, physiology, and pharmacology.

The university's Appalachian Center is responsible for the U.S. AID cooperative programs that now exist between West Virginia University and Tanzania, Kenya, and Uganda, and for the international education contracts and agreements, in addition to developing the overseas commitments of the university. Staff members from the university are on duty in the three countries I mentioned. They are undertaking the planning, construction, staffing, and development of a curriculum for the new agricultural college of Tanzania.

The Sunday Gazette-Mail, of Charleston, W. Va., recognized the centennial observance by publishing a supplement on February 5, 1967, entitled "Threshold, West Virginia University Looks to the Challenge of a New Century." I ask unanimous consent to have selected articles from the supplement printed in the RECORD.

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

[From the Charleston (W. Va.) Sunday Gazette-Mail, Feb. 5, 1967]

WEST VIRGINIA UNIVERSITY: STANDING AT THE THRESHOLD OF A NEW CENTURY'S CHALLENGE

(By John W. Yago)

The name Woodburn Female Seminary instantly conjures up visions of proper young ladies in long-sleeved dresses learning needlepoint, perhaps a smattering of French and the proper way to pour tea.

It seems unlikely that such an institution could ever develop into a modern, fast moving university, but it is this same Woodburn Female Seminary that was the predecessor of West Virginia University.

The tiny plot of Morgantown hillside that once was the home of the seminary, however, is but a small part of the sprawling university now entering its centennial year.

Nor does today's West Virginia University bear much resemblance to the institution created by the 1867 legislature as the Agricultural College of West Virginia.

The university, like any such institution worthy of the name, has undergone almost continuous change during the past century; it has been pulled and shaped, hindered and helped by the various pressures of a changing society; it has been the object of scorn by its detractors and of unswerving devotion from its supporters; it has been a pawn in political power plays and it has risen to put scholarship above politics; it has been accused of reaching its tentacles into every corner of the state and it has been criticized for exercising so little influence on state affairs; it has been called both a vicious competitor with other state institutions and the logical focal point for all higher education in West Virginia; it has been accused of overemphasizing athletics but catches hell

for a losing season; it attempts to upgrade its faculty and is railed for hiring a $20,000 professor.

In short, about the only peaceful thing at WVU in the past century has been the ivy slowly working its way up the walls of the older buildings, oblivious to the turmoil around it.

The nature of the university, its role in the life of West Virginia and its future are subjects for continual and heated debate. There is, however, little room for argument that WVU has ended its first century bigger, stronger and more firmly established than at any time in its history.

From a handful of students when it opened, WVU has grown into an institution with 12,500 students on its three Morgantown campuses spread over 600 acres. It has a growing undergraduate branch in Parkersburg, and a small, specialized graduate center near Charleston may be the nucleus of an even larger graduate facility in the Kanawha Valley.

Its financial operations make WVU one of the biggest businesses in the state, spending about $35 million annually and with physical facilities with an estimated value of $74 million.

More than 900 teachers in almost every conceivable academic specialty compose the university faculty. They are backed up by administrators, service and supporting personnel that bring the total staff to 3,500.

It has representatives in every county in West Virginia through the Center for Appalachian Studies and Development and its extension activities, making university services no further away than the county seat.

The influence of WVU is felt all over the country through research work it does, and its government-sponsored international activities have taken a little of West Virginia to foreign nations.

For years the university's professors have been called upon to advise local state and national governments, and its last two presidents left Morgantown to take high level jobs with the federal government in Washington.

The magnificent $32 million Medical Center with its 522-bed hospital was opened in 1957 and has been acclaimed as one of the finest facilities of its kind in the country.

This is West Virginia University today as it pauses to reflect on its past and pat itself on the back for having gotten through its first hundred years in reasonably good shape.

But it doesn't end here. When the hoopla of this year's celebration has finally died down, the university will find that it has already slipped into its second century.

The past is documented history, although, as with all history, it remains to be seen whether WVU will be judged well or harshly for its accomplishments. This, too, is something that probably will never be absolutely resolved.

What, then, of the future?

Dr. Harry B. Heflin has probably given as much thought as anyone on the campus to what lies ahead for WVU. As vice president for administration and finance he has had to try to keep a few jumps ahead of tomorrow so that the university would not be caught completely by surprise.

His asssessment of the future of WVU is based on a long association with higher education in West Virginia. Dr. Heflin was graduated from Glenville State College, received his master's and doctor's degrees outside the state and was dean of the Marshall University Teachers College in 1947 when he was named president of Glenville.

In 1964 he joined the university staff as a vice president and was named acting president when Dr. Paul A. Miller resigned six months ago.

Dr. Heflin concedes that nobody knows exactly what the future will bring at WVU but that much of it will reflect what is happening in the state at large.

Two things, in particular, will affect both the university and the state: a halt in the loss of population and improved communications making the various sections of the state more accessible to each other.

All of this will result in more demands for services from the university, Dr. Heflin believes. "We already have more than we can handle now," he added.

"Our basic duty is to provide a good educational program on the campus," he continued. "After that we will take on whatever other programs we can within the limitations of staff and money available."

The changes Dr. Heflin sees coming to West Virginia mean that higher education will have to be made available to more students. With its 21 colleges and universities, the state has no shortage of institutions but Dr. Heflin, together with many other observers, thinks some of them are badly located. This, he said, means that the university may have to provide more branch campuses around the state to provide technical courses as well as the usual undergraduate college curriculum. "Any need you can imagine is going to develop," he said. "West Virginia hasn't really entered the modern age yet to take advantage of what is available. Few businesses in the state, for instance use computers. This is going to change, but we are not producing the people to run the computers."

On the university campus, the future is likely to see greater demand for high level graduate and professional education. These programs have a relatively high cost in terms of the numbers of graduates and the state must consider this, Dr. Heflin said.

It is unlikely that WVU will be going into many new academic fields since it already has most of the major units of any university. A general increase in enrollment is expected, and projections show the university will have 16,800 students by 1975.

But, Dr. Heflin cautioned, every past attempt to estimate the future at the university has proven to be too conservative. Enrollments, facility requirements and costs all have outstripped the educated guesses made in the past.

This is why continual study and revision is necessary on WVU's master plan although the university tries to operate on a 5–10 year program.

The future also will see WVU playing an increasingly larger role as a regional and national institution. Financing is partly responsible for this turn of events that has seen many universities extend their influence beyond state boundaries and link together in multiuniversity programs.

Increasing funds from the federal government are nudging this trend toward a disregard of state lines. There are many programs, too, that are just too big, complex and expensive for a single institution to tackle alone.

WVU already is involved in multiuniversity programs in medicine, Dr. Heflin said, and could well find itself in a similar situation in such fields as pollution, health and transportation.

"As more federal money is used for financing," he said, "the scope of the institution will be broadened."

There also is little question that the university will require more financial support from the state to accommodate the larger student body and new tasks asked of it. Intimately involved in this are the tools of education, from buildings to books.

"The things we have been using," Dr. Heflin said, "for 50 or 60 years will go out of date sooner. So it makes you think there might not be much need to, say, put up a building to last that long. There are all sorts of new things continuously coming along in education and you just have to have them."

The acting president believes the university also must be intimately involved in educational television and its impact on the state. A university ETV station is scheduled to go on the air from Morgantown this year and planning is underway on a statewide network of stations that will bring WVU and other educational institutions into virtually every living room in West Virginia.

"This, I think, will have a very great effect on West Virginia," Dr. Heflin said.

One of the major problems to be faced by WVU is the hiring and keeping of a high quality faculty. This in fact, is already a serious problem but not one that WVU faces alone.

"We anticipate," Dr. Heflin said, "that quality staff in good supply will be increasingly harder to come by. The competition gets harder every year and not all of it comes from other universities. A new junior college in Florida, for instance, will draw its faculty from the national supply.

"What it boils down to," he added, "is finances."

The university is making a continuing effort to bring top level men in selected academic fields to the campus, Dr. Heflin said.

If this effort is successful, he hopes it will make West Virginia in general better known in the academic world than it has been in the past.

Dr. Heflin believes the university student of the next few years may also be of a different type, just as today's student differs from his counterpart of 30 years ago.

The contemporary student, he said, is increasingly mature but is working under tremendous pressures. The need for education to succeed, the enroll-or-be-drafted atmosphere and parental pushing all conspire to create this pressure. "As a result," Dr. Heflin said, "it has made them a very nervous, anxious group of students and one that is studying harder than ever before."

But this is likely to change. The boom economy of recent years is leveling off, Dr. Heflin said, and the realization is coming that the liberal arts-oriented institution won't fill the bill for the future. These factors could help reduce the pressure on students.

This, then, is the view of the future of WVU of the man who for the moment sits in the most advantageous place to see it.

If Harry B. Heflin's forecast proves to be correct, then he can be classed with the major prophets, for, as he himself said, every past attempt at predicting about the university has proven to be wide of the mark in at least some respects.

But, based on where WVU has been in the past century and where it stands today, his is a logical outlook.

The key to the future of the university does not lie in Morgantown, nor is it at the state capitol in Charleston. As the largest state university in West Virginia its fate is inextricably tied to the wishes, beliefs, prejudices, opinions, jealousies and leadership exhibited in every corner of the state.

The university can become an institution of the finest sort, a true community of distinguished scholars dedicated to the highest ideals of their calling and providing some of the brainpower needed to elevate the state from second-rate status. Or it can slide along, content with mediocrity, afraid to lead, devoid of ideas and best known for its football team.

At the end of its first hundred years, West Virginia University fits neither of these patterns. It stands, rather, at the threshold of its second century, and the thinking and events of this centennial year could well determine which path it will take.

[From the Charleston (W. Va.) Sunday Gazette-Mail, Feb. 5, 1967]

EXPERTS' APPRAISAL: HARD LOOK SHOWS "U" STATUS IS ON THE RISE

(By James A. Haught)

It isn't Harvard, but WVU at least is beginning to rise toward a significant national reputation and stature.

That's the appraisal of several West Virginians who are knowledgeable about the relative merits of universities.

For instance, Dr. Leonard Nelson, president of West Virginia Institute of Technology at Montgomery, offered this comment:

Ten years ago, West Virginia had an awfully long way to go, but it has recognized its situation and is moving in the right direction.

Let me give you a personal example. I graduated from Northwestern in 1953, and got an offer from WVU, but my dean told me, "For God's sake, don't go there—unless you want to atrophy. There's no future there."

But in the 10 years I've been at Tech, I've seen a real change in WVU. President Miller was the most important factor, I guess. He brought a dynamic approach.

"I've observed in the past few years positive signs of growth that are a credit to the university. We're on the way to having a state university that is a highly recognized one. We're not there yet—but we're pointed in the right direction."

Dr. Nelson said there are several ways to estimate the stature of a university: by counting the number of graduates who go on to get Ph.D. degrees; by counting the number of graduates eventually listed in "Who's Who"; by asking leaders of the professions and industry to rate the best sources of trained personnel; by seeing which universities are preferred by National Merit Scholars. He said WVU is making a better showing in such comparisons.

Walter F. Snyder, Kanawha County school superintendent, had this to say:

"The major determinants of quality education at the university level are the caliber of the professional staff, the type and extent of library and laboratory facilities.

"Since WVU is largely dependent on the state legislature for operational funds, through the years the university budgets have been too meager to permit university officials to maintain excellence in these three categories.

"As state universities go, I believe WVU offer a reasonably good undergraduate program. I don't believe, however, that the quality of the graduate program offered by the university is equally good."

Dr. William J. L. Wallace, president of West Virginia State College at Institute, remarked:

"We have a very fine university—however, it needs many things, among them being increased financial support.

"WVU has many excellent departments; some of them are better than others, as is the case in any university . . .

"As a criticism, I believe the university could do more in terms of research. But its financial support hasn't been adequate for a research program. It needs support from other areas, such as industry, if it's to have a vital research program."

Joseph G. Jefferds Jr. of Charleston, a former member of the State Board of Education, commented:

"WVU has made tremendous progress. Dr. Paul Miller was an outstanding leader who gave the university real breadth and purpose. The current acting president, Harry Heflin, also has demonstrated great competence as an administrator . . ."

Joseph F. Marsh, president of Concord College at Athens, said:

"In comparison to major state universities in the nation, WVU is a 'late-bloomer'—and the bloom only recently has began to open.

"Fortunately, steps are being taken to strengthen graduate and professional educational programs and research-related services, for these are the areas in which the university is most deficient.

"Education is the key to progress in West Virginia, and among our colleges and universities, WVU is the key institution as far as higher education in concerned. Her leadership and development will, in large measure, determine how the other institutions of higher learning, such as Concord College, develop and progress.

"Recent presidents of the university haven't tried to conceal the university's deficiencies, and this has resulted in considerable progress during the past few years.

"If we can get a true public commitment to higher education among the people of West Virginia, this progress will increase at the accelerated rate needed."

Charles E. Hodges of Charleston, a vigorous WVU alumni leader and son of a former WVU president, gave the most enthusiastic appraisal of the institution. He said:

"The very fact that the university has grown from a simple and somewhat elemental operation—judged by today's standards—to a tremendous complex of educational effort is in itself an indication of achievement. This, of course, is a quantitative measurement.

"From the simple 'Agricultural College of West Virginia' . . . the university has expanded to . . . six colleges, nine schools, two divisions, with numerous educational sidelights.

"Its campus has expanded from a mere plot of ground to multiple campuses in the Morgantown area totaling more than 750 acres, containing 54 buildings, with a half-dozen others a-building, plus nine demonstration and experimental farms and tracts for forestry, civil and mining engineering and biological experimentation.

"Approximately $40 million from state and federal appropriations, plus tuitions, fees and sales income, are expended annually in this operation—of which the size, reach and importance are but faintly understood and realized by most West Virginians."

Hodges pointed out that the College of Law, the oldest of WVU's professional schools, has produced a number of renowned graduates. He continued:

"WVU graduates haven't yet provided a president of the U.S. nor a justice of the U.S. Supreme Court, but they have attained the federal circuit bench, the second-highest level of the nation's judiciary, and every other echelon of the federal, state and local judiciary.

"They have provided cabinet members, congressional leaders, a large number of West Virginia's governors, many of its U.S. senators and congressmen . . .

"Perhaps no part of university development is more significant than the remarkable rise of financial giving . . . by the alumni and friends of the institution . . . The record of annual giving by WVU graduates has risen, in scarcely more than a decade, to top-flight ranking among universities of the nation."

[From the Charleston (W. Va.) Sunday Gazette-Mail, Feb. 5, 1957]

WVU'S SUCCESSFUL ALUMNI: UNIVERSITY SENDS GRADUATES TO EMINENCE IN MANY FIELDS

(By James H. McCauley)

The primary purpose of any university must be the training of each student to cope effectively with the problems of the modern, complex world—especially as related to the field in which he will make his living.

Perhaps one of the more accurate yardsticks by which one can measure the success of an intitution of higher learning is the achievements of its alumni.

After 100 years have passed, no one can fairly compile a list of all graduates who have made names for themselves, and this article certainly does not attempt such a task.

Instead, this is a sampling of a few living WVU graduates who have recorded outstanding achievements in their chosen fields, and who, therefore, constitute a repersentative cross-section of successful alumni.

Appropriately enough, the mineral-rich state has sent several of its university graduates into executive positions of coal or petroleum companies. Dennis L. McElroy retired as executive vice-president and director of Consolidation Coal Co. in 1965, while William N. Poundstone and C. Howard Hardesty, Jr. are both presently executive vice-presidents for the same firm.

Raymond E. Salvati retired as president and chairman of the board of the Island Creek Coal Co. He was also long-time member of the WVU Board of Governors.

Two others who have fared well in this field are Fred R. Toothman and George L. Judy. Toothman is coal development engineer with the Chesapeake & Ohio Railway Co., while Judy is president of Clinchfield Coal Co.

In the petroleum industry, James G. Montgomery holds the presidency of United Natural Gas Co. He is joined by J. French Robinson, former president of Consolidated Natural Gas Co., and James S. Phillips, president of United Fuel Gas. Humble Oil Co. lost an executive in the transportation and supply division when WVU graduate Joseph L. Kenner, Jr., retired.

Three alumni among those presently in legal positions with gas firms are A. Hale Watkins, Thomas A. White and Claude E. (Bert) Goodwin. Watkins is secretary and counsel for the West Virginia Oil and Gas Assn.; White serves as general counsel for Consolidated Gas Supply Corp.; and Goodwin is secretary and counsel for United Fuel Gas.

Alumni have made their marks in other areas of the business world. Harold K. Bradford is president and chairman of the board of some five investment companies.

Three retired vice presidents of large companies are Charles Byron Jolliffe, Robert L. Hogg and J. Jerome Thompson. Jolliffe ended his business career as vice-president and director of research of Radio Corporation of America; Hogg retired as vice-president of the Equitable Assurance Co., after previously serving as congressman; and Thompson terminated his career as vice-president of Charles Pfizer Co.

Many graduates presently hold executive positions with other business concerns. William R. Dotson is vice-president of Polaris Steamship Co.; William H. Bambrick is a vice-president of Foote, Cone & Belding; N. L. Hall serves as vice-president of engineering and member of the executive committee of Hughes Aircraft Co.; and Luttrell Maclin is vice-president of Paine, Webber, Jackson & Curtis of New York. F. A. Dudderar is general superintendent of the Gary, Ind., Steel Works of United States Steel.

Two other former business leaders from WVU are William S. Jones and Harry Ferguson. Jones retired as head of the pharmaceutical department of E. R. Squibb & Sons, while Ferguson was general manager of Carolinas-Virginia Nuclear Power Assn.

Two of the state's living former governors attended the university—Cecil H. Underwood, held office from 1957 to 1961, and W. W. Barron was governor from 1961 to 1965. United States Rep. Arch A. Moore, Jr., recently won his sixth term in West Virginia's First District.

Several alumni have held important federal government positions. William K. Leonhart and Joseph S. Farland both were ambassadors. Leonhart is now a special consultant for the White House and State Department, after serving as the first American ambassador to Tanzania. Farland is a former ambassador to the Dominican Republic and Panama.

Other governmental specialists include Stephen Ailes, former secretary of the Army; Donovan V. McClure, current head of the Peace Corps delegation to Turkey who served previously as associate director of the Peace Corps; and Guy O. Farmer, a partner in the firm of Patterson, Belknap & Farmer in Washington and former chairman of the National Labor Relations Board.

Alumni have taken a high place among the nation's military, as four generals currently head the list. Air Force Gen. Frank K. Everest, Jr. is brigadier general and director of aerospace safety. Everest is best known for his piloting, during which he set several speed and altitude records.

Many federal judges attended the university. Robert E. Maxwell is judge of the Northern District of West Virginia, and Herbert S. Boreman is a United States Circuit Court judge.

West Virginia Supreme Court of Appeals judges include Chauncey H. Browning, Fred H. Caplan and Harlan M. Calhoun, Charleston. Robert T. Donley is a past judge on the high court.

In the field of medicine, John M. Brewster, retired Navy captain, performed pioneer clinical research in the use of antihistamine drugs, and Dana L. Farnsworth is director of Harvard University's health services.

West Virginia University has also produced its share of professionals in communications. J. Montgomery Curtis is director of the American Press institute of Columbia University in New York City. Max R. Fullerton retired as bureau chief of the Baltimore bureau of Associated Press, while Frank M. Kearns holds down the job of senior African correspondent for CBS News. Two important writers come to mind—J. D. Ratcliff, popular free-lance magazine writer, and Joe W. Savage, author of "Mirror of Your Mind," a King Features syndicate presentation.

The bright lights of Hollywood have called at least three WVU graduates to the public limelight. Don Knotts has won four Emmy awards for his work as a comedian, while Mil Lampell also won an Emmy for his performance as a television writer. Fuzzy Knight gained fame as a comedian in the 1920's.

Finally, we take a look at graduates who have become leaders in education. Paul A. Miller, former president of the university, left to take the position of assistant secretary for Health, Education, and Welfare in Washington.

Three university presidents are among WVU alumni. Lloyd H. Elliott is president of George Washington University, after previously serving as president of the University of Maine; Eston K. Feaster holds the presidency of Fairmont State College; and Todd Bullard holds the presidency of Potomac State College.

On the state education level, Rex M. Smith, Charleston, is the West Virginia Superintendent of Schools.

Among noted college professors, James T. Laing, Kent, Ohio, is professor and head of the department of sociology and anthropology at Kent State University, while Julius Cohen is professor of law at Rutgers University in Newark, N.J.

Two graduates holding positions as deans are W. George Pinnell, dean of business at Indiana University, and T. Stephen Crawford, dean of engineering at the University of Rhode Island.

A great number of prominent graduates have undoubtedly been omitted in this article, but one can still grasp a small measure of the degree of success of West Virginia University graduates in a quick glance such as this.

[From the Charleston (W. Va.) Sunday Gazette-Mail, Feb. 5, 1967]

APPALACHIAN CENTER BEGINNING TO JELL

(By Dr. Ernest J. Nesius)

Multitudes of problems and situations require decisions every day. Will better knowledge help you to make better decisions? Is there a way to make the knowledge stored in the minds of men and their writings available to help you with your decision making?

The West Virginia University Center for Appalachian Studies and Development is an innovative idea within the university structure designed to more completely relate the university to the state and the problems of its citizens. With knowledge it strives to broaden people's attitudes, develop human and natural resources, encourage private and public organizations and institutions in the state, and promote the university's interests in international affairs.

This intra-university organization mobilizes into one coordinated, yet flexible effort, all special public service skills—extension, counseling, research, planning—so as to effectively bring them to bear on meeting the public needs of the present, and perhaps more important, defining public goals for the future.

Operating on the premise that knowledge is basic to success, activities of the Appalachian Center focus almost altogether on education, formal and informal; research, applied and developmental; and planning and organization "how-to" assistance and accomplishment of objectives.

To carry out the idea of using the resources of the entire university in a development role has resulted in the establishment of an administrative structure unique in land grant universities.

Grouped within the center are these program units: the Associated Extension Services, Office of Research and Development, Institute for Labor Studies, and International Programs. Included in the Associated Extension Services are the Cooperative Extension Service, Mining and Industrial Extension Service, and University Extension and Continuing Education.

Another concept that has emerged as the Appalachian Center has unfolded is the Area Appalachian Center. Six area centers—Weston, Morgantown, Parkersburg, Charleston, Keyser, Beckley—have been established for program-making and direction on an area-wide basis. Each area director is responsible for the personnel, budget, and programs within his area. Area specialists and development agents have been assigned to some centers. As programs develop and the budget expands additional area staff will be assigned to meet specific needs.

A system of advisory committees has been established beginning with the County Extension Service Committee, which is set up by state law, Area Center Advisory Committees, Appalachian Center State-wide Visiting Committee, and a University Advisory Board.

Now, three and half years after the center was organized, our organization and programs are beginning to jell and we are better equipped than we have ever been to provide educational assistance. This is true because we have projects that have been defined and methods outlined for their completion; various staff training programs have been completed; our goals are more specific and better defined; we have more research available that has been developed to meet our specific needs; and our audienoe groups have been better identified.

Recent acts of Congress have provided opportunities for broadening our educational programs.

Of particular interest is our cooperative effort with the College of Agriculture and Forestry and the State Department of Agriculture to place emphasis on agricultural development in the state. Also, our involvement with the agricultural education programs in the East African countries of Tanzania, Kenya, and Uganda has proved extremely stimulating.

Basically, the job that has been assigned to the Appalachian Center is to generate needed facts and to get them to the citizens of the state who want and need them. It is a job of providing "Knowledge for Decisions." Certain resources of the university are available through coordination by the Appalachian Center to groups, organizations, and institutions—both private and public—that wish to determine facts, gather information, make decisions, and move to solve individual and group problems.

[From the Charleston (W. Va.) Sunday Gazette-Mail, Feb. 5, 1967]

FORTY-TWO NATIONS "ON CAMPUS"

West Virginia University is becoming a more cosmopolitan campus as increasing numbers of foreign students find their way to Morgantown.

The foreign student enrollment has, in fact, grown enough in recent years that the university has established a foreign student office to handle their particular problems.

WVU now has a foreign student population of 190 representing 42 nations. One-hundred-two of the students, or 54 per cent, are enrolled in various graduate programs.

The university's East African programs—development efforts conducted under aid contracts with the federal government—provide a significant number of the foreign students. Forty-three of the students are from African nations and all but one of them are studying under government-sponsored scholarships in connection with the WVU programs in their homelands.

The individual nation with the largest representation at WVU, however, is India with 37 students. Kenya has 24, China 22, Iran 18, Uganda 14 and so on down the list.

"Many people think the foreign students are here on some kind of handout," said Julian Martin, the university's foreign student coordinator. The fact is, he added, that only one-quarter of the foreign students are studying on government scholarships. The rest pay their own way or receive the few scholarships provided by the university itself.

The foreign student office provides a variety of services. It is concerned with the foreign student from the very beginning by reviewing all of their applications for admission to the university. Those accepted are contacted by the foreign student office and given all the necessary advice about getting to Morgantown and enrolling at the university.

During the hectic days of the opening of a term, the university's International House is a busy place, serving as headquarters for foreign students as the staff helps them get settled and started in school.

Foreign students are given an opportunity to participate in the Host Family program, which Martin calls one of the most effective things in establishing good American-foreign student relationships. The host families get to know the students informally through year-long contacts and traditionally give a banquet for them at the end of the year.

The foreign students also have contact with the community through local organizations and are frequently invited to speak to clubs and organizations in the Morgantown area.

American students serve on committees with the foreign students in planning programs and activities throughout the school year. The foreign student office also helps to arrange holiday visits by the students to West Virginia homes.

International House is the center for foreign student activities. It provides living accommodations for five foreign and two American students and the coffee pot is always full in its lounge area.

A highlight of the foreign student's year at WVU is the International Week programs during which the foreign students present programs on the life and culture of their homelands.

Martin is convinced that the foreign student program is a definite asset to the university community.

"What they can contribute can be well worth the cost," he said. "We've got to invest in this if we're to have any kind of cultural exchange and understanding."

[From the Charleston (W. Va.) Sunday Gazette-Mail, Feb. 5, 1967]

CYBERNETIC NERVE CENTER WVU IN COMPUTER AGE

Deep down in the basement of West Virginia University's venerable Administration Building is a brightly lighted, air conditioned operation that is fast becoming the university's nerve center.

This is the WVU Computer Center, where, for 24 hours a day, the electronic marvels are busy on a wide variety of chores that would normally take a small army of clerks days to perform. These may range from preparing students grades, to analyzing the university budget or helping a chemistry professor at Marshall University compute equilibrium constants of multiple processes from spectroscopic data.

The WVU Computer Center actually traces its origins back to 1939 when a small amount of the elementary equipment of that day was put into use.

A big step was taken in 1951 when new equipment, relatively primitive by today's standards, enabled the university to start using computers for research and student records.

The first actual computer, an IBM 610, was installed in 1959. It was quickly followed the next year by the more sophisticated IBM 650 which permitted a step up in research and administrative work. This equipment was, in turn, replaced by more up to date models in 1962.

A specialized, business-oriented computer, the IBM 1401 was added, followed by the large scale IBM 7040 to give the center its present, high-powered lineup. Even more equipment is scheduled for installation next year.

The Computer Center is organized to serve three basic functions, according to Director Ernest L. Jones. These include instructional, administrative and research activities.

A full time staff of 35 people, plus part time help and graduate assistants, keep the center operating.

Certain hours are set aside for students to run their own projects through the computer equipment. Students must prepare their own programs and punch cards but do not actually operate the equipment.

In the research area, Jones said 235 projects currently have been approved to be run on the computers. This is in addition to projects prepared by students, many of whom are taking courses in which they are required to solve problems with computers.

[From the Charleston (W. Va.) Sunday Gazette-Mail, Feb. 5, 1967]

SEVENTY-FIVE YEARS OF FOOTBALL: WVU'S SATURDAY HEROES

(By A. L. Hardman)

Twenty-seven coaches and 75 years ago, the sport of football came to the campus of West Virginia University. That was 1891.

Two members of the senior class—Billy Meyer and the later famous writer, Melville Davisson Post—solicited contributions of $160 and bought 11 football uniforms.

This was the university's first sport and while the students seemed to radiate a fine enthusiasm for the game, not all of the mustachioed, long-locked undergraduates seemed to have any great belly for the blocking and tackling so necessary to the actual game performance.

Meyer and Post finally convinced nine other students that it was all worth while, however, and the Mountaineers immediately sent out an invitation to the Washington and Jefferson team for a game.

E. L. Emory, a Yale man, was the first WVU coach but never wanted much credit for it inasmuch as the W. & J. Presidents walloped the inexperienced West Virginia team, 72–0. They had traveled up the Monongahela River by steamboat to break WVU away on its inauspicious gridiron debut. This opened and closed the season, pronto.

That stunning defeat delivered the message. WVU was not yet ready to take its place on the national gridiron map. So there was no activity in 1892 but in 1893, John C. Rane, a Princeton man, took the team and, in two years had records of 2–1–0, and 2–2–0, indicating that some progress was being made, at least in the won-and-lost column.

The lone defeat in 1893 was to W. & J. again but this time by only 58–0. These two teams didn't play again until 1895, when the Presidents had to fight like demons to come out with a 4–0 victory over a team coached by Harry McCrory of Pennsylvania.

From then on, until this day, there has been football at WVU, except for 1918 when the Mountaineers took a year off because of World War I and a flu epidemic. World War II didn't interrupt the game but curtailed travel greatly and only close-by teams could be played.

For a time, West Virginia had the reputation as being the "graveyard of coaches." Some of the truly great names in the game passed by in the parade of mentors who tried and failed to make West Virginia a power.

Without question, the happiest era of them all was that period of 10 years when the late Arthur E. (Pappy) Lewis was the coach. Lysander L. Dudley, a prominent alumnus, said once that "Pappy took us to a lot of places we had never been and to a lot of places we haven't been to since."

In all, Pappy's teams won 58, lost 38 and tied 2 from 1950 through 1959. They won five Southern Conference titles in that stretch, finished second once and tied for second on another occasion.

His 1953 team played in the Sugar Bowl at New Orleans but had one of its bad days and lost by an embarrassing score of 42–19 to a fleet Georgia Tech team which had the present WVU head coach, Jim Carlen, as one of its star players.

From 1952 through 1959, the Mountaineers won 30 consecutive conference victories. But when Lewis failed to win as impressively as he had in previous years, he resigned under fire in 1960.

If there was another era to rival that of the Lewis regime it was that of the "golden era" of the late Dr. Clarence W. Spears, who coached from 1921 through 1924. His teams won 30 and lost only four in those four seasons and polished off the only undefeated season in 1922 by beating Gonzaga in a postseason game in California.

The only blemish on the 1922 record was a 12–12 tie in a game against Washington and Lee here in Charleston. No other team in the 75 West Virginia has sent into action has ever been able to escape defeat. So the 1922 team still holds a most distinguished honor.

Spears moved on to Minnesota as coach in 1924 although expressing deep regret that he had to part company with the late Harry Adams Stansbury, then athletic director, who had just completed the construction of Mountaineer Field, a 35,000 seat stadium that Stansbury braved the wrath of thousands of West Virginians to build. They called it far too big and certainly too expensive.

They were wrong on both counts. The passing years have proved this. The need for all—and even more—of its 35,000 seats has been in evidence on many occasions. To replace this stadium today would entail costs four or five times as great as the $713,143.61 plunked down by Stansbury, who would have to be rated the greatest man in all West Virginia University athletic history.

The Lewis and Spears records stand alone as the greatest in the school's annals. This is somewhat astonishing when one considers such names as Earle (Greasy) Neale, Charles (Trusty) Tallman, Ira E. Rodgers, Dr. Marshall (Little Sleepy) Glenn, William F. (Bill) Kern, Eugene (Gene) Corum, Dudley S. Degroot and Mont McIntyre who had brief flings at trying to make the Mountaineers a power in national football.

Fielding H. Yost, a native of Fairmont who later gained fame as the "point-a-minute" coach at the U. of Michigan, was a WVU star back in 1895—possibly the first individual who gained great fame at the game. When he went to Michigan to coach, he booked a game with the Mountaineers and thereby inflicted his alma mater's worst defeat—a 103 pounding in 1903.

Of course, as outstanding as Yost might have been, the man whose name drew the greatest acclaim, the man who stayed on to become the most outstanding football player in all WVU history was the late Ira E. Rodgers, who played in 1915–16–17 and 1919. He was named captain of Walter Camp's All-American team in 1919.

The Mountaineers walloped Princeton, 25–0, that year in a game up at Palmer Stadium, which left Camp, one of the witnesses, bug-eyed. After the game Camp personally congratulated Rodge for his performance.

Rodge remained at WVU as an assistant coach under McIntyre and became head coach in 1925, when Spears left for Minnesota. He served six years in this stint and then stepped down in favor of Greasy Neale.

When Bill Kern went away to war in 1940, Rodge again took over and kept the home fires burning until Kern came back in 1946.

DeGroot came and went in three seasons and then Lewis took over. Pappy went to the very heights and then was ingloriously and ungratefully invited to stay on "by the skin of his teeth" by a short-memoried president, Dr. Elvis Stahr, in 1959. Stay? Pappy had no choice but to resign.

Corum took over in 1960 and held the job until the close of the 1965 season. He, like Lewis, was invited to resign in another messy situation, typical of the old "graveyard."

Bright-eyed and young Jim Carlen, professing a great devotion not only to football coaching but to religion, was appointed to the head coaching post on Jan. 14, 1966, at the age of 32.

He immediately surrounded himself with a staff of young and energetic assistants as the WVU coaching budget hit an all-time high. And once more the hope that springs eternal within the hearts of West Virginians was rekindled, despite a modest 3–5–2 record Carlen registered in his first season on the job.

Because West Virginians have always set great store in new coaches, they have consequently come upon many sad days when the Mountaineer teams failed to measure up to expectations.

But their sadness has not always been restricted to coaching failures. There was the occasion in 1910 when Rudolph Monk, captain of the team, died of injuries suffered in a 9–0 loss to Bethany. The Mountaineers were so shocked that they lost their next three games and finished with a 2–4–1 season.

No one will ever forget the day the great team of 1919, led by Rodgers and another All-American, Russ Bailey, was defeated and almost disgraced by the Prayin' Colonels of little Centre College in a game played here in Charleston.

WVU had just won its big one from Princeton, 25–0, and looked upon Centre as a soft touch. But Centre had recruited an almost completely new team from Texas and they were anything but "praying" colonels.

They were players of semi-pro standing and ability, so full of confidence that they never failed to get up a few side bets on their games.

So they not only polished off WVU, 13–0, that unforgettable day in 1919 but took Charleston gamblers and Mountaineer sup-

porters for an even greater ride with their "sucker" bets.

After Spears' great 1922 team had gone unbeaten, it looked like even greater things were in the making in 1923. The Mountaineers went through their first eight games with only a 13–13 tie with Penn State, a perennial spoiler since the first day of WVU football, to mar the record. Then W. & J., also with a history of taking West Virginia teams over the jumps in those early days, ruined the season with a 7–2 win over the Mountaineers.

The 1924 Spears team, led by a 138-pound quarterback named Frances (Skeet) Farley of Charleston, lost only to Pitt, 14–7, but won eight games and two real great ones—a 34–2 victory over Colgate and a 40–7 win over W. & J.

With stars like Aaron Oliker, Charley Dilcher, Ross McHenry, Phil Hill, Carl Davis, etc., the Mountaineers also avenged that 1919 loss to Centre by beating the Colonels, 13–6. It was Centre's only loss.

During Rodgers' first coaching stint, the best record he could muster was an 8–2 in 1928. Neale, in three seasons from 1931 through 1933, failed to turn out a winning team, his best mark being 5–5 in 1932.

Tallman, coaching from 1934 through 1936, had two 6–4 seasons and a 3–4–2 before he resigned to become superintendent of the state police.

Then, in 1937, Dr. Marshall Glenn tutored his team to an 8–1 record and added icing to the cake with a 7–6 win over Texas Tech in the Sun Bowl at El Paso.

But Glenn's teams failed to win after that and finally Kern took over in 1940. His records were no better.

Dudley DeGroot, highly recommended by the pro ranks, came as the "savior" of football at WVU in 1948. His first team had a 9–3 record, including a 21–12 win over Texas Western in the Sun Bowl. But DeGroot, like most of those ahead of him, started a slow trip down the skids and it ended in 1949.

Lewis came on then and then Gene Corum.

Corum's 1960 team, his first, was the only one in 75 years to go without a victory. But he stayed on to build up 8–2, 7–3, and 6–4 records to go with a 4–6. His 1964 team finished with a surprising and thrilling 28–27 win over Syracuse.

The Mountaineers then accepted a bid to play in the Liberty Bowl. They were then pounded by Utah, 32–6, in a game just as embarassing as the beating earlier in the Sugar Bowl.

And once again West Virginia football followed an old pattern. Joy today, sadness tomorrow.

Strangely enough 21 of the 27 coaches who have held the job at West Virginia have turned in winning records. But they didn't beat the right teams, it seems.

West Virginia teams show a record of 373 games won, 262 lost and 40 tied in 75 years. The Lewis era, of course, brought the most with 58, topping the Rodgers record of 44.

The Lewis era also produced some of the school's greatest players, men who would rank close to Rodgers. Some of them were All-Americans Sam Huff and Bruce Bosley, Freddie Wyant, Joe Marconi, Chuck Howley, Bobby Moss and others.

Their next All-American could be halfback Garrett Ford.

But the thing most West Virginians would be happier about at this point would be another big winner.

Coach Jim Carlen and his "new breed" have dedicated themselves to reach this goal.

[From the Charleston (W. Va.) Sunday Gazette-Mail, Feb. 5, 1967]

COAL BUREAU: RESEARCH ADDS JOBS

From 1959 into 1962 the West Virginia coal industry, the legislature and the administrations of two governors were concerned about the declining use of coal and the lack of action to develop a state-supported coal research program.

During this period the Governor's Scientific Advisory Council of West Virginia on the Uses of Coal was organized and its findings have been largely used as the master plan for research development.

West Virginia University's Coal Research Bureau came into being in 1962 when an additional $20,000 was included in the School of Mines budget. The research bureau director, Joseph W. Leonard, was appointed in August, 1961, and the new agency has been operational ever since.

The Coal Research Bureau's entire program is directed at areas such as utilization, air pollution, preparation and quality control which may maintain and expand West Virginia coal markets and jobs. No state funds are allocated for research that might reduce coal industry employment.

Budget allocations for the bureau now total $137,000 annually in state funds. Its staff now consists of 28 people, including 14 professional research employes, nine part-time professionals and five full- and part-time service personnel.

Projects undertaken by the Coal Research Bureau cover a wide range of topics and include profitable uses of fly ash and other coal-associated minerals, power plant slag as a raw material source for mineral wool production, control of boiler tube corrosion, desulphurization of coal and computer studies of coal characteristics.

One of the most significant processes to develop out of the bureau's program is the patented technique to make construction products such as brick, block, tile and pipe out of fly ash and nuisance products produced by coal-burning power plants. These wastes are mixed with sodium silicate under pressure and then fired to make a brick that tests show can compete with conventional clay bricks.

If bricks are made from power plant ash, it is estimated by the bureau that a typical utility can make 25 cents a ton on the coal it burns, helping to offset the cost of antipollution equipment.

Current research, under contract with the U.S. Department of the Interior, is mainly concentrated on designing and building a prototype plant capable of producing commercial quantities of bricks. The plant is now being developed in leased buildings of the former Morgantown Ordnance Works and is expected to be operational in June.

Another process of importance to the Coal Research Bureau is the magnetic removal of sulphur and ash from pulverized clean coal. The bureau's process eliminates some steps recommended by foreign researchers. The next step is work on a pilot scale to see if large tonnages can be magnetically dry cleaned while maintaining the high degree of technical performance obtained from other systems.

This process, if it proves to be technically and economically feasible on a large scale, may be used at power stations to result in a substantial reduction in air pollution from sulphur burned with coal.

West Virginia's coal research program is geographically located in an area of intensive coal mining and utilization. Leonard believes that this, plus the bureau's mandate, makes it necessary for all research programs to be carried out with the objectives of developing new products, processes, tools and studies which are understood by and useful to the coal industry.

[From the Charleston (W. Va.) Sunday Gazette-Mail, Feb. 5, 1967]

"U" HOSPITAL: A MEDICAL SUCCESS STORY

For 70,000 West Virginians the University Hospital has meant a type of medical care that was unavailable in the state only a few years ago.

The 500-bed University Hospital is an integral part of the mammoth Medical Center and occupies a unique place in West Virginia's medical system.

The hospital serves several functions. Not only does it provide a training center for university medical students, but it is a center where West Virginians can take advantage of the services of a large and highly trained staff of medical specialists.

University Hospital was designed and built in conjunction with the whole Medical Center complex. In August, 1960, the hospital accepted its first patients. The entire 500-bed capacity was not put into use at once, but opening has been on a gradual schedule based on need and financial ability to operate the expanded capacity.

The hospital last adult unit was opened in January as an extended care facility. The last children's unit of 30 beds is tentatively planned to be operational later this year.

Hospital Director Eugene L. Staples said that since its opening, the hospital has cared for approximately 70,000 people, many of whom have visited the hospital several times.

All admissions to University Hospital are on a referral basis—a patient's hometown doctor must recommend that he go to University Hospital and ask for his admission.

Approximately 22 percent of the hospital's patients are medically indigent and receive free treatment.

Growth of the hospital is reflected in a statistical report prepared by Staples. In 1960-61, its first year, the hospital admitted 2,293 patients, its clinic handled 5,705 patients, the emergency room 3,041, there were 947 surgical procedures and 231 babies born. In 1965–66, these figures had risen to 9,859 admissions, 54,352 clinic visits, 15,720 emergency room cases, 4,348 surgical procedures and 602 births.

University Hospital does not operate exactly like the usual general hospital. Being a teaching hospital, it asks more of its patient in return for the services of its staff and facilities.

As a teaching hospital, it serves as a practical laboratory for advanced medical students who work with patients under the supervision of qualified doctors.

Among its resources, Universty Hospital can call upon the most modern medical equipment available today. But it does not consider that its biggest asset.

"The biggest thing we have to offer is an accumulation of highly trained specialists," said Staples. Because of its position as a large teaching hospital, Staples said, its staff has had more experience with a large variety of medical problems.

But the director insists that what University Hospital has to offer the patient is just a matter of degree in comparison with other hospitals in the state.

University Hospital's staff consists of 64 full time and 49 part time physicians plus a supporting non-medical staff of 900, including 160 nurses.

Its budget this year is $4.75 million, about three-fourths of which comes from billings to patients. The rest is provided by tax money.

Staples believes the hospital also has benefited the state in ways other than providing medical treatment.

The hospital has attracted a number of medical specialists to West Virginia, he said, and held others who might have left the state. It also has provided training programs and on-the-job experience for personnel from other state hospitals.

[From the Charleston (W. Va.) Sunday Gazette-Mail, Feb. 5, 1967]

BASKETBALL: SECOND-RUNNER NO MORE

(By A. L. Hardman)

Basketball at West Virginia University doesn't date back as far as football—by a matter of about 10 years—and for a long period of time, it was accepted as a distinct second-runner to football.

During the coaching career of Francis Stadsvold at WVU, covering 14 seasons starting in 1920, the Mountaineers did only a little better than break even. And nobody seemed to care much as long as they could hold their own with the hated Pitt Panthers.

Stadsvold did a pretty good job of that for a time. It was nip-and-tuck down through the years and at one time WVU tied four consecutive defeats on Pitt—1924–25–26.

During the years of 1928–29–30, the whole tri-state district thrilled to the individual duels between West Virginia's famous Marshall (Little Sleepy) Glenn and Pitt's equally well known Chipper Charley Hyatt.

In their day, they knew no peer and often old WVU fans have wondered just how great these two crack marksmen might have been were they playing today under the run-and-shoot rules.

When Stadsvold's team began to slip in the late 20s and early 30s, they dropped six in a row to Pitt and went through four losing seasons. The popular Minnesotan resigned after the 1933 season and Glenn replaced him.

Glenn coached three winners right off the bat with stars like Jess Weiner, Bill Klug, Joe Stydahar and Babe Barna. But when the team ran afoul of losing ways in 1937 and 1938, Glenn was replaced by Dyke Raese, who was to strike the most famous blow for popularity and fame ever known to WVU basketball teams.

Raese did little better than break even his first three years as coach but hit upon a real winning combination in 1942 and posted a 16-4 record for the season with such stars as Rudy Baric, Scotty Hamilton, Lou Kelmer, Dick Kesling, and Roger (Shorty) Micks.

The National Invitational tournament in New York City was just getting its wings about this time and WVU's athletic director, the late Roy M. (Legs) Hawley, made a pitch to get the Mountaineers a spot in the eight-team field.

Finally, through his friendship with the tourney director, Ned Irish, WVU got the eighth seeding in the field that included the so-called powers of the east and south.

Led by Baric and Hamilton, the Mountaineers got the headlines the first round when they knocked off top-seeded Long Island U., coached by ex-West Virginian Clair Bee. The score was 58–49.

Inspired by this win, the "Cinderellas" went on to beat Toledo, 51-39, and then drop Western Kentucky, 47-45, in the finals.

Mediocre years fell upon the Mountaineers, however. Raese quit while he was on top and was succeeded by Rudy Baric and the late Harry Lothes, each serving one season.

The late John Brickels came up from Huntington High School then to tutor the Mountaineers to a 12-5 season. On the strength of this and a little more Hawley persuasion, the NIT invited West Virginia back again. But a big DePaul team easily toppled the Mountaineers in the first round, 74-58.

The veteran Lee Patton, who had served for many years at Princeton High School, became coach in 1946 and enjoyed five good seasons with the Mountaineers until his death at the end of the 1950 season.

Robert N. (Red) Brown, highly successful coach at Davis and Elkins and now athletic director at WVU, succeeded Patton and, with All-American Mark Workman, a giant from Charleston, as his big man Brown, too, got in some highly successful years.

His 1952 team rounded out a 22-3 season before going to the Southern Conference tourney. There the Mountaineers spanked William and Mary, 77-64, in the opening round but lost a heartbreaker to Duke, 90-88, in the second round.

Brown stayed on as coach until athletic director Hawley died in 1954. He then moved in to become athletic director and one of the Mountaineers' stars of the past. Fireball Freddie Schaus quit professional basketball to return as coach.

Under Schaus, the Mountaineers enjoyed their greatest day.

He had such outstanding stars as Jerry West, Rod Thorn, Hot Rod Hundley, Joedy Gardner, Lloyd Sharrar, Bob Smith, Willie Bergines, Pete White, etc. and the Mountaineers were immediately a national attraction.

With Hundley as his ace, Schaus piloted the Mountaineers to records of 19–11 in 1955, 21–9 in 1956 and 25–5 in 1957. They won three consecutive Southern Conference titles only to be knocked off by LaSalle, Dartmouth and Canisius, in that order, in NCAA play.

When West made his debut in 1958 as a sophomore, the Mountaineers once again took the Southern Conference but lost in the first round of the NCAA playoffs, bowing to Manhattan, 89–84.

The old NCAA jinx left them in 1959, however, and they came within a whisker of winning the national championship.

After knocking off Davidson, William and Mary and the Citadel to win the Southern Conference tourney, the Mountaineers spilled Dartmouth, St. Joe of Philadelphia, Boston U., and Louisville in its first four games in the NCAA.

But then the California Bears nipped West Virginia, 71-70, in the finals of the NCAA at Louisville. They reached the second round of the NCAA in 1960 but bowed out finally to New York U., 82-81.

Schaus had attracted as much attention as his team during these years and soon the Los Angeles Lakers called upon him to become their coach in the National Basketball League. He's still there.

Meantime, Schaus' assistant, George King, took over. King, a Charleston boy who had shattered every scoring record in the book when he starred at home town Morris Harvey, had gone on to play pro ball and had a good background to take over for Schaus.

He, too, had succesful years winning two Southern Conference titles in four tries and gaining the second round of the NCAA in 1963.

But living in the shadow of the great Schaus was King's misfortune and, while his teams won consistently, there was constant bickering from the spoiled WVU fans that finally caused him to move on. He took the head coaching post at Purdue in April 1965 and is still there.

Meantime, Raymond (Bucky) Waters, 29-year old protege of the late Everett Case of N. C. State, applied for and landed the job. He had served as an assistant to Vic Bubas at Duke since the age of 23 and came well versed in the game.

At WVU he inherited a team totally lacking in height and experience. But he also inherited one of the most sought-after high school stars in the land in Ron (Fritz) Williams of Weirton.

Building around Williams and his only talented big man, Bob Benfield of Charleston, Waters turned in a highly pleasing 19–9 record.

The Mountaineers didn't win the conference tourney, losing to a great Davidson team, 80–69, in the finals, but went without their big man, Benfield, throughout the tourney which was a handicap too great to bear.

Waters is in the midst of his second season now and folks are looking forward to some great things in the future.

Upon taking the WVU job, he called on Garland (Sonny) Moran, a highly successful coach at Morris Harvey College for several years, to be his assistant. And the Waters-Moran combo has made great strides toward restoring WVU basketball to its old level.

George Krajack, a former Clemson star and coach, was hired as freshmen coach, rounding out the best staff WVU has ever had.

West Virginia basketball teams, since 1904, had won 793 games against 452 losses as they went into the 1966–67 season. They had won 166 games against only 32 defeats in the Southern Conference and had won nine conference championships in 16 years in the SC.

[From the Charleston (W. Va.) Sunday Gazette-Mail, Feb. 5, 1967]

FACULTY: THOUSANDS SHARED IN ACADEMIC SUCCESSES

From an initial investment of $141,000 and with a curriculum containing chiefly classical studies in 1867, West Virginia University in 100 years has grown to a sprawling institution of 15 different colleges and schools, operating on a budget exceeding $40 million.

Thousands of men and women have contributed immeasurably toward the growth and development of the university from its humble beginnings, but perhaps no efforts have been more significant than those of WVU's former faculty members.

Reaching far back into the institution's history, we find a gentleman by the name of James Riley Weaver, a Civil War veteran and member of the original faculty of the Agricultural College of West Virginia (as the university was first named.) Weaver served as professor of mathematics and military tactics, organizing the cadet corps and holding the position of commandant of cadets.

Another member of the original faculty, Franklin S. Lyon, served as principal of the old preparatory department and professor of English until 1886. His daughter, Harriet, was the university's first woman graduate in 1891.

WVU presidents had their troubles with a colorful character, St. George Tucker Brooke, a member of the historic Tucker family who served in both the army and navy of the Confederate armed forces, including a stint on the Merrimac. Brooke, the first WVU professor of law and an able teacher, fought for freedom of expression by attending the Military Ball and deliberately smoking in front of students after several presidents had asked their faculty not to participate in such activities.

One of the most illustrious faculty members was I. C. White, a famed geologist whose work on the bituminous areas of Pennsylvania and West Virginia formed the basis for subsequent and detailed work in these states. He advocated and secured the establishment of West Virginia Geological and Economic Survey in 1897, becoming state geologist the same year, a post which he held until his death 30 years later.

A very popular teacher and well-published writer, Waitman T. Barbe, arrived at the university in 1895, where he remained for 30 years. He served as assistant to the president, and at the same time was president of the WVU Alumni Assn. traveling throughout the state as a university representative; professor of English; editor of the West Virginia School Journal from 1904 until 1923; and Board of Regents member. He published six books, specializing in the interpretation of poetry.

Two WVU law deans were prominent during the early stages of the university. Warren F. Madden, a dean of the College of Law, left in 1927 to become a judge on the United States Court of Claims; while Thurmond W. Arnold went on to a professorship at Yale in 1931 and a later judgeship.

Several persons contributed greatly to the development of the division of music (now part of the Creative Arts Center). Louis Black and Susan Maxwell Moore made great contributions in the first third of the century, while Frank Cuthbert and Weldon Hart provided leadership for further development in music in this decade. Walter A. Mestrezat organized and conducted the University Marching Band.

Arriving in 1901, Jasper Newton Deahl was "a constructive force in molding the educational policies of the state of West Virginia." Deahl served as the first dean of the College of Education, beginning in 1927.

Historian James Morton Callahan served from 1902 through 1929, including 14 years as dean of arts & sciences. Named a professor emeritus of history in 1940, his writ-

ings included books on American foreign policy, international relations and West Virginia history.

Other eminent historians included Oliver P. Chitwood and C. H. Ambler, who were both at the university through much of the same era. Both professor emeriti of history, the two wrote a great number of books, with Ambler specializing in West Virginia history. Chitwood retired in 1946 and Ambler in 1947.

An early English department head, Robert A. Armstrong, who held the reins of the department from 1903 until 1930, wrote seven books, including several on Bible interpretation.

Mining engineering rapidly gained stature under the direction of A. C. Callen and later G. Ralph Spindler. Callen took over a professorship of mining engineering in 1917, and vastly expanded the mining education curriculum, resulting in national recognition of the university's course in this area.

Spindler became assistant director to the School of Mines in 1943 and director of mining extension in 1944. He left to take a position with the Ministry of Fuel and Power, United Kingdom, and later was chief of West Virginia's Department of Mines until 1948. He returned to WVU in 1948 as director of the School of Mines, and was named dean of the School of Mines in 1958, a position he held until his death in 1961.

The development of the College of Engineering was accelerated by C. R. Jones, who became professor of mechanical engineering in 1901 and served in that capacity until succeeded by R. P. Davis in 1932. Davis, dean emeritus of the College of Engineering, attained status of an internationally known consultant in the field of structural engineering.

The brother team of Carl and Harold Cather made great contributions to the College of Engineering, amassing more than 90 years of service between them. Carl Henry Cather was chairman of the department of theoretical and applied mechanics, while brother Harold Malcolm Cather was chairman of the department of mechanical engineering.

Allegedly the first full professor of bacteriology in the nation, John Lewis Sheldon took that title in 1903, and was later named professor of botany, where he pioneered the botanical exploration of West Virginia, serving as professor of botany until his retirement in 1919.

A profesor of pathology, Aaron Arkin, established the West Virginia Hygenic Hospital, which has since been taken over by the State Health Department.

A man considered one of the foremost leaders of West Virginia agriculture, Nat T. Frame, was director of agricultural extension from 1919 until 1933. The first dean of agriculture, Thomas C. Atkeson, was a prominent politician, who became head of the National Grange.

Perry Daniel Strausbaugh, who became head of the department of botany in 1923, organized the University Botanical, later called the Botanical Expedition (a traveling field course in botany). After Strausbaugh's retirement in 1948, it became the Terra Alta Biological Station.

Robert C. Colwell, appointed professor and head of the department of physics in 1924, is credited with being largely responsible for the expansion of that department and the development of a research-conscious staff during his 30 years of teaching.

The School of Journalism can look mainly toward one man in tracing its greatest progress. P. I. Reed headed journalism for more than 38 years, during which the department evolved into a separate school in 1939.

Two men stand out in the development of the physical education program at WVU. Harry L. Samuels was named director of intramural sports in 1928, becoming the first full-time instructor in the East. Dean G. Ott Romney's administration saw the formation of the present Athletic Council and the establishment of the department of recreation.

John F. Sly, chairman of political science fom 1930 to 1935, headed a group of faculty members who went to the state capital in 1933 at the request of Gov. H. G. Kump to help solve the problems of the depression and the newly enacted Tax Limitation Amendment.

As most WVU students know, the little safety island in front of the Elizabeth Moore Hall has long been tagged "Grumbein's Island," named after J. B. Grumbein, who served as chairman of the committee on buildings and grounds from 1932 until 1945. Grumbein, who had been a member of the College of Engineering staff since 1904, recommended and supervised the building of the safety island.

Gordon A. Bergy took charge of the department of pharmacy in 1916 as instructor and developed three and four year curriculums, leading to degrees of Pharmaceutical Chemist and Bachelor of Science in Pharmacy.

J. Lester Hayman, dean emeritus and professor of pharmacy, became dean of the newly formed College of Pharmacy in 1936 and held that position until his retirement from administrative duties in 1961.

Harry G. Wheat, who taught at WVU from 1935 to 1956, was the author of six books, principal author of textbooks and contributor to yearbooks and educational journals, mostly directed toward the teaching of arithmetic.

In looking back over the first 100 years of the university, its evolution into a modern institution of learning is perhaps symbolized best by the magnificent University Medical Center. But, this fine structure could never have materialized were it not for the early work of J. N. Simpson, who became head of the medical faculty in 1905 and became known as the founder of the WVU School of Medicine.

One of the men greatly responsible for the building of the Medical Center was Edward J. Van Liere, dean emeritus of the School of Medicine and professor emeritus of physiology, who retired just last July. In his position of dean of medicine from 1935 until 1960, Van Liere was instrumental in the development of the school and the planning and building of the Medical Center.

After a century of progress, building and development has been recorded, West Virginia University's future looks indeed bright.

[From the Charleston (W. Va.) Sunday Gazette-Mail, Feb. 5, 1967]

AGRICULTURE AND FORESTRY: MAKING THE FUTURE BECOME THE PRESENT

(By Edward White)

A review of the development of agricultural science at West Virginia University must be presented as a composite history, of people and materials, and of hope.

The federal Hatch Act (1887) appropriated funds for establishing agricultural experiment stations at land-grant colleges—colleges established by the Morrill Act of 1862. As a result the West Virginia Agricultural Experiment Station was organized in 1888 under its first director, John A. Myers. Its offices were the old University Armory, converted in 1890 and '94, and demolished in 1961. In 1895 the College of Agriculture was established as a distinct part of the university. It embraced the experiment station.

Director Myers was not popular. There was a strong feeling that the nature of his work was too theoretical, too difficult to understand, and too localized at Morgantown to be of benefit to the state. After a long and bitter quarrel with the State Grange and Farmers' Alliance, Myers was fired in 1897.

At the same time James H. Stewart, a Putnam County lawyer and farmer, was made new director. Although lacking in leadership he was credited with eliminating the station's aloofness, making contact with farmers, bringing good men to its employment, and other modest accomplishments. He bought 91 acres for a farm. As in the case of his predecessor, however, he fell afoul of the problems of fair dissemination of information and intrigue.

Stewart resigned in 1911 and was replaced as director by E. Dwight Sanderson, who, by a consolidation of agencies, became director of the college, the experiment station, and the Agricultural Extension Service, to all of which the Department of Home Economics was added in 1914.

Director Sanderson broadened the field of activities of all departments. Monongalia County bought 592 acres to add to the original farm. And after these early, stumbling beginnings, stimulated by federal funds for cooperative extension under the Smith-Lever Act of 1914, the College of Agriculture moved out upon a highway of progress leading up to the present.

In 1918 it occupied a new building named Oglebay Hall. In 1937 a forestry department was organized. In 1965 the Home Economics Department was transferred to the College of Human Resources and Education. Today, 100 years after the creation of West Virginia University, all agricultural activities are conducted by its College of Agriculture and Forestry.

The college has grown in people and materials in direct proportion to the expansion of its experimental and educational adventures. In the old University Armory of 1887 Director Myers assembled two entomologists, two horticulturalists, a botanist, and a chemist. Today there are 138 scientists and teachers in agriculture and 23 in forestry. The farm opened in 1919 with 20 cows, four mules, and six sheep. Now there are 550 head.

Benefiting greatly from more generous federal and state appropriations the College of Agriculture and Forestry has become a colossal network of property, a huge community of workers and educators.

At its center in Morgantown are two attractive and impressively complete modern experimental and educational buildings. One is expressly for forestry. The other is the general headquarters of the college. It also houses the divisions of agricultural economics, education, engineering, agronomy and genetics, animal industry and veterinary science, horticulture, and plant pathology, bacteriology, and entomology.

From this nucleus lines of communication, instruction, and investigation go out to forests, camps, and farms in Berkeley, Greenbrier, Randolph, and Cabell Counties, at Coopers Rock, in Wardensville, Point Pleasant, Kearneysville, and Reedsville, and to dozens of county test plots. Information from all over the state filters back to the college, where test results are processed through the university's computer center.

Adjacent to the college are livestock, dairy, poultry, and crop farms where experiments are conducted in fertilizing, feeding, management, machine use, and methods.

Hope has been the greatest ingredient motivating the forward march of the college, and it is still a power urging the men involved there today. From its early beginning more faith in the work's basic value has gone into this effort than fruit has been born.

Farmers are hard to teach, and the West Virginia farmer has problems insoluble by conventional experience. His per capita income is still among the lowest of the states. To offset this chronic depressant there has had to be much of the missionary in the men who have spent their lives driving over the defiant mountains carrying the latest agricultural messages.

Absence of visible results from day to day is discouraging. New discoveries, changes in living conditions, tastes, products, and marketing procedures have been so rapid that the college has been harassed with the triple problem of self-education, appraisal, and dissemination.

Nevertheless, it can point with pride to many solid accomplishments. Prominent on the list of these is the State 4–H Camp at Jackson's Mill, unique in its time, one of the best programs in the country. The forestry division, in building itself a remarkable example of wood experimentation, has an outstanding wood-testing laboratory for studying Appalachian hard-wood uses.

The college has had an evident impact upon the state's agriculture. Widespread promotion of grass farming has conserved hundreds of thousands of acres from destruction by erosion. Testing programs at farms have improved the sheep, poultry, beef cattle. swine, dairy cows, crops, and feeds which farmers raise and use.

The role of the college has been to work in the field of basic research with advanced information, to be ready to answer questions when the future becomes the present. In order to aim at that time, the ultimate direction today has to be toward lower acreage and greater production.

The program at the West Virginia College of Agriculture and Forestry intends to be dedicated to this goal. At its most positive, however, it is an endorsement in which success is not always discernable. Yet in those who, today, are responsible for its direction, hope and enthusiasm seem to abound.

[From the Charleston (W. Va.) Sunday Gazette-Mail, Feb. 5, 1967]

FARMING FOR BETTER LIVING

Farm families in 24 counties of West Virginia feel the influence of West Virginia University in a unique program designed to dramatize good farming practices.

The program is "Farming For Better Living" and it's an example of how industry and the university work together toward a common goal.

Each spring some 2,000 farm families enrolled in Farming For Better Living receive a booklet of recommendations for good farming practices. Each fall these same farm families report on their own farm practices. These reports are graded and a county Farming For Better Living council makes an award to the top farm family in the county.

The program had its beginning in the late 1930's. These were the years when the Cooperative Extension Service of West Virginia University was confronted with telling the story of many new agricultural practices—practices that have since greatly increased the production of American agriculture.

The liming and fertilization of pastures, artificial breeding of dairy cattle to high-production bulls, crop rotation, contour farming, soil conservation plans, and a myriad of other new and exciting farm ideas needed to be taken to the grassroot levels of farming.

At the same time Monongahela Power Co. had been pioneering in the field of area development under A. C. Spurr, who was then president of the electric utility. Spurr's philosophy was that in order for the utility to prosper, its customers must first be prosperous.

Extension and power company officials met together and the result was the Farming For Better Living program—a program that dramatized the farm recommendations on the grassroots level. Each year since 1940, cooperative extension officials have updated the FFBL recommendation booklet. Each year the Farming for Better Living awards are made to 24 West Virginia county FFBL champions, to four regional champions and to an over-all Sweepstakes champion.

Each county cooperative extension agent works with local and civic and business leaders to enroll farm families, to interpret the farm recommendations, and to grade the farm reports. On the staff of the Monongahela Power Co. is an agricultural counselor at the general offices in Fairmont, and four field agriculture representatives who spark-plug the FFBL program. Local businessmen in each county are represented on the county FFBL councils and run the program on the local level.

Another program, the outgrowth of this university-utility cooperation, is now called the Community Action Program. The same university-utility effort is expended here to show the small rural community the road to self-improvement.

A. C. Spurr served as President of Monongahela Power Co. from 1935 to 1955. He was also a member of the West Virginia Board of Governors from 1946 until his retirement.

[From the Charleston (W. Va.) Sunday Gazette Mail, Feb. 5, 1967]

BASEBALL, TRACK TEAMS WIN, MOUNTIES DOMINATE RIFLE SHOOTING

Minor sports?

There are none at West Virginia University although there is no mistaking that football and basketball stir up the most interest.

The outstanding coaching staffs of football and basketball, headed by Deacon Jim Carlen and Raymond (Bucky) Waters, respectively, are known from the tip of the panhandle to Virginia border at Bluefield.

But mention the name of Steve Harrick or Stan Romanoski and everybody gets the message in other sports.

Harrick coaches baseball and wrestling at WVU, Romanoski is in charge of track and cross country. Both are dedicated veterans who have long since established footholds in popularity that no other coaches—if they live a hundred years—can match.

But there are other non-minor sports at West Virginia University—all doing well, too, thanks.

Indeed, the sport of rifle shooting has been particularly outstanding.

Few teams have dominated a collegiate sport as has West Virginia in rifle. Last year's national championship was the third for the Mountaineers.

Coach Francis Orchard's team actually rewrote the record book of collegiate rifle shooting, sweeping 11 dual matches, the Coast Guard and Kansas State invitationals, the Southern Conference and U.S. title as well.

Not nearly as much mention as deserved has been accorded the fact that Dean Dahrman, a junior from Arlington, Va., Captain Jack Writer, a senior from LaGrange, Ill., and Andy Holubek, a sophomore from Wheaton, Ill., gained All-American distinction last year.

They joined seven others who have made All-American in the past. It was the third year for Bahrman and Writer to be honored and the second year for Holubeck.

Trish Kinsella, whose sex made her ineligible in Southern Conference competition, set a women's national rifle record and was recognized by Sports Illustrated last year.

Ruel Foster has tutored the tennis team to distinctive seasons in his 15 years of coaching, but inasmuch as the weather in West Virginia is not the very best for tennis, the Mountaineers have not enjoyed good success with their more southerly rivals in the Southern Conference.

Once a fellow named Dr. Thomas Ennis coached the team. That wily old Robert Ripley soon made a connection there, noting that the WVU tennis coach was a man named T. Ennis. Red Brown, present athletic director, coached the team from 1951 to 1954.

In addition to tennis, there is gymnastics, coached by William Bonsall, now in his 14th year.

The 1965 team won the southern district championship and Jerry Spencer, star of the team, was the best in WVU history in all-around performance.

Swimming has been on the upswing in recent years. Last year's team, under the departed coach, Jack Lowder, proved that it would no longer fill the unwanted role of Southern Conference doormat. His successor, Kevin Gilson, is now coach and enjoying a good season.

In his sport, beautiful Bette Hushla attracted national attention as the star of the team in 1965 and made the headlines often after she was barred from Southern Conference competition because of her sex.

Golf, coached by veteran Charley Hockenberry, has produced such stars as Mike Krak, captain of the 1946 team, who is now a well-known pro player, and Reggie Spencer, captain of the 1952 and 1953 teams, and now a pro at Morgantown. The 1966 team won 11 matches—a new high for university golf teams.

Soccer is a relatively new sport on the West Virginia program. It got its start in 1961 with Jim Markel as the coach. He remained through two seasons when Sam Maurice took over. The last two teams have been coached by Greg Myers.

West Virginia was one of 16 teams in the country to be invited to the NCAA championships last year. The team had finished its season with an impressive 13–2 record and had won the Southern Conference title for the second straight year.

Then Temple knocked the Mountaineers off in the first round of NCAA play. But it was a good season as WVU scored first-ever wins over Pitt, Penn State and Slippery Rock.

Harrick's success with the baseball team has been all but phenomenal. Now in his 20th season as diamond coach, his teams, five of which were conference champions, have put together a string of 14 consecutive winning seasons. They have won 312 games against only 151 losses.

They took part in NCAA playoffs in 1948, 1955, 1961 and 1964.

WVU's wrestling teams, which Harrick has coached for 29 years, have won 147 matches against 96 defeats and four ties. They won Southern Conference titles in 1954, 1959, 1964, 1965 and 1966.

The name of Dave Tork has done as much as anything to put WVU in the national limelight, trackwise. Dave, son of Pat Tork of the Department of Physical Education, achieved fame after graduation by setting the world's record for pole vaulting with a vault of 16 feet, two inches in 1962.

Tork is now grooming a lad named Jack Carter, whom he feels will take his place on the Mountaineer varsity. Jack vaulted 15–8 in the NCAA meeting in Detroit last year, finishing second, and Tork has great hopes that he might make Coach Romanoski a great vaulter in years to come.

Although the WVU team must train on a one-fifth mile track, it managed to win the 1964 Southern Conference title. It once had access to the WVU field house, where some of the greatest names in track had performed—fellows like Jesse Owens. But the track there has long since been paved and turned into an exclusively house for basketball, gymnastics and wrestling.

Romanoski's cross country teams have fared well under Romanoski, despite limited talent. They finished first in the Southern Conference in 1962 and have finished second four times.

Romanoski not only has developed a state high school championship meet but has promoted with success the Mountaineer Invitational.

ERA OF IMPROVED COMMUNICATIONS TECHNOLOGY

Mr. TYDINGS. Mr. President, we stand at the threshold of an era of improved communications technology which offers an extraordinary opportunity for enhancing the public welfare. A few years ago, the first communications satellites were launched into orbit. Today the technological capabilities of such communications satellites have dramatically increased. Urgent ques-

tions now arise. How will this new technology be used? How can we insure that the widest possible public benefits will result from this new technology?

The February 1967 issue of Fortune magazine contains a fascinating article dealing with this question. In particular, the article focuses on the proposal advanced last year by the Ford Foundation that a domestic satellite system should be established to transmit television signals. Commercial television would pay for the use of the system, but educational and instructional television would be transmitted without charge. A satellite system, the foundation believes, would bring significant savings to the commercial networks, and those savings should be used to underwrite the development of educational and instructional television for the benefit of the public.

The report of the Carnegie Commission on Educational Television, published last month, deals only briefly with the new satellite technology. For the most part, its excellent proposals are restricted in application to ground-line communications systems. In examining and implementing the ambitious Carnegie commission proposals for support of public television, I believe that Congress should not lose sight of the enormous potential offered by satellite communications systems. We must plan for the future so that all of the public secures the benefits of the use of the space around us.

I ask unanimous consent that the Fortune magazine article be printed at this point in the RECORD.

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

[From Fortune magazine, February 1967]

THE LITTLE BIRD THAT CASTS A BIG SHADOW

(By Charles E. Silberman)

"The benefit to mankind staggers the imagination," says Dr. Harold A. Rosen of Hughes Aircraft Co., discussing the potential of satellite communication. Dr. Rosen, the principal designer of Early Bird, speaks with the understandable enthusiasm of one who has contributed as much as anyone to the rapid development of satellite technology, but he is hardly indulging in overstatement. For the satellite, in the phrase made popular by Marshall McLuhan, the Canadian student of communication, represents another vast "extension of man," enabling him to communicate almost without regard to distance. The telegraph cable, the radio, the telephone cable, and the microwave relay each enormously extended the range of man's voice and thought, but the cost of sending a message with these technologies still varies more or less proportionately with the distance it travels. With the satellite, cost is nearly independent of distance.

Moreover, satellite technology is advancing faster than anyone except Rosen and a few other enthusiasts had expected. A single satellite now scheduled to be put in orbit next year by the Communications Satellite Corp. (Comsat) will provide 1,200 overseas circuits—about as many as are now available from *all* other technologies for transmission of telephone, telegraph, and data from the U.S. to the rest of the world. And this satellite is only the first of several to be launched by Comsat in the next two years on behalf of an international consortium; each satellite in this Intelsat III system will have a 1,200-circuit capacity and a five-year life expectancy. By contrast, Early Bird, orbited by Comsat in 1965 to demonstrate the feasibility of satellite transmission, has a capacity of only 240 channels and a life expectancy of a year and a half. And next generation satellites now under development will have five times the capacity of the Intelsat III "birds"—twenty-five times the capacity of Early Bird—at only nominal increases in cost.

The implications, clearly *do* stagger the imagination. Through satellites the nations of Africa, Asia, and Latin America will have easy access to the advanced nations—and to each other—and a capacity to use radio and television for mass education and information that otherwise would have been utterly impossible. Communication among the developed nations will be facilitated enormously, too. In the past decade international communication has been growing at more than 15 percent per year, compounded; in some regions the growth has been much faster—e.g., 33.9 percent a year between the U.S. and Puerto Rico and the Virgin Islands since the first cable was laid in 1960. And these figures may grossly understate future growth since, in communication, supply tends to create its own demand. Without an exception in recent years, the introduction of new facilities has been followed by much faster than expected growth in demand.

While the satellite's greatest impact may be felt in international telecommunication, at least for the near future its largest market may be within the U.S., which has nearly half of the world's telephones and 40 percent of its TV sets. Satellites can be used to reduce the cost of long-distance telephone and telegraph communication. They may be even more effective in bringing down the cost of data transmission. And a recent highly imaginative and enormously controversial Ford Foundation proposal has made it clear that the most fruitful immediate application of satellite technology is for distribution of network television. Satellites could substantially reduce the cost of television distribution, dramatically increase its range, and improve its coverage and quality. All of the U.S., including Hawaii, Alaska, Puerto Rico, and the Virgin Islands, might be linked by a number of new networks that could enable TV, at long last, to realize its promise.

Understandably, therefore, the satellite has evoked more interest and excitement than any other technological development of recent years, save possibly the computer. (The atom bomb, of course, is in a class by itself.) It has also evoked more opposition and controversy. By making older technologies obsolescent for some (but by no means all) purposes, the satellite threatens the position or even survival of companies whose operations are based upon those technologies. The satellite poses political and financial problems for a number of sovereign nations as well—most particularly for Britain and France, whose ties to their old empires, such as they still are, depend in good measure on their control of the "transit points" through which most international telecommunications must pass. Virtually all international telephone calls from or to Asia, Africa, and the Middle East are routed through London or Paris, for which these cities collect substantial "transit fees"—for example, a call from Abidjan, capital of the Ivory Coast, to Lagos, Nigeria, five hundred miles or so down the coast, may be routed through both Paris and London. Therefore, precisely where and when and for what purpose satellite technology gets introduced have become matters for heated domestic and international debate and negotiation.

Under ordinary circumstances, of course, these questions tend to be answered through the operation of the market. A new technology rarely makes all existing means of achieving a given end obsolete, and the satellite is no exception. Rather, a new technology makes it possible to do some things less expensively, to do some things better though at a higher cost, and to do some things that previously could not be done at all. The choice of which technology to use in any situation normally depends on careful calculations of relative costs and profits; it is the market that determines where and how a new technology will be used and that allocates the gains and losses from its displacement of older technologies. Indeed, this "process of creative destruction," as the late economist Joseph Schumpeter called it, is the critical function of the competitive market—"the essential fact about capitalism."

But what happens when there is no free market? In the communication industry, prices are set by government regulation and competition is minimal, where it exists at all. (The U.S. is virtually unique in having privately owned communication companies; in most nations telephone and telegraph service, like postal service, is operated by the government or a government corporation.) How a new communication technology gets used, and how it is priced, is the result of governmental as well as private decisions. Indeed, in the communication industry, corporate strategy is directed in good measure at shaping and influencing governmental decisions.

A number of decisions are now coming up—some of them to be made by the FCC, some by Congress, some by the White House, and some, in all probability, by the courts—that will largely determine the shape and direction of communication in the U.S. and the world for several decades to come. Hence a titanic struggle is underway, involving an impressive array of private, government, and quasi-public contestants in a bewildering variety of contests. Some of the contests are between governments—e.g., Great Britain and France against the U.S. Within the U.S. itself, some of the conflicts are between different agencies of the federal government—e.g., the FCC versus the Defense Department. Some are within industry—e.g., Comsat versus A.T. & T. Some are between industry and government—e.g., Comsat versus the FCC; and some involve quite new and unexpected lineups—e.g., the Ford Foundation versus Comsat and A.T. & T. The stakes are huge—for the governments, corporations, and foundations involved, and for everyone who uses the telephone or watches television. The way these questions are decided, moreover, may determine the shape not just of the communication industry, but of economic development generally, for it may set precedents that could determine how technologies as yet undeveloped are to be introduced and used.

A CHOSEN INSTRUMENT, BUT FOR WHAT?

The controversies surrounding the communication satellite in part grow out of the newness of the technology, in part out of the fact that the technology is enmeshed in an inordinately complex web of government-corporate relations. The satellite is largely a product of government-financed R. and D., and its promotion has been declared to be an objective of national policy. The Communications Satellite Act of 1962 created Comsat as a chosen instrument with exclusive right to operate the U.S. segment of an international satellite communication system. But the question of who has the right to put up and operate a *domestic* satellite system was left shrouded in ambiguity, as were a number of other questions involving Comsat's relations with governmental and nongovernmental customers and with the FCC.

To some degree, the ambiguity reflects the fact that Congress had to compromise some diametrically opposed notions about who should operate the satellite system—the government, a new company, or the established common carriers. It did so, in part, by using language vague enough to permit

everybody to interpret the act in his own way. (See "The Comsat Compromise Starts a Revolution," Fortune, October, 1965.)

THE EXPERTS GUESSED WRONG

In large measure, however, the confusion stems directly from the fact that the Administration and congressional experts who drafted the 1962 act assumed that satellites would be used mainly for international communication, at least over the next decade or so. Their prime concern was the race with the Soviet Union for control of space; and they failed to anticipate the speed with which satellite technology would develop and the direction it would take. Harold Rosen and other experts at Hughes Aircraft argued the feasibility of synchronous satellites, i.e., satellites placed high enough (22,300 miles) to make their orbits synchronous with the rotation of the earth, so that they would keep in a stationary position relative to any point on earth. But most of the experts—notably the prestigious Bell Labs scientists and engineers—insisted that it would not be possible to place or maintain satellites of the necessary power and sophistication in synchronous orbit for a number of years. This pessimism seemed reasonable enough in light of the difficulties the Defense Department was experiencing with its unhappy "Advent" synchronous system, canceled in 1962 after an expenditure of $170 million.

The experts also argued that synchronous satellites would be unsatisfactory devices for telephone transmission because messages (traveling at the speed of light) take three-tenths of a second to cover the distance from speaker to satellite to listener. By the time a speaker gets his reply, six-tenths of a second has elapsed; if both parties tried to speak simultaneously, part of the conversation might be lost.

So the 1962 act was conceived and written on the assumption that, for the immediate future, the only system that could be operated would be one using low or medium-altitude "random" satellites like Bell Labs' Telstar. This assumption, in turn, ruled out a purely domestic satellite system. For one thing, it appeared that such a system would have to be international in scope because the individual satellites would keep moving about from one nation to another. There was also an economic reason. Since no one satellite would be in line of sight of any two points for more than a few hours at a time, a large number of satellites would be required, and that meant very high capital costs. So it seemed that satellite communication would be competitive only with overseas cable or radio transmission.

What happened, of course, was that the advocates of the synchronous satellite were proved right, in short order. Syncom I, Hughes's first version of Early Bird, was placed in orbit by NASA in February, 1963, but failed to function electronically. Syncom II, orbited in July of that year, and Syncom III, orbited thirteen months later, were both successful and have been used by the Defense Department. And in April, 1965, Hughes's Early Bird, built for Comsat, was placed in the orbit in which it still operates. Virtually all communication experts now agree that synchronous rather than random satellites will be used.

Consequently, a number of questions not anticipated when the 1962 act was written are now coming to a head. For the much lower capital costs of the synchronous satellite enormously expand the range of potential application. In international telecommunication, satellites are much more competitive with cables than had been thought, notwithstanding advances in cable technology; except for heavily used short routes like London-Paris or New York-San Juan, satellites now appear to be a lot cheaper than cables. More important, the synchronous satellite opens up new possibilities for purely domestic application.

COMSAT'S PREDICAMENT

But what kind of domestic satellite system—or systems—should be developed? For what specific kinds of communication—transmission of voice, data, television—should satellites be used? Who should own and operate the domestic satellite system or systems, how should the cost reductions that satellites provide be passed on to the users of these systems, and how should the losses, if any, from obsolescence of older technologies be absorbed? These questions go to the heart of the far broader question of how the gains and losses from any of the new technologies arising out of government research and development efforts are to be shared—to whom do these gains and losses belong, and who should make the decision.

Understandably enough, Comsat would like to have the domestic franchise for itself. For one thing, the company is anxious to find as many applications for satellites as it can, since it is limited by law to a single communication technology. Moreover, Comsat now finds itself overcapitalized for the mission for which it was conceived—to develop a global communication system. It raised $200 million through its initial stock offering (half from the general public, half from the existing common carriers, which are also represented on its board). That $200 million, Board Chairman James McCormack told a Senate committee last summer, represented "the estimated costs of a global communications system as then envisioned and really based around the Telstar, the orbiting medium-altitude satellite." But the advent of the synchronous satellite, he said, "makes everything a great deal less expensive, perhaps cuts its costs in half." What is more, Comsat's share of those costs has been cut by the fact that a great many more nations have joined the international consortium than had been expected—fifty-five countries, at last count. Hence "the amount of money initially raised," McCormack conceded, "is not now needed for the purpose as then stated." The money is a special incentive for Comsat to press its view that it alone has the right to launch and operate satellites for domestic purposes.

A.T. & T., on the other hand, is understandably anxious to absorb the satellite into its own common-carrier operations. The telephone company concedes to Comsat, of which it owns 29 percent, the right to own the satellites themselves, but not the ground stations, which may represent up to 55 percent of the costs of a satellite system. In any case, A.T. & T.'s major objective is to have satellites fully integrated into the Bell System; it wants to retain its traditional managerial discretion in deciding—on the basis of its own engineering and accounting studies—when and where a new technology should be used and how the cost savings it provides are to be allocated. The company's two greatest challenges, according to H. I. Romnes, A.T. & T.'s new chairman and chief executive officer, are "the introduction of new technology that will permit us to hold down and reduce rates in the face of inflation and rising costs" and the need to convince the FCC and the state regulatory agencies that "we shouldn't be restrained in exercising our best management judgment in running our business."

BUNDY'S BOMBSHELL

It was the Ford Foundation's proposal, first advanced last summer by its new president, McGeorge Bundy, that brought the questions about a domestic satellite system to the forefront of public discussion—and government decision. The foundation proposed that the FCC authorize creation of a new nonprofit corporation to distribute television programs via satellite. The catalyst was Hughes Aircraft, which some eighteen months ago sold American Broadcasting Companies, Inc., on the idea of a private satellite system to handle its own TV transmission. (Hughes's interest, of course, is to develop a broader market for satellites; at the moment it is limited to two customers, the U.S. Government and Comstat.) The FCC turned down A.B.C.'s application on technical grounds, but invited comments from all interested parties on a number of policy issues the application had raised. The Ford Foundation was responding to this FCC invitation.

According to the Ford plan, developed by engineers, scientists, and economists borrowed from Hughes Aircraft, I.B.M., the Rand Corp., and several universities, the new satellite system could provide greatly expanded and improved transmission at much lower cost to the three existing, and a fourth projected, commercial TV networks. The system would also provide free channels to link the nation's now isolated educational television stations into one or more national networks, as well as free channels for instructional television for schools and colleges. It might even generate some funds for improved and expanded educational television programing.

Most of the discussion and debate the plan has evoked has centered around Bundy's proposal that only part of the savings from satellite distribution should be used to cut the cost to the commercial networks: the great bulk—two-thirds or thereabouts—would be used as a "social dividend" to provide free channels for educational and instructional television. Bundy points out that the U.S. is the only advanced country without a national noncommercial network, notwithstanding the fact that television stations are given, without charge, an enormously valuable and terribly scarce national asset—i.e., their assigned portion of the frequency sprectrum. Since satellite technology is also a national asset, there is a certain amount of logic in using part of the savings from satellite distribution of a noncommercial network. But it is quite understandable that the commercial networks have concentrated their fire on this part of the plan, arguing that they should not be the only ones to be taxed if noncommercial television is to be publicly subsidized.

SHALL THE CARRIER BE DEDICATED?

What A.T. & T. and Comsat are mainly opposed to, however, is not the "social dividend" concept but the idea of separating TV distribution from other satellite applications and other common-carrier operations. Both companies have attacked the Ford proposal as economically unsound and socially undesirable, and each has proposed in its stead a multipurpose satellite system that would handle telephone, telegraph, and data transmission as well as television distribution. (The A.T. & T. and Comsat proposals differ in a number of respects—e.g., ownership of the ground stations, relation of satellite to terrestrial facilities.) Establishing a separate "dedicated" system for television distribution, Comsat argues, would mean costly duplication of facilities that would increase the cost of the TV system and delay the use of satellites for other kinds of communication.

A.T. & T.'s argument against the Ford Foundation proposal is a bit more complicated. The company currently provides the bulk of intercity network connections, but since this service—roughly $65 million in 1965—represents just 0.6 percent of its gross revenues and even less of its net profit, A.T. & T. is not especially worried about losing the TV distribution business. It rests its case on principle rather than on self-interest, the principle being "that only the most overriding considerations of the national interest warrant the establishment of satellite communications systems for specialized applications." Specialized satellite systems—by implication, specialized communication systems of any sort—violate what A.T. & T. calls "the common-carrier concept" that savings from a new communication technology should be "passed along to *all* users." Only thus, the company argues, is it possible to realize the

economics of scale that derive from common-carrier operation. As the company's brief to the FCC puts it, "the national interest requires—and our responsibility as a common carried dictates—that the nation's communications needs be met at the lowest possible over-all cost, taking into account the service requirements of all users."

The crux of the matter, however, is that for the next five to ten years—the maximum life expectancy of satellites under the the present state of the art—satellites will not have any great advantage over cables or microwave for transmission of domestic telephone conversations. Transmission by terrestrial cable or microwave appears to be cheaper than satellite transmission on calls going less than 1,000 miles or so—and such calls account for roughly 75 percent of domestic long-distance traffic. Line-haul transmission—the part satellites would handle—represents no more than 15 to 30 percent of the total cost of an interstate long-distance call. Because telephone communication involves two-way transmission of a huge number of relatively small bits of information between an almost infinite number of points, the great bulk of the cost—70 to 85 percent—is embodied in the elaborate switching equipment and the complex logic that automatically chooses an alternate route if the usual one between two points is being used, plus the sophisticated echo suppressors required if a call travels more than a thousand miles. Hence even a drastic reduction—say 50 percent—in line-haul transmission costs would yield only a 7½ to 15 percent cut in the total cost of a long-distance call. Satellites may afford much larger reductions in the cost of data transmission, but a number of technical problems remain to be solved, and in any case such traffic won't become significant until about the middle 1970's.

By contrast, satellites are almost ideally suited for the distribution of television broadcasts. Since TV distribution involves one-way transmission of large blocks of information between a relatively small number of points, relatively little switching is required; line-haul transmission represents some 75 percent of the total distribution cost. Cutting transmission costs by use of satellites thus would yield an almost proportionate reduction in total distribution costs. And since TV transmission is one way, the time-delay problem doesn't arise.

A SUBSIDY FOR TELEPHONE

So the bulk of the traffic—and savings—in the initial satellite systems favored by A.T. & T. and Comsat would come from TV distribution. A.T. & T. envisions that the use of satellites would cut its annual operating costs by $19 million in 1969, virtually all of this attributable to cheaper TV distribution. The saving would rise to $27 million in 1975, of which $16 million would be attributable to television. Not until the late 1970's would the savings from satellite transmission of telephone (data as well as voice) messages exceed the savings from TV distribution. But by that time the original system would have been scrapped altogether and a new and radically different one put in orbit.

Comsat hasn't indicated how large the cost savings in *its* system would be, but its projections indicate that at least three-quarters of the initial traffic would be television broadcasts—and the company concedes that its projections of television channel requirements "may appear to be somewhat lower than estimates made by others." Demand for message channels would not begin to equal or surpass that for television channels until the later 1970's, by which time the company would have to replace its initial system with a wholly new one very similar to the one A.T. & T. has proposed for that period. Thus, Comsat's system doesn't become truly multipurpose until the middle 1970's. What it has proposed, in effect, is that for the first four or five years an essentially single-purpose system be enlarged somewhat, so that TV revenues can subsidize experimentation with satellite transmission of telephone and data messages. This enlargement, Comsat argues, would make possible economies of scale that would lower the average cost per TV channel.

Whether one multipurpose system would in fact be cheaper than two "dedicated" systems is a matter of some debate; there are economies of specialization as well as economies of scale. Whatever the interplay between them, as the Ford Foundation cogently argued in its December 12 filing to the FCC, the argument turns "on how physical facilities are used, not on how they are owned and organized." The choice is not between a number of special-purpose systems and a single multipurpose system owned by Comsat or A.T. & T. "If there are substantial cost advantages in joint use of some part of the facilities of a television satellite system—on the ground or in space—for telephone and data transmission," the foundation suggests, "there is no reason why that should not be done." After all, A.T. & T. was required to share ownership in its latest transatlantic cable with the three U.S. international "record" carriers.

The real question at issue is how satellites are to affect communication rates. Ordinarily, the reduction in the cost of a particular product or service brought about by a new technology will lead to a more or less commensurate reduction in the price of that particular product or service. A $19-million cut in annual costs from use of satellites would have a huge and visible effect on the $65-million annual bill for TV distribution. But if the cost of new facilities must be averaged with those of existing facilities in determining rates, as A.T. & T. has urged, and Comsat has implicitly agreed to, the $19-million saving would all but disappear; it is a mere droplet when measured against A.T. & T.'s $4.6 billion of long-distance revenues. And since costs and revenues from different services would be lumped together, it would be difficult for the FCC or anyone else to judge how much satellites cut the cost of any particular communication service, and hence whether the new technology was being put to its optimum use.

THE AMERICAN TELEPHONE WAY OF LIFE

The FCC traditionally has concerned itself only with A.T. & T.'s *over-all* rate of return on interstate operations. Indeed, until it began its mammoth investigation of A.T. & T.'s costs and revenues a year or so ago, the commission had never seriously tried to find out what those costs were, except in very broad categories. As economist Leland L. Johnson points out in his Rand Corp. study of "Communications Satellites and Telephone Rates," the FCC had never even completed a formal rate hearing or investigation of the "reasonableness" of A.T. & T's long-distance message rates or its rate of return. Any disagreements that arose between it and A.T. & T. were worked out through some compromise that avoided formal proceedings. The two parties negotiated with each other like two sovereign powers.

The result is that A.T. & T. has enjoyed an extraordinary degree of freedom for a regulated company. It has been able to decide what the structure of its rates should be, and it has been able to use profits from one kind of service to subsidize its expansion into other, sometimes unprofitable service areas. The principle that savings from new technology should be "passed along to all users" enables the company—not its customers, not the FCC, not the free play of the market—to decide, in effect, what those savings should be and how they should be used. What the Ford proposal threatens, in short, is not A.T. & T.'s survival—there's no question of that—but its autonomy, its managerial way of life. A.T. & T. is particularly sensitive to that threat because it comes at a time when the FCC appears to be moving in the direction of regulating the company's return on specific categories of service.

To a considerable degree, the issue has been blurred by the fact that A.T. & T. *is* well managed, and that it operates a superbly efficient and almost unbelievably complicated communication system. (To appreciate the quality and economy of A.T. & T.'s service, one has only to travel abroad and try to place an ordinary local phone call.) And yet it is clear that exposure to technological competition has the same effect on A.T. & T. that it has on any other company: it provides a strong incentive to increase efficiency and a strong corrective to the tendency toward caution and technological conservatism.

There is good reason to believe that, had it not been for the Ford Foundation proposal, the application of satellite technology to TV distribution would have been delayed by at least several years, and costs of conventional TV distribution would have gone up instead of down. For, just three days before the foundation filed its plan last August, A.T. & T. formally asked the FCC for permission to raise its TV transmission rates. The rate increase was necessary, A.T. & T. told the commission, because its revenues from TV distribution were not large enough to cover the incremental costs incurred in providing the service.* In discussing the increase, the company made only a vague reference to a "preliminary investigation of the use of satellites for domestic communications service" on its part that indicated "that there may be possibilities for cost reductions when a combination of satellites and landlines is used for the longer hauls." Just five months later—in response to the Ford proposal—the phone company was proposing a combined satellite-land-line system that would cut TV distribution costs by $19 million—more than 25 percent—in 1969.

The FCC's approach to regulation creates a strong bias in favor of technologies requiring heavy capital investment and against capital-saving technologies like satellites; this may reinforce A.T. & T.'s conservatism. The FCC lets a carrier set rates at a level that will permit it to earn a "reasonable" return on its capital investment. With any given rate of return on capital, the larger the fixed investment required, the larger the dollar earnings.

THE RELUCTANT EUROPEANS

Comsat, on the other hand, is eager to find as many satellite applications as possible. Unlike the common carriers, it is limited to a single technology; and it has $180 million of idle capital sitting in the bank. Eventually, the company should be able to employ the capital very profitably in the international satellite system, of which it owns about half. Development of that system has been held back somewhat, however, by the desire of the Europeans to protect their large investments in transatlantic cables. Anyway, the Europeans are not overly eager to stimulate demand for international telephone by any further rate cuts, since they are reluctant to expand local telephone capacity to keep pace with international traffic. Hence Comsat has been able to lease only about one-third of the 240 circuits in Early Bird. The Asian and African countries are eager for satellite service, but they simply cannot finance rapid expansion of domestic telephone plant.

With all these obstacles to rapid growth of international traffic, the U.S. domestic market looks more and more vital to Comsat. The company's projections for 1970 show U.S. domestic traffic reaching a volume ten

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**The company explained that it would have liked to raise its rates still more, but felt unable to do so because a growing number of television stations—177 at the end of 1965—have found it cheaper to get their network programs from private microwave systems than from the Bell System.*

times that of the international, and Comsat naturally would like to have that market for itself And since television distribution, where the satellite's cost advantage is so clear-cut, is a relatively limited market, Comsat is anxious to encourage the use of satellites for telephone and data transmission.

Comsat's problem is complicated still further by the fact that it is severely limited in the number of customers it can serve. It is barred by the 1962 act from selling directly to private users other than common carriers, except with the FCC's permission—and the FCC has made it clear that it won't give that permission. Thus Comsat's main domestic customers are bound to be the common carriers, which also happen to be its biggest stockholders. (A.T. & T. alone owns 29 percent of Comsat's stock and holds three seats on its fifteen-man board.) Comsat sometimes feels the need to accommodate its interests to those of the carriers.

At times, accommodation looks more like subordination. Certainly Comsat has drastically modified its initial reaction to the Ford Foundation proposal from approval in principle to all-out opposition. In late August, for example, the New York *Times* reported—a few days after McCormack and Comsat President Joseph V. Charyk had had lunch with the *Times'* editors—that Comsat was developing "a far-reaching expansion and fundamental refinement" of the Ford proposal, whereby part of the cost savings from *every* satellite application—telephone and data transmission, not just television distribution—would be used to provide free channels and programing funds for educational television. The Comsat counterproposal thus would have married the Ford "social dividend" concept to a multipurpose commercial satellite system, generating profits for Comsat in addition to funds for noncommercial TV. The networks would deal directly with Comsat, bypassing A.T. & T. This "key provision," the *Times* reported, "may prove controversial" in view of the carriers' insistence that Comsat deal only with them and not with their customers. But "it was understood," the *Times* continued, "that Comsat hoped both the carriers and the Federal Communications Commission would agree that educational TV posed a unique issue warranting a new approach."

The hope did not materialize; the trial balloon apparently fared worse in Comsat's boardroom than it did in the *Times'* private dining room. And so the elaborate counterproposal that Comsat submitted to the FCC in December proposed a system in which Comsat would sell its satellite channels to the common carriers in accordance with traditional common-carrier pricing.

THE PENTAGON VERSUS THE FCC

Because it is hedged in by so many constraints, Comsat is forced to play a number of quite different, and sometimes apparently conflicting, games. In fighting for a larger share of international telecommunication traffic, it has in effect abandoned the approach it is urging for the domestic market. Last summer it signed a contract with the Department of Defense to lease directly to the department some thirty transpacific channels on the satellite it was planning to orbit over the Pacific. Before it contracted with Comsat, the Defense Department had opened the bidding to others; the three U.S. international "record" carriers (R.C.A. Communications, I.T.T. World Communications, and Western Union International) quoted prices ranging from $10,000 to $12,500 a month per half circuit. The department then decided to lease the circuits directly from Comsat at a cost of $4,000 a month, only slightly more than what the carriers would have had to pay Comsat had the Defense Department leased the circuits from them. The carriers made a counter-proposal to cut rates about 40 percent on *all* leased circuits in the Pacific if the thirty-circuit satellite contract were assigned to them. The Pentagon turned it down.

The ensuing brouhaha has been almost as intense as the one aroused by the Ford Foundation proposal. In signing the contract, the Pentagon ignored an FCC ruling that Comsat could deal directly with government agencies only in "unique or exceptional circumstances," and then only with the FCC's approval—approval that, in this instance, has not yet been given. The Defense Department contends that it has the right to contract with Comsat without FCC approval. The issue may end up in the courts.

Here again, as in the Ford Foundation proposal, the legal question of who has the right to do what to whom tends to obscure the more fundamental economic question: How should the savings from satellite technology be applied? Indeed, the issues are virtually the same, though Comsat is taking opposite positions in the two cases. For what the thirty-channel contract was clearly *designed* to do was to separate out a specialized service, leased satellite channels, from the composite transpacific business so that the savings attributable to use of satellites could be identified and returned to the user. If the carriers' counterproposal were adopted, the satellite savings would be applied across the board. The Defense Department thus would pay more for its satellite circuits, but less for the cable circuits; according to FCC calculations, which some experts question, the department's net savings would be larger under that plan. But that would, of course, make it much more difficult in the future for the Defense Department to discover what the real costs are, hence more difficult for the department to force the carriers to lower their rates as costs decline. (The department had been trying for several years to get the record carriers to lower their rates, without success.)

MANEUVERING TOWARD MERGER

The thirty-channel controversy, as it has come to be called, has other ramifications. Legislation about to be introduced in Congress would permit, or perhaps require, the international record carriers to merge with each other, and ultimately with Comsat. The high-capacity underseas cables that A.T. & T. began laying in the 1950's destroyed the record carriers' technological base by eliminating the distinction between voice and record (i.e., data) transmission. The record carriers have survived in large part because of protection from the FCC, which reserved certain parts of the leased-circuit business for them, and which has tolerated international telephone and telegraph rates high enough to enable them to exist.

There's considerable doubt as to how long the three companies can continue to exist as separate entities; both David Sarnoff of R.C.A. and Harold Geneen of I.T.T. have expressed interest in merging their international subsidiaries with other carriers. The main impetus for some kind of merger, however, is coming from the White House Office of Telecommunications Management, which thinks that a single entity handling all international telecommunication to and from the U.S. could represent U.S. interests much more effectively than the present system, in which traffic is divided among A.T. & T., the three record carriers, and Comsat.

Comsat would welcome a merger if the terms were favorable—for example, if it could acquire the three record carriers. It fears winding up as a junior partner or being left out altogether. To improve its own bargaining position, therefore, Comsat would like to establish a separate rate structure for satellite communication, as it did in the thirty-circuit contract with the Pentagon; this would dramatize the cost advantage of satellites over conventional means of transmission. The carriers, on the other hand, are using against Comsat the same argument Comsat and A.T. & T. are using against the Ford Foundation: that cost savings from a new technology should not be restricted to the users of that technology, but should be passed on to all common-carrier customers. With the Defense Department and the Office of Telecommunications Management as allies, Comsat is quite willing to engage in open conflict with the record carriers, even though they own about 14 percent of its stock (only one of the record carriers—I.T.T. Worldcom—is represented on the Comsat board).

Ultimately, Congress will have to resolve the issues raised by both the Ford Foundation and the thirty-channel controversies. The legislative guides are sadly out of date: the basic law regulating communication carriers was written in 1934, technologically several millennia ago; and the Communications Satellite Act of 1962 was drawn up before the shape of satellite technology had become clear. In the last analysis, the question Congress must face up to is whether it wants to encourage technological competition or to protect the competitors. The question can no longer be avoided.

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, morning business is closed.

LEGISLATIVE REORGANIZATION ACT OF 1967

Mr. BYRD of West Virginia. Mr. President, I move that the Senate proceed to the consideration of S. 355.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 355) to improve the legislative branch of the Federal Government, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to, and the Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll, and the following Senators answered to their names:

[No. 17 Leg.]

Aiken	Gore	Metcalf
Allott	Gruening	Miller
Anderson	Hansen	Mondale
Baker	Harris	Monroney
Bartlett	Hart	Montoya
Bennett	Hartke	Morse
Bible	Hatfield	Morton
Boggs	Hayden	Moss
Brewster	Hickenlooper	Mundt
Brooke	Hill	Murphy
Burdick	Holland	Muskie
Byrd, Va.	Hollings	Nelson
Byrd, W. Va.	Hruska	Pastore
Cannon	Jackson	Pearson
Carlson	Javits	Pell
Case	Jordan, N.C.	Percy
Clark	Jordan, Idaho	Prouty
Cooper	Kennedy, N.Y.	Proxmire
Cotton	Kuchel	Randolph
Curtis	Lausche	Ribicoff
Dirksen	Long, La.	Russell
Dodd	Magnuson	Scott
Dominick	Mansfield	Smith
Ellender	McCarthy	Sparkman
Ervin	McClellan	Spong
Fannin	McGee	Stennis
Fong	McGovern	Symington

Talmadge	Williams, N.J.	Young, N. Dak.
Thurmond	Williams, Del.	Young, Ohio
Tydings	Yarborough	

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Missouri [Mr. LONG], the Senator from New Hampshire [Mr. MCINTYRE], and the Senator from Hawaii [Mr. INOUYE] are absent on official business.

I also announce that the Senator from Idaho [Mr. CHURCH], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Michigan [Mr. GRIFFIN] is necessarily absent.

The Senator from Texas [Mr. TOWER] is absent on official business.

The PRESIDING OFFICER. A quorum is present.

Mr. LONG of Louisiana. Mr. President, I move to recommit the bill to the Special Committee on the Organization of the Congress.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana to recommit.

Mr. LONG of Louisiana. Mr. President, I should like to explain briefly why I believe it would be well that the committee give this bill further study.

The PRESIDING OFFICER. How much time does the Senator from Louisiana yield himself?

Mr. LONG of Louisiana. I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 10 minutes.

Mr. LONG of Louisiana. I believe it well to explain why, in my judgment, further study should be given to this bill and all the amendments to it at the desk and the suggestions Senators have made.

This reorganization proposal was first submitted to us on the theory that we could streamline Congress to do a more efficient and effective job, and perhaps save the taxpayers some money. But one of the recommendations in the bill, Mr. President, is to create a Special Committee on Veterans.

Mr. President, in my judgment, the creation of such a committee would soon cost the taxpayers nearly $1 trillion; and my belief is well founded. Set up in the back of the Chamber is a chart showing the benefits we have provided to veterans. The whole burden of the argument for creating this special veterans' committee is that the Committee on Finance has been too cautious in affording benefits to veterans. I should like Senators to look at the chart in the rear of the room, to see a tabulation of the benefits we have already voted. To date, we have voted $381 billion in veterans' benefits. The record of veterans' benefits indicates that the trend is toward constantly increasing the amount of such benefits.

In the early wars, we did not pay as much money for veterans' benefits as for the cost of the war; but if Senators will study the chart at the back of the room, they will notice that for the last three wars—World War I, World War II, and the Korean conflict—the veterans' benefits that the Finance Committee has voted for veterans have exceeded the cost of the wars by about 3 to 1.

For example, World War I cost $26 billion for military operations. We have paid out thus far, for benefits for World War I veterans, $41 billion—almost twice the cost of the war. We have about $20 billion remaining to pay—that is, assuming that we do not vote any further benefits for veterans of that war.

There is an additional chart to show what the cost would be of one of the favorite recommendations made on behalf of veterans. Any time a Senator goes to talk to any veterans' organization which includes veterans of World War I, someone there will always say, "What about a special pension for us veterans?"

That proposal is to have a pension of about $100 a month for every veteran and $75 a month for the widow of every veteran, whether he fought or not.

Once we start doing that, we will have to do it for the veterans of all wars, past, present, and future.

If we add the cost of such a proposal to the pensions and other benefits we have already paid and will have to pay, we will then owe the veterans $776 billion.

The Finance Committee has the responsibility of managing the national debt. It has the responsibility of thinking in terms of how much we can afford. Everybody would like to give all the veterans a generous and handsome pension. Everybody would like to have the widows and wives of veterans receive generous pensions, whether they need them or not. However, somebody must have the responsibility of saying, "How much can we afford?"

The Senate has historically placed this responsibility with the Committee on Finance. That is the committee that has the responsibility of managing the national debt and estimating and weighing what the cost would be.

Senators know the kind of thing that we talk about. The argument is that we have to have all of these additional benefits because some other committee would vote for more than the Finance Committee has voted.

Let us look at the cost involved if we vote for the pension proposal.

The Korean conflict cost us $18 billion. If we vote for this pension proposal that has been suggested, the veterans' pension cost for the Korean conflict would be $184 billion, or 10 times the cost of the war.

Mr. President, I think it is unfair to suggest that the Finance Committee has been miserly in considering veterans' pensions. We have voted for a grand total of $381 billion for veterans. Of that amount, a good deal has been paid out, and quite a bit remains to be paid.

In addition to the creating of a veterans' committee there are certain other equally important matters that should be considered and studied. Some of us have pointed out how this bill would greatly impede the committee in its work.

One proposal says that if a Senator objects a committee would have to wait for 2 weeks unless a majority of the committee could meet and agree to hold hearings. Focusing this procedure on today's necessities, think of what this requirement would do to the national debt limit bill presently pending before the House. We are told the Government is running out of money and money is needed to carry on the affairs of the Government. It is anticipated that the bill temporarily increasing the debt limit will be passed in the House of Representatives this week. Under the bill, we would have to call a meeting in order to get the majority of the committee to agree to waive the 2-week limitation. After that we would have to wait 2 days if we had just one objection so that the minority Members could get their views prepared. We would then have to wait 3 more days after the measure was placed on the calendar before we could vote.

That is a great waste of time and effort, where time is of the essence. Also, I have suggested that we ought to have voting machines such as various State legislatures and the United Nations have. In that manner, we could vote more quickly and expedite the business of the Senate.

The senior Senator from Pennsylvania [Mr. CLARK] wants to have the Senate agree to what he refers to as the Bobby Baker amendment. If that is going to be considered, in addition to a large number of other amendments, these should be properly considered and worked on in committee. That is why we have committees.

The committees are better equipped to move more expeditiously with these matters than we are on the floor of the Senate.

For example, in the Committee on Finance, on which I am very proud to serve, we have worked on complicated bills which had as many as 1,000 amendments.

When our committee worked on the Revenue Act of 1964, there were over 1,000 amendments. In the social security bill, the so-called medicare bill of 1965, there were more than 500 amendments.

That is the kind of work that a smaller group of Senators should devote its attention to, and they can then present the Senate with their best judgment after they have obtained some idea of the various points of view of the Senate with respect to the legislation.

I am grateful to the committee for the work that it has done. I think it would be appropriate and proper that the committee take another look at this bill, consider the amendments that have been offered, consider the arguments made on those matters, and thereafter report back to the Senate its best and considered judgment.

If the committee follows this orderly procedure, I would be hopeful that we could dispose of the bill in perhaps 1 or 2 days should the committee report the bill back.

For those reasons, I hope that the Senate will see fit to send the bill back to the committee with the understanding that the committee will, as soon as it

deems appropriate, bring the bill back to the Senate with recommendations.

Mr. MONRONEY. Mr. President, I am very sorry indeed that the distinguished assistant majority leader and chairman of the Committee on Finance has moved to recommit the pending bill. I suppose it is only natural that some Senator would do so in view of the many amendments that have been offered.

Recommitting the bill would be a very grievous error. I urge that the Senate not take this action. Let me be crystal clear as to the reasons why I believe a recommittal would be futile and unfair considering the long effort made over the past 2 years by the Joint Committee on the Reorganization of the Congress.

This matter was committed to the special committee by a unanimous vote under a resolution of the Senate and under a resolution of the House to make this study. We heard a large number of witnesses and had many joint committee sessions in order to hear the testimony.

We have spent a great deal of time in executive session in an effort to work out what we had hoped would be the best possible recommendations for a modern Congress, one that would meet the challenges posed by the ever-growing workload that we must carry and the modern demands for service to both America and the world.

Most of the floor debate to date and the amendments which have been considered relate to matters outside the original jurisdiction of the Special Committee on the Organization of Congress.

We were powerless to take up matters affecting the floor rules, yet we have been talking for almost as many hours on these matters as we have on the matters which are germane and on which the committee was permitted to make recommendations for changing Senate procedures.

I do not think the fact that we are not able to resolve all the amendments is any disgrace to the committee. I feel that we have greatly reduced the number of amendments in the almost 3 weeks that we have been considering the bill.

It was not by the choice of the Special Committee on the Organization of the Congress that these amendments are here. We have tried to expedite the consideration of the bill. We have acted to date on 26 amendments.

Most of these amendments were offered by the senior Senator from Pennsylvania [Mr. CLARK].

We have adopted four of these amendments. We compromised on the language on some of the things that the Senate seeks to have done if the bill is recommitted.

We feel that we have displayed earnestness, and we will continue to do so in trying to meet the legitimate objections of Senators who state their belief that the committee is in error in making some of the proposals that it recommends. If the suggestions for changes seemed to be justified to the members of the committee, the committee made such recommendations. The Senate rejected about 18 amendments, and three amendments have been withdrawn.

We have acted on 26 amendments. We now have pending some 48 amendments. I would be much concerned if these 48 amendments came from 48 Members of the Senate. But, strangely enough, they do not. While we have one amendment from each of four Senators—Senator METCALF, Senator THURMOND, Senator CANNON, and Senator MAGNUSON—the other 37 amendments have been offered by only four Members of the Senate. I know of no way by which we can prevent amendments or fail to take them up.

We have attempted to provide the time and the logic and the reason as to our action. Most of the matters that have been suggested were thoroughly considered by the committee. Many of the amendments are duplications. They parallel the same issue. Some present a challenge to the Senate itself to have even the most fundamental rules of the Senate apply to Members of the Senate having rights in committees. Certainly, Members of the Senate have rights in committees.

I believe that we were justified in applying certain Senate rules to committee rules, because committees are not separate Senates in themselves. The chairmen of the committees are not masters of all Senators who are not members of those committees. The bill of rights that would be given to Senators is long overdue, and is a fine part of this legislation. That is not to say that we have not been willing to sit down and talk and compromise, wherever we could, or to modify, as we have done in a number of cases, some of the language that was in the bill.

I particularly refer to the strong argument that the distinguished chairman of the Committee on Finance has made again on the floor today, an argument that he made on September 8, 1966, at hearings of this committee, which were reopened at his request and at the request of others who appeared before the Committee on Rules and Administration.

Every Senator who had anything to complain about—the bill was then sought to be reported by the Special Committee on the Organization of Congress—had a right to testify, and many of them did. Senator JACKSON appeared, Senator MAGNUSON appeared, Senator LONG appeared. We had written statements from Senator HAYDEN, Senator Robertson, Senator BENNETT, and Senator JENNINGS RANDOLPH. This was after notice was given to all Senators.

We discussed the matters and heard at length the distinguished Senator from Louisiana on the matter of proxy voting. I will say to the Senator that we believe that we have modified this matter considerably. We are asking very little of committee chairmen, to provide a quorum in being and a voting majority of those attending on the final reporting of a bill to the floor of the Senate. We modified the original provision that would have allowed the denial of proxy voting in the markup parts of the bill, wherein the bill was being shaped by various amendments or was coming through the channel of legislation, through the subcommittees. The distinguished chairman of the Committee on Finance and other Senators convinced the committee that this would probably be too great a delaying proposition, possibly preventing legislation from getting to the floor, and thus would be more costly in time delay than it was worth.

However, certainly at one point in the consideration of legislation that is moving from a committee to the floor, the Senate itself has a right, and other Senators have a right, to expect a quorum in being and their presence when voting in the committee to report a bill.

The reason for this is simple. We require a Senator to be present in his seat in order to vote on legislation when it is being voted upon by the Senate. But every Senator knows that the vote of a Member in a committee, for the final reporting of a bill, is 10 times more important than the individual Member's vote on the floor. It is 10 times more important for him to vote for or against the bill in committee, and to be recorded for or against it in that place, than it is for him to vote when the bill reaches the floor.

Yet we believe that the roll call votes on the floor of the Senate are priceless. The distinguished Senator from Louisiana apparently does not think that it is important for Senators to be present, to hear the debates, and to be recorded, in the committee. He would go even further in his suggestions, which the committee was not able to accept, and say that every Member would be allowed 5 proxy votes on the floor of the Senate. In other words, we would be given 5 chances to vote by proxy and to be away during the consideration of very important bills.

Make no mistake, these proxy votes would probably occur many times, if they were permitted, on matters of high importance in legislation.

After hearing the suggestion to permit proxy voting on the floor, as well as to permit the continuation of any type of proxy voting that a committee chairman might decide he wants, the committee concluded that this would not be good legislative procedure. On the final markup, the actual, physical presence of a quorum of the committee and a quorum to vote are very important. One cannot argue with a proxy. The handful of proxies that a chairman may have in his pocket are votes of Senators who many times do not know the last changes that have been made in a bill as it came up to the final vote process. Very few of them provide any specifics as to how the Members shall vote. A proxy vote is a vote given to the chairman, or to some other member of the committee, to vote as the chairman would feel the Member wished to be voted. I have been guilty of that practice myself. But I do not think that the practice constitutes good Senate procedure.

Certainly, in one instance during the reporting of the bill to the Senate, the Member can be present in the committee; and if he cannot be there, then his vote should not be counted, any more than it should be counted when he cannot be on the floor of the Senate, when we are voting. I believe that both provisions are unwise.

The big issue that the junior Senator from Louisiana, the chairman of the Committee on Finance, is most concerned with is the establishment of a Commit-

tee on Veterans' Affairs. This proposal was before the Joint Committee on the Organization of the Congress in 1946. The original draft of the bill provided that separate Committees on Veterans' Affairs in the House and the Senate would be created. The House abolished the three or four committees that had conflicting jurisdiction and that dealt with veterans affairs, and consolidated veterans affairs in one committee, the Committee on Veterans' Affairs, which has since distinguished itself, I believe, in the adequate consideration of veterans legislation.

When the bill came to the Senate, it was amended to strike out the Committee on Veterans' Affairs as such and to divide its jurisdiction between the Committee on Labor and Public Welfare and the Committe on Finance. I believe that Senator George who was chairman of the Committee on Finance, was most effective in leaving matters dealing with veterans, as I recall, to the Committee on Finance, and matters dealing with welfare of the veterans to the Committee on Labor and Public Welfare. That arrangement has existed for some 20 years.

The committee was of the overwhelming opinion that because of the Korean war, the Vietnamese war, and other veterans' problems, including the veterans' educational program, the medical program, and other matters, the argument for the establishment of a Committee on Veterans' Affairs in the Senate as a companion to the one in the House would add to the clarification of the jurisdictions and would facilitate joint action by the two committees, both representing veterans. In other words, the Veterans' Committee of the House—we already have experienced this situation—often will not take up a bill that the Senate takes up, because they do not recognize the jurisdiction over here as being capable or proper in representing the veterans legislation.

We have lost many bills on which the Veterans' Committee in the House of Representatives refused to go to conference because they did not accept jurisdiction. This is a matter in which we do not want to burn down the house in order to get rid of the mice.

If the distinguished Senator feels that he wants to test this matter, to kill the suggestion or proposal of the establishment of the Veterans' Committee, he could quite easily have made that motion instead of the motion to recommit. I feel that a motion to recommit is going to be a death blow to the reorganization of the Congress. It is difficult to get 100 recommendations, which this bill contains that all Senators will subscribe to. That is primarily the reason why we have received some 63 amendments, practically all of which, except four, have been introduced by four Senators.

Other Senators do not seem to be, or have not been, deeply hostile to any of these matters. Perhaps they are waiting to exercise their parliamentary rights to amend those recommendations of which they disapprove. That is a procedure which the distinguished Senator from Louisiana [Mr. LONG] could properly have followed.

We discussed this matter for some 2 years to try to get together on recommendations that we felt both bodies could accept. There is no use in trying to recommend legislation that is going to die.

Mr. President, I am pleased that the number of Senators who object to our recommendations are few. But their production of amendments is in great quantity. However, when those amendments are singled out, these Senators are objecting to only a few things.

The three members of the Republican Party—the minority party—who served most faithfully, I am sure will agree that there was no partisanship whatsoever shown by the three majority Senators in our consideration of Senate matters.

On the other side of the Capitol, we had the same situation. There were three members of the minority party and three members of the majority party. We all worked together and attempted to perfect the bill in the interests of the House of Representatives as well as of the Senate. The Members of the House look forward to the bill being passed quickly by the Senate, then by the House, and then all of us can go to the country and say: this we have done because we felt it was high time to again modernize the organization of Congress.

The distinguished Senator from Pennsylvania [Mr. CLARK] has offered many amendments. The committee did not go as far as he would have liked it to go. However, now we are getting amendments from those who say that we are going too far. This is a problem one always faces in attempting any reorganization.

Mr. President, for the first time in 21 years, Congress has seriously undertaken a careful look, a bipartisan look, a studied look—a moderate look, if you will—at our organizational machinery. We would be in a pretty bad situation if we said that this bill is taking too much time, although no other bills are waiting or pushing. There is no reason to recommit the bill to make way for another bill. We can lay the bill aside if the debt limit bill comes in.

Mr. President, we have spent more time discussing rule XXII than we have spent in connection with this package of reforms that we are trying to bring about, embodying more than 100 separate ideas for the improvement of Congress.

I do not believe that laying the bill aside while necessary political recognition of ceremonials is conducted is necessary or proper, because I feel that when Senators return we will perhaps have had time to think about the matter. Perhaps we can look at the proposals again and discuss them in committee and try to do something about them.

Mr. LONG of Louisiana and Mr. HOLLAND addressed the Chair.

Mr. LONG of Louisiana. Mr. President, I would like to speak for a few additional moments on my motion.

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

Mr. LONG of Louisiana. I yield.

Mr. DIRKSEN. Mr. President, I contemplate offering an amendment to the motion to recommit. I understand it contains no instruction to report the bill back. I do believe there should be an instruction to report the bill back on a day certain, and I would offer an amendment since it is in order to add to the motion to recommit, instructions to report the bill back to the Senate not later than 30 days from this date.

Mr. MONRONEY. Mr. President, a parliamentary inquiry.

Mr. LONG of Louisiana. Mr. President, I so modify my motion.

The PRESIDING OFFICER. The Senator from Louisiana [Mr. LONG] modifies his motion to report the bill back to the Senate not later than 30 days from this date.

Mr. LONG of Louisiana. Mr. President, I wish to point out a few additional things which indicate that the bill should have more study.

One proposal that requires more study provides that the committee can hold closed hearings only if it is discussing a matter of national security or a matter that would have an adverse reflection on an individual.

Mr. President, the Committee on Finance has necessarily discussed tax returns from time to time, and the law forbids us to discuss these in public. That is one point that evidently was not considered by the special committee, but it is important.

Another proposal that should be considered requires that the statement of a witness be filed 2 days in advance of his appearance unless a majority of the committee determines otherwise. Many times only two or three Senators are present. Sometimes only one Senator is present to take the testimony of a witness who comes before the committee without a written statement. This provision would make it unlawful for the chairman of the committee to hear a witness who had not filed his statement 2 days in advance if a majority of the committee were not present to waive the rule.

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

Mr. LONG of Louisiana. I yield.

Mr. MONRONEY. Mr. President, the requirement of a quorum would apply only to final reporting; it would not apply to hearings. The open meeting is not an open hearing. I certainly feel that hearings should be open unless they affect the national security or the personal reputation of someone who might be damaged.

Mr. LONG of Louisiana. If the Senator will look at page 13 of the bill, he will see that the bill requires that a majority of a committee must vote to permit a witness to testify if he has not filed a written statement with the committee 2 days in advance. So if a majority of a committee were not present, it would be necessary to get a majority, which means that it would be necessary to produce a quorum.

Mr. MONRONEY. By a majority vote, not by a majority of the committee.

Mr. LONG of Louisiana. Many times in the Senate we do not have that kind of majority.

To continue, there are all sorts of make-work proposals—and expensive make-work proposals at that, in this bill.

It is required that a summary be made of the statement of every witness before he appears, and that after he has appeared, a summary must be made again. That would mean a summary before he appeared and a summary after he appeared. My guess is that that would cost at least $40,000 for one committee. Multiply that amount by 13 committees, and we are talking about a waste of $520,000.

There is another provision in the bill to require committees to publish their rules. The Committee on Finance has never needed written rules; we operate more or less by unanimous consent, so far as procedure is concerned, and we have had no complaints. If a member of the committee wants hearings to be held, the committee will hold them. If he wants additional witnesses to be called, the committee will call them. These are matters of procedure that Senators talk about and agree upon and then proceed to work out in the best way they can.

The requirement that 2 weeks' notice must be given before a committee can hold hearings, unless a majority of the committee meets and agrees to waive the 2-week rule, will result in a substantial delay in expediting business. A requirement that a committee normally cannot hold a closed hearing could create problems every now and then.

Any action taken by a committee should be discretionary with the committee, no rules should be spelled out for the committee. We are not talking about the national security or about adverse reflection upon an individual. Wherever a problem exists, it should be worked out quietly by reasoning with the people concerned, rather than by forcing them to have an argument out in the open, where tempers tend to become excited and people find themselves frozen into positions.

Many times the Committee on Finance holds 1-day hearings, at which views both pro and con are heard. But the bill provides that if the minority wants to call witnesses, it will be necessary to set aside a separate day. Why should we not call all witnesses at one time?

The bill would require the setting aside of a separate day to hear the so-called minority views.

Furthermore, section 105 would create special legislative review specialists which each committee could have.

Why do we have to pass a law to tell a committee what it can or cannot have?

Furthermore, the proposal would require, when we bring in a conference report, that we have to have a separate statement of all Senate conferees, which is different from a tried and established principle. For a long time we have had a statement from the House managers who speak for the conference. I have no objection at all if the conferees want to file separate statements, but why do we have to write it into law?

This is just one more make-work procedure.

Section 122 would prohibit a Senator from serving on more than one of the following committees: Appropriations, Armed Services, Finance, and Foreign Relations.

Mr. President, this does not affect me. I once served on the Committee on Foreign Relations but because of pressing duties, I chose to resign. But when we have a Senator—a very great Senator—one who is extremely brilliant, competent, and able, and has a great amount of ability to give to his country, why should we have to say that such a Senator cannot serve both on the Appropriations and the Armed Services Committees particularly if he so chooses?

For the good of the country, it might be essential that perhaps the ablest Member of the Senate should serve on those two committees. It might be a great loss to the Nation not to have the benefit of the abilities of one of our best Senators to serve on two of those four committees.

The bill also seems to suggest that we have to have a majority and a minority staff.

As chairman of the Finance Committee, I approached Republican members of the committee and said to them, "Do you Republicans want to have some people named who would be responsible to the Republicans alone?"

They said, "No, we would much prefer to have a professional staff giving the same information to Democrats that they give to Republicans. We would rather not have partisanship on the committee staff. We would rather have everyone a staff professional, equally responsible to every member of the committee."

Mr. President, if that is how the committee wants to act, why should we have to pass a law providing that we have a partisan staff, some Republicans and some Democrats? If the committee prefers to have a nonpartisan staff, why not let it have one?

Those, Mr. President, are some of the problems that the bill would create for one committee. As I say, the various things I am talking about are not going to save any money but instead will cost additional money, and will also take a great deal more time. Instead of streamlining Senate procedure, I believe that it will impede it.

Mr. President, I hope that these comments I am making will be considered by the Senate.

At the time the special committee proposed to report the bill, they gave to committee chairmen the privilege of coming before the special committee to explain the problems the bill might create for their committees. Only three of us appeared. I am happy to say that they did, as I recall, adopt some amendments in order to meet the objections of each one of us who went before the special committee. But in the very brief time afforded us, we did not have enough time to find all the "bugs" in the bill and bring up a good many of the problems which would be created for a single committee. I would assume that the situation would be the same with regard to others who might not have studied the subject in as great a detail as some of us on the Finance Committee have.

Mr. HOLLAND. Mr. President, will the Senator from Oklahoma yield me 3 or 4 minutes?

Mr. MONRONEY. I am happy to yield 3 or 4 minutes to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized for 4 minutes.

Mr. HOLLAND. Mr. President, I think that a great deal of good work has gone into the creation of the pending bill. I do not think it is a bill which should be recommitted. The fact that it would be recommitted under the present motion, with a time limit for it to be reported, takes something out of the sting of a recommittal. However, I want to say to the distinguished Senator from Louisiana, that had he proposed some of the corrections which he has just made on the floor by way of amendments to the bill, the Senator from Florida would have been glad to support them.

The Senator from Florida has told the Senator from Oklahoma from the beginning that there were certain points in the bill to which he objected. The trouble is that we have been spending our time, in the main, considering amendments which lie beyond the scope of the authority of the committee, and other amendments, in the nature of real reforms; but so far as the Senator from Florida is concerned, he has heard very few amendments suggested which really tend to improve or correct the wording of the bill itself.

I think that if we were given a few days to go into such amendments as the distinguished Senator from Louisiana has mentioned, we could make real progress and get the bill passed.

There is great merit in many provisions of the bill.

Any one of us who thinks that the country does not believe Congress, including the Senate, should be somewhat modernized, I think, is not correctly informed; because I believe that the country does think the Senate should be somewhat modernized as to its rules.

I want to say, as one Senator, that I appreciate the labor which has been put forth by members of this committee in a completely nonpartisan way in reporting the bill.

I am only sorry that we have not had amendments proposed to the exact provisions of the bill which would permit us to correct what individual Senators and the majority of us might think are portions of the bill which need correcting.

I hope that the bill will not be recommitted and that we will go ahead and consider amendments which really run to the question of correction, or changes in the wording of the bill.

I thank the Senator from Oklahoma for yielding to me.

Mr. MONRONEY. I thank the Senator from Florida.

Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time for the quorum not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered; and the clerk will call the roll.

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

[No. 18 Leg.]

Aiken	Byrd, W. Va.	Gore
Anderson	Cannon	Harris
Bartlett	Clark	Hartke
Bible	Cotton	Hayden
Burdick	Dodd	Hill
Byrd, Va.	Ellender	Holland

Hollings	McClellan	Percy
Jackson	McGee	Proxmire
Jordan, N.C.	Metcalf	Ribicoff
Kuchel	Monroney	Russell
Lausche	Montoya	Sparkman
Long, La.	Moss	Stennis
Magnuson	Muskie	Symington
Mansfield	Pastore	Tydings
McCarthy	Pell	

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	Gruening	Murphy
Baker	Hansen	Nelson
Bennett	Hart	Pearson
Boggs	Hatfield	Prouty
Brewster	Hickenlooper	Randolph
Brooke	Hruska	Scott
Carlson	Javits	Smith
Case	Jordan, Idaho	Spong
Cooper	Kennedy, N.Y.	Talmadge
Curtis	McGovern	Thurmond
Dirksen	Miller	Williams, N.J.
Dominick	Mondale	Williams, Del.
Ervin	Morse	Yarborough
Fannin	Morton	Young, N. Dak.
Fong	Mundt	Young, Ohio

The PRESIDING OFFICER. A quorum is present.

Mr. MONRONEY. Mr. President, I ask for the yeas and nays on the motion to recommit.

The yeas and nays were ordered.

Mr. MONRONEY. Mr. President, I yield 6 minutes to the distinguished majority leader.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, the pending bill to improve the organization of the Congress is the outgrowth of a congressional mandate to a special committee to conduct an investigation and to make proposals in this field. The Members of the Senate delegation to that special committee were well chosen and their devotion to that task was exemplary. The chairman of the Senate delegation is a man without equal in dedication to and expertise in better congressional organization and reform. He was cochairman of a similar joint committee with the late Senator Robert M. La Follette in 1946 which streamlined the Congress that year. His efforts then were significant, his proposals then were far reaching—and time has shown their immense wisdom.

We were fortunate to gain his consent. He did not ask to serve, but was requested to serve again so that his expertise, his dedication and his broadened experience during the intervening 21 years could be utilized in determining the proper areas for attention to further improve our efficiency and effectiveness.

We were fortunate also to have enlisted the service of so capable a ranking Member from the other side of the aisle as the senior Senator from South Dakota [Mr. MUNDT]. His studious endeavor to achieve effective reforms contributed greatly to the specific proposals which we have under consideration. I concur fully with his remarks on this floor a few days ago when he said this Reorganization Act has much to offer—that it has a great deal of merit; I agree with his view that the disagreement of some Members with some aspects simply does not warrant sending the whole package back to committee.

It is significant that the proposals contained in this bill receive the endorsement of every member of the special committee; our delegation was truly outstanding: the junior Senator from Alabama [Mr. SPARKMAN], the senior Senator from New Jersey [Mr. CASE], my junior colleague from Montana [Mr. METCALF], and the junior Senator from Delaware [Mr. BOGGS]—all of these Members directed their outstanding talents and devoted so many months of their valuable time to the task the Senate requested. Their response to our mandate should be commended—it certainly should not be found wanting. They heard every quarter that desired to express a viewpoint; 199 witnesses appeared. Ample notice and publication was given these hearings—106 Members of Congress testified in person or by statement before that committee. They assimilated well and fully these recommendations and brought forth their combined judgment. It cannot be said that the conclusions reached and the proposals submitted by the special committee are not well thought out. The bill does propose change—our establishment of the special committee implied that change was not only necessary but desirable and long overdue. We may disagree with specific aspects, but the proper place now to offer alternatives is on the floor of the Senate.

A recommittal motion, with or without a time limitation, in my opinion, is not the proper method by which to express dissatisfaction with specific proposals contained in the bill. The committee has made its judgment. There is no reason to believe that further study by the special committee would result in different proposals. The special committee has brought forward its judgment, the Senate as a whole must now face up to whether these proposals shall be instituted. The Senate should now exercise its judgment. I urge the rejection of the recommittal motion.

In my opinion a vote to recommit the work of this committee is a vote to kill the year and a half labor of this committee.

Mr. MONRONEY. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Oklahoma has 3 minutes remaining.

Mr. MONRONEY. Mr. President, I yield 2 minutes to the senior Senator from Pennsylvania.

Mr. CLARK. Mr. President, I hope the motion to recommit will be defeated. While it is true that there are many amendments to the pending bill, there are not that many issues involved here. We have been able to dispose of many of them without controversy.

There is no reason why we cannot continue to do so from now on. There is nothing pressing on the Senate Calendar. We can dispose of the pending bill within the next week or 10 days. If we put it off and then come back, we will run right into the middle of the Vietnam appropriations bill and into a heavily congested Senate Calendar.

There is not a thing that the committee can do that it has not done. I do not think that this is an outstanding bill, but there are good things in it that we should not lose.

We have provided for Senate conference reports and a committee bill of rights, and each of us will have a new legislative assistant. We are reducing the size of committees. We are professionalizing the Capitol police force. We have provided for microphones in the Senate Chamber. We are consolidating the telegraph and telephone allowance to Senators. We have provided for an August recess.

These are worthwhile reforms. We should make these reforms now.

Mr. President, I yield back the remainder of my time.

Mr. LONG of Louisiana. Mr. President, I yield 5 minutes to the distinguished minority leader.

Mr. DIRKSEN. Mr. President, very regretfully I find myself in opposition to the majority leader.

I served on the La Follette-Monroney committee 20 years ago. I know what a labor it is, and out of that experience I hope that the Senate will do a prudent job. It can do so by sending the bill back to committee.

If the bill dies in committee, it will be a confession by the committee itself which reported the bill that it will permit it to die.

We can always call the measure back if we want to.

When I refer to a prudent job, I want to be sure that there is a minimum amount of defect contained in the bill.

In the 1946 bill, we provided for a legislative budget, and the whole thing collapsed. We finally set it up on a subcommittee basis. That was a contributing factor to the impairment of my eyesight, and I had to quit Congress as a result.

We reduced the number of committees in the House from 43 to 19, and in the Senate from 33 to 15.

What was the result? The result was a proliferation of subcommittees. I serve today on 20 subcommittees. How can a Senator do his work within the limitations of time on that kind of basis? It simply cannot be done.

Other things were contained in that bill at that time which experience has shown did not work out.

We included a provision that Congress ought to adjourn before the 31st of July, but there was a little emergency hook contained in the measure that we could take refuge on. It is still in effect and has been since the Korean emergency.

When one wants to get Congress adjourned, the opponents to such adjournment can always take refuge in that little language in the reorganization act.

There are a lot of other defects contained in the bill that time and experience have shown to be present.

On the basis of the discussion we have

had on the votes and the amendments that were offered—and there are now still 55 amendments pending—this bill ought to be sent back to committee.

Not the least of the difficulties will be the amendments contemplated by the distinguished senior Senator from Pennsylvania on the question of disclosing income or liabilities and assets, and all the folderol that goes with it.

Still another amendment deals with other provisions of a like measure. The distingushed Senator from Delaware proposes to offer a substitute that would require that income tax returns be made available to the Committee on Standards and Conduct.

When we set up that committee, we made some provision for it. We said that they should recommend to the Senate whatever their experience shows to be wise.

The Cooper resolution states:

It shall be the duty of the Select Committee to:

(3) Recommend to the Senate, by report or resolution, such additional rules or regulations as the Select Committee shall determine to be necessary or desirable to insure proper standards of conduct by Members of the Senate, and by officers or employees of the Senate, . . .

We have not even given the committee a chance to do anything about it. We are going to cut the throats of these committees if these amendments offered by the distinguished senior Senator from Pennsylvania are agreed to.

The Senator has not given us any assurance with respect to rule XXII, as to whether that matter will come up. Under the procedure here, that will be disposed of by a majority vote, and if I have to lead a filibuster, if I can do so, I am going to do it.

I am not going to permit that kind of business.

We have been through that before.

The other amendment states in effect that the Senate is not a continuing body. We are not going to rewrite these rules on the floor of the Senate. That is a staff job. It has to be done in committee.

The bill should be referred to the committee with the instruction that it must report it back in 30 days. If the committee wants to let it die, it will be its funeral and not ours, but we can still resurrect it.

Mr. LONG of Louisiana. Mr. President, I believe I have 4 minutes remaining.

The PRESIDING OFFICER. The Senator from Louisiana is correct.

Mr. LONG of Louisiana. Mr. President, there are all sorts of items contained in the bill that ought to be changed. The best way to accomplish change is in the committee.

When I made my first speech on the subject, I set out 15 amendments that I thought should be agreed to. For example, there was the provision that all committee meetings should be open. That matter should be entirely discretionary with the committee as to whether the committee meeting should be open or closed. There was also the matter of saying that we could not vote in the committee to report a bill by proxy. That would create a lot of trouble.

We may have a tie vote, and a Senator may be in the hospital or in Washington State or in Maine, and we would have to hold up everything and bring him to the Senate.

There is also the provision that if anyone objects to the majority report of a committee, you must wait 2 days for the minority to file its views, and after the bill has been reported, it has to lay over for 3 days before a vote can be taken.

Much has been said about streamlining the operation of the Senate. Yet there is a requirement in this very bill for a 5-day delay. If you wish to call a hearing, you must give 14 days' notice. If a man wishes to testify, you must have the man there, with a statement, 48 hours ahead of time. And you cannot excuse him for not having a statement, unless you have a majority of the committee there agreeing to do so. So you have to get perhaps nine people to excuse a man because he does not have a statement ready 48 hours ahead of time.

Then, we have the Capitol Hill Employment Service, to find jobs for jobseekers on Capitol Hill.

This bill is different from the previous Reorganization Act, which gave us less committees. This time we are given two additional committees, and at what potential cost?

Look at that chart. If you set up a special committee to consider nothing but veterans, who will ever want to serve on it? It could well cost the taxpayers $776 billion.

Expenses for veterans which have resulted from the big wars have exceeded the cost of the wars by 3 to 1. If a special pension provision is passed, the cost of veterans' benefits will be 10 times the cost of war.

The chart to which I direct your attention indicates a computation of what the cost of the Korean war would be with such a pension added. That war cost $18 billion. We have already provided $69 billion in benefits for veterans of that war—3 times as much as the Korean war cost. If the cost of a special pension is added, the cost of benefits for veterans of the Korean war will be $184 billion, and the cost of the war itself was only $18 billion.

Mr. President, a committee to consider nearly $1 trillion of veterans' benefits should be a committee that has the responsibility of financing its Government and providing funds. That is why the Committee on Finance was given jurisdiction of veterans' matters.

That question, plus all the other impediments of the bill which make it difficult for a committee to operate, should be studied.

I do wish to say that the special committee has been considerate. It did consider our suggestions; and when suggestions were made as to ways the bill could be and should be improved, the committee often took those suggestions to heart.

I have submitted 15 amendments that I believe should be included in the bill. When we have all these amendments to consider, a committee should study them, so that we would not have to offer 15 amendments and insist on rollcall votes here on the floor. That is why I urge the committee to consider these amendments, to consider the views that have been expressed on the floor, and then to report a bill that we hope will be one that can be voted through without many additional amendments.

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

Mr. LONG of Louisiana. I yield.

Mr. DIRKSEN. If anybody is deeply concerned about the Veterans' Committee, I have 50 sponsors on the bill to create a Veterans' Committee, and there will be a Veterans' Committee, despite this bill.

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. LONG of Louisiana. I yield.

Mr. HOLLAND. Am I correct in my understanding that if the motion of the Senator should prevail, the limitations in the original resolution setting up this special committee would still be in effect?

Mr. LONG of Louisiana. The Senator's understanding is correct.

Mr. HOLLAND. I thank the Senator.

Mr. President, make no mistake about it, the recommittal of this bill will be the death of the bill. We can reach every objection made by any Senator by taking up these amendments. If it is worth fighting 2, 3, or 4 weeks at a time over a single rule, rule XXII, can we not give a week or two to the matter of correcting all the rules and regulations of the Senate?

I yield the remainder of my time to the distinguished Senator from North Dakota.

Mr. MUNDT. Mr. President, I believe that the Senator from Louisiana has sort of let the cat out of the bag, in connection with the reason why he is seeking to recommit this bill, when he dwells on the argument that he does not believe there should be a separate Veterans' Committee in the Senate.

My beloved minority leader has said that he has introduced a bill on that subject. Great, gracious Aunt Nellie, we have already introduced more than 50 bills on that subject over many years in the Senate, and time after time they have failed. We are still without a Senate Committee on Veterans' Affairs. This is an opportunity to get a Veterans' Committee in the Senate. This is a real opportunity to get a lot of other reforms which are essential to develop more efficiency and more economy and, above all, greater authority for the Senate.

We have it directly from the source, when the majority leader says that a vote to recommit this bill is a vote to kill it. He knows what the agenda is 30 days from today. He knows the problems which confront the Senate. We have it on the record from the majority leader—a vote to recommit is a vote to kill these proposals to reform, revitalize, and strengthen the Senate.

I do not believe that we should kill the bill. We should proceed with these reforms. We should make progress as to which amendments can be considered on the floor and voted up or down.

Certainly, the argument of the minority leader that he favors recommital because he opposes some amendments is irrelevant, because you simply postpone the agony of considering these very same

amendments to 30 days from now. I am sure that the Senator from Louisiana and the Senator from Pennsylvania will be back with their amendments 30 days from now.

We have to face up to the issues. We cannot duck them. If we desire some increase in the power, stature, and authority of the Senate, let us vote against recommitting this bill. If we are satisfied with the status quo and do not desire any improvements, recommit the bill and forget it, because it is gone.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to the motion to recommit the bill and to report it back within 30 days. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], and the Senator from New Hampshire [Mr. MCINTYRE] are absent on official business.

I also announce that the Senator from Idaho [Mr. CHURCH], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Florida [Mr. SMATHERS], and the Senator from Georgia [Mr. TALMADGE] are necessarily absent.

I further announce that, if present and voting, the Senator from Hawaii [Mr. INOUYE], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Indiana [Mr. BAYH], and the Senator from Idaho [Mr. CHURCH] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Michigan [Mr. GRIFFIN] is necessarily absent.

The Senator from Texas [Mr. TOWER] is absent on official business.

On this vote, the Senator from Texas [Mr. TOWER] is paired with the Senator from Michigan [Mr. GRIFFIN]. If present and voting, the Senator from Texas would vote "yea," and the Senator from Michigan would vote "nay."

The result was announced—yeas 18, nays 70, as follows:

[No. 19 Leg.]

YEAS—18

Aiken	Hansen	McCarthy
Baker	Hartke	Morse
Bennett	Hill	Russell
Dirksen	Hruska	Smith
Ellender	Lausche	Stennis
Fannin	Long, La.	Williams, N.J.

NAYS—70

Allott	Fong	McGovern
Anderson	Gore	Metcalf
Bartlett	Gruening	Miller
Bible	Harris	Mondale
Boggs	Hart	Monroney
Brewster	Hatfield	Montoya
Brooke	Hayden	Morton
Burdick	Hickenlooper	Moss
Byrd, Va.	Holland	Mundt
Byrd, W. Va.	Hollings	Murphy
Cannon	Jackson	Muskie
Carlson	Javits	Nelson
Case	Jordan, N.C.	Pastore
Clark	Jordan, Idaho	Pearson
Cooper	Kennedy, N.Y.	Pell
Cotton	Kuchel	Percy
Curtis	Magnuson	Prouty
Dodd	Mansfield	Proxmire
Dominick	McClellan	Randolph
Ervin	McGee	Ribicoff
Scott	Thurmond	Young, N. Dak.
Sparkman	Tydings	Young, Ohio
Spong	Williams, Del.	
Symington	Yarborough	

NOT VOTING—12

Bayh	Griffin	McIntyre
Church	Inouye	Smathers
Eastland	Kennedy, Mass.	Talmadge
Fulbright	Long, Mo.	Tower

So the motion of Mr. LONG of Louisiana to recommit was rejected.

Mr. MONRONEY. Mr. President, I move to reconsider the vote by which the motion was rejected.

Mr. MUNDT. Mr. President, I move to lay that motion on the table.

The motion to lay on the table the motion to recommit was agreed to.

AMENDMENT NO. 69

Mr. LONG of Louisiana. Mr. President, I call up my amendment No. 69 and ask that it be stated.

The PRESIDING OFFICER (Mr. GORE in the chair). The amendment will be stated.

The assistant legislative clerk read as follows:

On page 7, in the second sentence which would be added to section 133(d) of the Legislative Reorganization Act of 1946 by section 102(d) of the bill (as inserted by amendment numbered 35, agreed to January 26, 1967), immediately after the words "may be cast by proxy", insert the words "if rules adopted by such committee forbid the casting of votes for that purpose by proxy".

Mr. DIRKSEN. Mr. President, will the Senator yield? I should like to ask the majority leader a question about the schedule before Senators leave the Chamber.

The PRESIDING OFFICER. Does the Senator from Louisiana yield?

Mr. LONG of Louisiana. Mr. President, I yield for a question.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, on the basis of the progress we have made thus far it is quite evident to me, and I think to everybody, that this bill cannot be finished this week or early next week.

Hearings have started on the public debt bill, and, as I understand, it has to pass both Houses and be signed by the President not later than Wednesday. It would appear that this matter would have to be set aside when the time comes for the consideration of the public debt bill.

I am wondering, in view of our arrangement for the Lincoln Birthday recess, what is contemplated for the remainder of the week. Certainly we cannot have a record vote after the working day ends Wednesday.

Mr. MANSFIELD. Would the Senator refresh my memory as to when the present legislation affecting the debt limit expires? I thought it was the 28th, the end of the month.

Mr. DIRKSEN. I understood it had to be done by the 15th.

Mr. LONG of Louisiana. The Secretary of the Treasury testified that he had to have the bill to increase the debt limit by the end of February, otherwise the Government cannot pay its bills.

Mr. DIRKSEN. I do not know where I got the idea of the 15th, but I think I got it from the committee or from the Treasury, one of the two. But, if that is the case, then, of course, we do not have to bother, and we can go ahead with the bill and consider all 53 amendments which still remain.

Mr. MANSFIELD. I would say, if it is a matter of the 15th, we will, of course, lay this bill aside temporality. If it is the 28th, the end of the month, I think we should continue with the present measure; now that we have had a vote expressing the will of the Senate to continue with this legislation to a conclusion, we should go ahead and dispose of this bill one way or the other.

Following the reorganization bill, or during its consideration if necessary, we would, of course, take up the debt limit legislation because it does have a deadline.

Now I should like to have the attention of the Senator from Louisiana [Mr. ELLENDER], to say that we have a number of committee budget resolutions on the calendar, in which he shows a perennial interest, and they will be scheduled in due course in the near future after the Lincoln holiday recess.

Mr. DIRKSEN. Let me ask this one question: I think my understanding is correct, but have we not agreed that on Friday, if we are in session, and Saturday, if we should be in session, and Monday and Tuesday, there would be no record votes of the Senate?

Mr. MANSFIELD. That is correct.

Mr. MAGNUSON. I wish the Senator would clear that up for me. We expect to be here until the close of business, with perhaps a record vote, on Thursday?

Mr. MANSFIELD. That is correct. Every Senator should have in his desk a copy of the holiday schedule for the remainder of the session. We will be in session until the conclusion of business Thursday this week and we will then adjourn until noon Wednesday next week.

Mr. PASTORE. And rather clearly. Rather clearly, may I say.

Mr. MONRONEY. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I wish to take only a minute on my amendment. Mr. President, what the amendment provides for is that we would simply continue as we have always done with regard to proxy voting in committees. The pending bill provides that a Senator shall not be recorded by proxy in voting to report a bill from a committee. My amendment would simply leave it up to the committee, in its own rules, as to how it wants to do it. If a committee wants to permit an absent Senator to be recorded by proxy, it can do so. If it does not want to, it does not have to.

Mr. President, in my judgment, it is patently ridiculous to make a Senator, perhaps on his deathbed at Walter Reed Hospital or at Bethesda Naval Hospital, come down to the committee room to vote, when he is available by telephone and he can be asked how he would like to be recorded on a particular bill. Sometimes a Senator has to go home to campaign during an election year, and it is a simple matter to get him on the telephone and ask him how he would like to be recorded on a particular bill. This has been standard procedure. If some committee wants to make itself a ruling

that an absent Senator must be recorded, my amendment would permit that, but it would be discretionary with a committee whether it wanted to permit members to be recorded by proxy or whether it did not want them to be recorded by proxy.

Thus, those of us who have proxy voting, such as in the Finance Committee, for example, would probably like to continue the practice, because it has worked very well. For those committees that want to forbid proxy voting, they would have the privilege of doing so.

Mr. CARLSON. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. CARLSON. I wish to state that we have followed the system of voting by proxy, but we always have a quorum present at the beginning of a session. We do not meet without a quorum, but we do obtain proxies, and I hope that we can continue this system.

Mr. MAGNUSON. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. MAGNUSON. As a practical matter—I am speaking only for the Committee on Commerce, but I think I may also include the Committee on Appropriations—in many cases, where work piles up toward the end of a session, and we are all trying to get the big appropriations through, we will have proxies. Sometimes the proxies are between the two rooms—downstairs even, where there are important witnesses. But the committee decides this itself, and any bill that any committee member thinks is of such importance that he wanted to speak up and say, "I do not think that we should allow proxies on this particular bill," or wishes to make a motion, we, of course, adhere to that and say, "All right, we will abolish proxies."

There are literally all kinds of legislation where this must be done. There is nothing particularly inherently bad in it because there might be a Senator who is conducting hearings on a particular bill, and he knows his position on that bill, but it might be that when the time comes for a vote, he cannot for some reason be present. On many occasions when important things were happening, we have waived a priority to permit him to attend another committee, where a vote would be had in 15 minutes, or where many more things were going on. The Senator would say, "I will be in the Finance Committee. When you are ready to vote, call me; or if it is all right, I am voting 'yea.'" That is what happens. Otherwise, the Senator might have to disrupt the Finance Committee meeting, or something else he might be concerned with, in order to return to the other committee and cast his vote in the manner that he knows he will cast it. Of course, we make it a point to get his vote in writing so that there will be no question about it, and the proxies are filed with the committee clerks. There is no question about the way a Senator voted.

The language in the bill sounds good, but in the running of large committees, having an abundance of legislation, all of it important, there are some priorities. Hundreds of nominations, for instance, are considered by the Commerce Committee. Obviously, we could not have every member of the committee present to vote on nominations. We would not want to do that, because some nominations are not contested; they are merely perfunctory.

If a Senator has an interest in a particular nomination—perhaps it is a captain in the Coast Guard—the Senator can come in, and we would be willing to call in the whole committee. This proposal is a little impractical, although it sounds good. I have never known of an important bill in our committee on which the members have not been present to vote, particularly where there was controversy and the vote might have been close. On those occasions, we do not use proxies. In such a case, we try to have all Senators present. However, sometimes one or two may be sick. A Senator may not have been sick between the time he made up his mind as to his decision on an important piece of legislation and the time the bill was finished and he had digested it before the time for the vote—which may have been a week or 10 days or 2 weeks—but something might have happened that prevented him from actually being present. We cannot let a Senator throw away all the work he has done on a bill.

I speak for my committee, although I see in the Chamber many of my distinguished friends—four of them—on the Appropriations Committee. I think they will agree with me that it would be pretty hard for us, toward the busy end of an appropriations session, to do that, as legislation comes to this body, if we are not allowed some proxies. Would that not be true? I ask the Senator from Arizona.

Mr. HAYDEN. Yes.

Mr. MORTON. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. MORTON. I have listened with interest to the colloquy between my two committee chairmen and I want to associate myself with the remarks expressed by both. I have never, either on the Finance or Commerce Committees, witnessed the practice of proxy voting being abused. I do not know how either committee could function without it. As the Senator from Kansas [Mr. CARLSON] pointed out a few moments ago, we never begin an executive session of the Finance Committee without a quorum.

I may help to make the quorum. Then I may go up to the fifth floor, to a meeting of the Commerce Committee, and I will say to one of my colleagues, "This is the way I feel—A, B, or C. If it comes up, that is the way I would vote. If anything else comes up, you can call me back."

If it were not for that practice, I do not know how we would function.

The minority leader, in his remarks, talked about being on 20 subcommittees. If any member is to go into executive sessions without some sort of proxy rule, I do not know how the committees would function.

The privilege can be abused, of course, but if any chairman should be so dictatorial in running the committee as to abuse that privilege, under the terms of the amendment of the Senator from Louisiana, the committee could take that power away from him and say, "We shall have no more proxies." But in my years here, I have never seen it abused. It was, frankly, a help to me in 1962, when we stayed in session until October. I had a little difficulty in rejoining the Senate because of certain pressures in Kentucky. Perhaps the country, or the State, or the Senate would have been better off without my coming back here, but I am sure that if I had remained here instead of giving my proxy to the Senator from New Hampshire [Mr. COTTON] on the Commerce Committee and the Senator from Delaware [Mr. WILLIAMS] on the Finance Committee, I would not be here now. Of course, if anyone wants to say that we would have been better off with the Senator from Kentucky not being here, he may wish to vote against the amendment; but I like it here, and therefore, I am going to vote for the amendment.

Mr. RANDOLPH. Mr. President, will the Senator from Louisiana yield to me?

Mr. LONG of Louisiana. I yield to the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, the argument made by the Senator offering the amendment is a valid one. The Senator from Kentucky [Mr. COOPER], as the ranking minority member, and I, as chairman of the Committee on Public Works, have discussed the matter of the use of proxies. At times we have disagreed as to their use. At times we have been in accord, for example, today, our committee had before it the nomination of Mr. Lowell K. Bridwell to be the Administrator for the Federal Highway Administration, and the nomination of Joe W. Fleming II, to be the Federal Co-chairman of the Appalachian Regional Development Commission.

Since there was no opposition to either of these nominations, we think that we should be able to call on members of the committee, who by reason of other important business or because of today's inclement weather could not be present to join in the committee recommendation. Since there were no objections filed against either of the nominees, the Senator from Kentucky [Mr. COOPER] and I felt we could proceed to a polling of the membership on the nominations in question. To do otherwise would seem to me to be unduly delaying these nominations and further burden the already heavy schedules of our Members. There is much to recommend the thinking behind the amendment offered by the Senator from Louisiana.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. WILLIAMS of New Jersey. I have heard no opposition to the amendment offered by the Senator from Louisiana, and everything I feel has already been expressed. I wanted to tell the Senator from Louisiana that I agree with him. If there is no objection to it, I would think it should be supported by the Senate.

Mr. CLARK. Mr. President, on behalf of the floor manager of the bill, who was forced to leave the Chamber briefly, I should like to say it is definitely not true that there is no opposition to this amendment.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. WILLIAMS of New Jersey. No opposition was expressed to it after the amendment was offered until the point of my remarks. I heard no objection voiced to it.

Mr. CLARK. Mr. President, I yield myself 2 minutes.

The floor manager of the bill will shortly return to the Chamber. He asked me to occupy his chair while he was gone.

Earlier in the consideration of this bill, there was extensive floor discussion of the proxy rule. The Senator from South Dakota [Mr. MUNDT], I believe, was present at the time, as were one or two other members of the joint committee.

I was of the view that the proxy rule as it was brought to the floor was too rigorous. After extended discussion on the floor, the floor manager of the bill undertook to provide what I thought was a fair compromise and a fair result, so that the original provision, which would have prohibited proxies on votes in committee prior to reporting of the bill, was eliminated, and it was provided that proxy votes could be taken on amendments, subcommittee reporting, and on everything except the final reporting of the bill.

My own view was that the provision in the bill eliminating proxy voting on this last action, the reporting of the bill, is sound. Reporting of bills is a pretty important matter, and if a Senator is willing to serve here, he should be willing to be present for a vote on the final reporting of a bill. So I do not think that is a rigorous requirement. At any rate, I support that compromise which was worked out on the bill.

I apologize for not having noticed that the floor manager of the bill is present. I reserve the remainder of the time of the floor manager of the bill.

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

Mr. LONG of Louisiana. I yield to the Senator from Ohio.

Mr. President, how much time do I have?

The PRESIDING OFFICER. Eleven minutes.

Mr. LONG of Louisiana. I yield to the Senator from Ohio.

Mr. LAUSCHE. Does the amendment offered by the Senator from Louisiana provide for the giving of a blanket proxy, enabling the proxy to vote on any amendments coming up at the meeting at which a Senator does not vote?

Mr. LONG of Louisiana. It would be up to the committee to make its own rules. If a committee wanted to, it could prohibit blanket proxies. But the committee bill has already been amended so that proxies can be voted, except on the reporting of a bill. This amendment would provide for voting by proxy on the reporting of a bill, if the committee so desired. It could authorize proxies to be voted. If it did not want to do so, it could provide the other way around.

Mr. LAUSCHE. That is, the bill before the Senate, as reported by the committee, prohibits the granting of a proxy on the final committee action on the bill?

Mr. LONG of Louisiana. On whether to report the bill; yes.

Mr. LAUSCHE. The Senator's amendment would permit the granting of proxies, provided the committee rule authorizes it, not only on all preliminary issues, but also on the final vote?

Mr. LONG of Louisiana. Yes.

Mr. LAUSCHE. I regret that I cannot subscribe to the amendment.

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

Mr. MONRONEY. I yield.

The PRESIDING OFFICER. How much time does the Senator yield?

Mr. MONRONEY. I yield 5 minutes to the Senator from South Dakota.

Mr. MUNDT. May I say for the further edification of the Senator from Ohio, this whole procedure has gone through an evolutionary process. The joint committee, all the members from the Senate and the members from the House alike, unanimously agreed that voting by general proxy was an abuse which should be corrected; and in our first report, we eliminated all proxy voting in the committees.

Then, induced by the logic of some of our fellow members confronted by the opposition of some chairmen of committees, who felt that proxies facilitated the work, made legislation easier to pass, and made the committees easier to handle, the joint committee, led by our distinguished chairman, the Senator from Oklahoma, agreed to modify the amendment so that the same procedures which have been followed up to now would prevail up until the point of final passage of the committee bill. In the subcommittees, on all amendments, members can still collect proxies, carry them into the committee room, and the absentee members can outvote those who are present, which frequently happens. I think this procedure is wrong and our joint committee tried to correct it. However, as modified, our proposal now corrects it only insofar as the final vote is concerned.

We felt that there should be some precaution retained. So, on the final passage as a bill leaves the committee to go to the floor, our resolution now prohibits the voting of proxies.

I believe, Mr. President, that this is a defensible compromise. It is a step forward. We should recall that we would not consider permitting proxies to be voted on the floor of the Senate; and all relevant arguments, such as the desire of an absentee Member to exercise his vote as a member of the committee, pertain also to those who frequently and inadvertently are away from the Senate floor when important measures come up. I do not think anybody has seriously proposed that we permit proxy voting on the floor of the Senate; and, theoretically, the rules of the Senate are followed by the committees of the Senate, because they are creatures of the Senate.

I think at stake here, Mr. President, are some pretty basic fundamental principles. One of those is majority rule. Majority rule, if I understand it, means that a majority of those participating in the action determine the result. Frequently we have rather overwhelming majority votes for a President of the United States which still represent a minority of the populace eligible to vote, but at least it is a majority of those participating in the decision; but when you interpret majority rule to mean that it is ruled by a majority of those who belong to a body but do not participate, I think it is stretching the point and defeating the concept of majority rule.

The reason why this committee proposal is important, Mr. President, is that very frequently, in the course of long days of discussion of a bill, its original character is altered very substantially by amendments, and those amendments can be voted on by proxy. Those amendments can be voted on by whoever holds proxies for people who have never heard the amendment discussed. They may have given a general proxy, and said, "You vote me as you would vote," or "Vote me no against all amendments." In that way, the absentee brethren frequently override the decision of those who are there.

So it seems to me that at least we should, at the time of final committee passage, give the absentee member a chance to be there, and if he is not there, he should not have the right to make the determining vote by proxy.

If we believe in rule by a majority of those who participate, instead of those who are absent, proxy votes on final passage should be barred.

So I think this is a pretty legitimate rule. I do not believe our country, basically, believes in the old system of plural voting. Proxy voting, in the Senate, is a system of plural voting, and it is a system of plural voting in a committee, when one member, more zealous for some amendment than another, accumulates a group of proxies, offers an amendment, and then votes it through by the proxies, because we are honorable men; a committee chairman, or any member of the committee, is not going to say he has the proxies to defeat it which he does not have.

If a man has an amendment for which he has been crusading, and has accumulated the proxies and is authorized to cast them, it is most infrequent, if it ever happens, that the people opposing him are going to say, "I have a lot of other proxies on the other side," unless they have actually and specifically been authorized to vote them on the other side. I think now we have a chance to bring a little greater sense of responsibility to committee work. As we all know, in this body, committees play a most important part; and I see no reason, on final approval, for permitting proxy voting in the committees, when I think we unanimously disapprove of it on the floor of the Senate. It is all part of the same fabric, as I see the picture. I think we should retain the compromise position arrived at in agreement by colloquy with the distinguished Senators from Pennsylvania and Oklahoma. We should support the committee position.

Mr. LAUSCHE. Mr. President, will the Senator from Oklahoma yield me 3 minutes?

Mr. MONRONEY. I am happy to yield

3 minutes to the distinguished Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 3 minutes.

Mr. LAUSCHE. Mr. President, I merely wish to relate the impressions which I have gained through my service on the several committees of which I am a member.

Too frequently, I have observed the chairman loaded down with proxies accumulated from members who were not present at the meeting, but who gave to the chairman a general authority to exercise his judgment on what should be done on the separate issues being considered by the committee.

It might be argued that by giving the right of proxy to a chairman, or other member, on preliminary matters, the grantor of the proxy would be protected. It has just been pointed out by the Senator from South Dakota [Mr. MUNDT] that in the absence of a Senator, many amendments are adopted to which his proxy can be voted, but he does not know what those amendments are. If the proposal of the Senator from Oklahoma and the committee is adopted, the Senator who issued the proxy will have to be present at the casting of the final vote, and the other Senators will have a chance to tell him what changes have been made while he was absent.

It is a pretty painful situation to be on a committee and to observe the chairman voting six or seven proxies—and I say this with due respect and with due recognition of the heavy burden of work of a committee chairman—without the Senators who gave the proxies being fully acquainted with each of the issues involved.

Frankly, I was startled to see the bill brought to the Senate as it was. If there is complaint about chairmen having too much power—and I think that complaint is justified, on the basis of what I have seen since I first came to the Senate—this amendment will merely provide a little greater strength in making certain that all the issues will be understood to a maximum degree; although even with this improvement, they will not be adequately understood.

I think that the recommendation of the committee ought to be followed.

Mr. MONRONEY. Mr. President, since the original provision of the bill was changed and modified considerably in the effort to be as near to an agreement with the various Senators as we could, to eliminate any justifiable criticism of the way in which it was drawn, we sat down with those who were opposing our position on proxy use and tried to work out an agreement.

In the light of the recent rollcall on the motion to recommit, I say that we expect to sit down with the authors of these amendments and endeavor to modify them in such a way that the committee and the authors of the amendments believe is reasonable.

We have done this in a good many cases, and we would like to move toward that end on the 37 amendments that are pending by four of the Senators and on the four others that are pending from other Senators who have one amendment each.

We intend to counsel, to seek adjustment, and to modify where necessary without losing the benefits of a reorganization procedure.

I am tremendously grateful to the Senate for not recommitting the bill and thus destroying the opportunity of passing on it in its final form.

This amendment was modified, and I read from the modification as the language now reads on page 7 of the bill:

(d) Section 133(d) of that Act is amended by adding at the end thereof the following new sentences: "The vote of the committee to report a measure or matter shall require the concurrence of a majority of the members of the committee who are present. No vote of any member of any such committee to report a measure or matter may be cast by proxy. Action by any such committee in reporting any measure or matter in accordance with the requirements of this subsection shall constitute the ratification by the committee of all action theretofore taken by the committee with respect to that measure or matter, including votes taken upon the measure or matter or any amendment thereto, and no point of order shall lie with respect to that measure or matter on the ground that such previous action with respect thereto by such committee was not taken in compliance with such requirements. Whenever any such committee by rollcall vote reports any measure or matter, the report of the committee upon such measure or matter shall include a tabulation of the votes cast in favor of and the votes cast in opposition to such measure or matter by each member of the committee. Nothing contained in this subsection shall abrogate the power of any committee of either House to adopt rules (1) providing for proxy voting on all matters other than the reporting of a measure or matter, or (2) providing in accordance with the rules of that House for a lesser number as a quorum for any action other than the reporting of a measure or matter.".

As clearly as we can state it, we make the report of the bill the key factor in the transition of a bill. Hundreds of bills may be referred to a committee. When a bill comes up for final action by the committee and transmission to the floor, we make that a matter of a guaranteed quorum by the majority of the members present, and those present must vote by their vote, and not by proxy.

I have been around a good long time in various committees. I have served under many chairmen. I know that no chairman endeavors to misuse or would misuse a proxy. However, the fact that I can vote from Oklahoma, Alaska, Hawaii, or Europe, if I happen to be there, by proxy vote, is not good parliamentary procedure. It is not good procedure to have a bare majority of one over the number of Senators present being allowed to vote on a measure with six or seven proxies perhaps in the hands of the chairman or the ranking minority member, or some other member of the committee, to be voted after the rollcall has been made and one knows how many votes are needed.

A Senator has probably received a good many proxies that have been handed to him, or perhaps, as is often the case, proxies have been solicited by Senators having a certain viewpoint and the proxies are then voted.

The object of the final markup and the final reporting of a bill is to be sure that the bill is right and that it is the result of majority action of the committee members voting intelligently on the bill as it moves to the floor.

We cannot have intelligent action when a man signs a proxy 2, 3, 4, or 5 days prior to that time. The bill may have been changed in the subcommittee or in the full committee discussion.

The way to be sure that it is the responsibility of each committee member is to have him present in person.

If I am absent, then I take the blame for being absent and missing the vote. I think I should be reported as being absent.

I do feel that when people pick up a report they are entitled to have printed at the end of a report—and our bill so provides—that the votes of the members of the committee shall be recorded. We would not have that right if it can be left to a proxy vote, the proxy having been given at a time when the bill might have been in an entirely different shape.

I think the people of Oklahoma are entitled to know how I vote and when I vote in person.

We would not think, as has been said, of permitting proxy voting on the floor of the Senate or the House, although the distinguished Senator from Louisiana does have an amendment that would provide that each Member be allowed 5 such votes. I do not know what the magic number of 5 proxy votes on the floor of the Senate might mean. However, I am sure that it would not be a thing that my people in Oklahoma would like to see. Neither do I feel that the importance of the vote in the committee—which is 10 times more important in the making of legislation than is the vote of a Member on the floor, because that vote is diluted by 99 other votes—should be permitted.

It would be a careless way to legislate if we were to permit proxy voting on the floor.

We have permitted it in committee, in the interest of moving legislation along in the formative period, but I think that the people have a right to know how we vote in person on the final report as the measure goes to the floor of the Senate to become, perhaps, the law of the land.

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

Mr. MONRONEY. I yield.

Mr. MAGNUSON. Would the Senate consider accepting an amendment worded, "Exclusive of nominations"?

Mr. MONRONEY. The Senator means the confirmation?

Mr. MAGNUSON. That is correct. That is a final vote, the reporting on the Senate floor. I can get the figures, but I think that we probably have approximately 3,000 going through the Committee on Commerce every session.

Mr. MONRONEY. I do not recall that many.

Mr. MAGNUSON. It involves every officer of the Coast Guard and of the

Coast and Geodetic Survey that gets an appointment, from lieutenant on up.

Mr. MONRONEY. Are they contested? Most of them go through without objection.

Mr. MAGNUSON. I know, but it constitutes a final passage. Each individual is reported to the Senate floor.

Mr. MONRONEY. This legislation applies, of course, where a rollcall vote is requested on legislation. Many bills are reported without conflict and do not require a proxy vote.

Mr. MAGNUSON. Mr. President, I want the RECORD to be clear then. The bill is modified so that it is only when there is a rollcall asked for by some committee member or the chairman.

Mr. MONRONEY. It would not have to be a rollcall.

Mr. MAGNUSON. The Senator is correct, but I say if a rollcall is asked for that would be so.

Mr. MONRONEY. The Senator is correct.

Mr. MAGNUSON. The clerk would call the roll, and that would not apply—the rollcall—on amendments to a bill. It would not apply to nominations unless a rollcall were asked for.

It would only apply to the final vote on reporting the bill to the floor of the Senate, which is sometimes done favorably, sometimes unfavorably, and sometimes without recommendations.

Mr. MONRONEY. It would require that a majority of the committee should vote.

Mr. MAGNUSON. It would not apply otherwise. Usually, before every controversial bill, some member of the committee moves to postpone the bill indefinitely and we call the roll.

So, we have it clear.

Mr. MONRONEY. A quorum would be required to do so.

Mr. MAGNUSON. I do not want some different interpretation put upon the language, if and when the bill is passed. I believe that the modification is much better than the original.

The Senator from Oklahoma has said that the people of Oklahoma are entitled to know how he votes. Of course, his vote is recorded, whether he votes by proxy or otherwise. There are very few instances in committees when a rollcall vote is not requested on bills of high priority or of a controversial nature. In most instances, a proxy vote cannot be secured on such bills.

I hope that the impression is not created that chairmen go around and pick up proxies at their own will. A proxy can only be secured if the Senator wishes to give it.

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

Mr. MONRONEY. I yield.

Mr. MUNDT. This matter of proxies is like Topsy—it has grown up astonishingly in our nice garden of legislative procedures. I recall that early in my career in the Senate, proxies were pretty zealously guarded, and committees established rules that the proxy had to be in writing, authorizing a member to vote in a specific way on a specific proposal.

Mr. MAGNUSON. If it is a very controversial piece of legislation.

Mr. MUNDT. Now, through precedent and practice, we have become more and more lax, until we have a general proxy.

I have sat in committees—as I believe other Senators have—and heard a Senator say, "I just got a telephone call from Joe Blow, who wants me to cast his proxy," pro or con. We do not challenge the Senator's word. I am sure he is telling the truth. Joe Blow is away, perhaps in Europe, perhaps campaigning, perhaps downtown.

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

Mr. MONRONEY. I yield.

Mr. MAGNUSON. I believe that the Senator from Oklahoma and the Senator from South Dakota are taking this matter out of perspective. I do not know of any particular proxies that I have had, in the Committee on Commerce, because a Senator happened to be in Europe.

Mr. MUNDT. There is nothing wrong with being in Europe on official business.

Mr. MAGNUSON. I cannot remember any such instances in my committee.

These instances occur mainly when a Senator has been present all morning, he knows that there is to be a vote on an amendment or a bill, and he has received a phone call to come to another committee. Ninety-nine percent of the Senators who give a proxy are in the building. As to this talk about a Senator giving another Senator a proxy because he is absent, in Europe, or someplace else, 99 44/100 percent of the time the Senator is in the building, on the premises, but he must be present somewhere else. The Senator has listened all the time. He says, "All right, if there is going to be a vote in the next half hour, I want to vote 'no.' I am going to the Committee on Foreign Relations or the Committee on Finance." And this is where they are.

I do not believe that the practice of giving proxies is abused by the absence of Senators from Washington or from the building or the premises where we do our business. There may be some such occasions. One may go through the files of my committee. I cannot recall a single instance of a proxy being used of a Senator who cabled me from Timbuktu or some such place.

The Senator from Oklahoma and the Senator from South Dakota are relating this matter out of shape. The practice of giving proxies is for the convenience of Senators who are here, who think they are busier some place else at the time and that it is more important that they be there at the time. That is what this discussion is all about.

Mr. MONRONEY. Mr. President, may I inquire how much time is remaining?

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The Senator from Oklahoma has 7 minutes remaining.

Mr. MUNDT. I doubt very much the statistics which the distinguished Senator from Washington first made when he said he thought that 99 percent of the time no Senator who was in Europe would make this kind of request for a proxy. Then the Senator from Washington became more enthusiastic and convinced himself of the validity of his argument, and he gave the figure of 99 44/100 percent. The Senator was 0.44 more wide of the mark the second time than the first, but I do not think that is material.

Mr. MAGNUSON. It is material when the Senator talks about the use of proxies by Senators in Europe.

Mr. MUNDT. I have seen them used.

Mr. MAGNUSON. If that is published, pretty soon we will receive letters asking, "Why were you in Europe when you gave a proxy to JOHN WILLIAMS to vote on a tax bill?"

Mr. MUNDT. Perhaps the members of the Senator's committee are more earthbound than some members of other committees, but there is nothing wrong with being officially in Europe. I simply point out that the Senators are absent in one place or another and for some reason or other.

Mr. MAGNUSON. One might be in Europe too much when Congress is in session.

Mr. MUNDT. If the Senate is to be run by proxies from Senators who are in Europe, it is wrong.

Mr. MONRONEY. It frequently occurs—I am sure the distinguished senior Senator from Washington will not deny this—that Senators are compelled to be away, and they leave a proxy for a week's time with a very trusted chairman or with a trusted member of the committee, and these proxies are voted because they have been left to be used as the Member holding the proxy may judge. I say that this is sloppy legislative procedure.

If we value our seats on the committees, if we value the work, then our consideration, our contribution, should be made at the point of final passage of the bill out of the committee. If a Senator is not there and if he is represented by a piece of paper in the chairman's pocket or the ranking member's pocket or in just a friend's pocket, he is not contributing to the final adjustment at the most important place as that legislation takes form.

Ninety percent or more of the legislation is passed by the Senate as it is reported by the committee, and I see no wisdom or sense or justification for short-circuiting the maximum attendance of the committee at the point of reporting the bill and the maximum accountability of every Senator at that point. If he is not there, he is absent; and he should not be able to control, from 1,000 or 2,000 miles away, how that committee action might take place in the committee room from which he has been forced to be absent. We do not permit it on the floor, and I do not believe that we should permit it in the committee.

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

Mr. MONRONEY. I yield.

Mr. PASTORE. Is that not basically the fault with the whole organization of the Senate? First of all, we pledge that each Member shall have two important appointments on two committees. Then he is barraged with a seat on a half dozen subcommittees. It becomes utterly impossible for a Senator to be in two separate places at the same time. The fault is with the system that we force upon ourselves. I do not believe that the fault is with the proxy system, as much

as it is with the whole organization of the Senate.

A Member of the House has one important post. He dedicates and devotes himself to that particular responsibility, and he does his job and does it well. He becomes an expert.

A Senator may be on two important committees. Consider, for example, the Senator who is a member of the Committee on Foreign Relations and, at the same time, a member of the Committee on Finance. Then he is put on a joint committee. He must separate himself among three important committees. And he may be on a half dozen subcommittees. I believe that I serve on four subcommittees of the Committee on Appropriations.

A Senator cannot attend all these meetings at the same time. If that Senator, who is in the building, is not allowed the process of proxy, what is the result? The result is that the legislative democratic process is defeated, because we do not get the benefit of his judgment. If that Senator is compelled to be present when he votes in a committee—and I do not find any fault with that procedure—we must do something to relieve him of the other assignments.

Mr. MONRONEY. May I say to my beloved friend, the Senator from Rhode Island, who makes a great contribution in many ways, that he cites two instances that are contained in this Reorganization Act. One is that we provide that no Senator shall serve on two major committees or one minor committee or joint committee or select committee. In other words, he can serve on two major committees and one minor committee. We also provide that a Senator cannot serve—after the expiration of the necessary grandfather clause—on more than one committee of the big four: the Committee on Appropriations, the Committee on Finance, the Committee on Foreign Affairs, and the Committee on Armed Services.

We are attempting to reach the very thing that the Senator says is cutting down on these.

In any committee on which I have ever served, if the clerk called me and said, "We are going to have a final vote on this bill at 11 o'clock, so be here," and I am scheduled to be in another committee, or I may be in another committee, I am going to break loose from hearing a little bit of testimony or something like that—90 percent of the committee hearings consists of taking testimony—and I will go to my committee, and know what the issue is, and intelligently cast my vote.

Mr. PASTORE. I realize that, and I agree 100 percent. I am finding no fault with the abolition of the proxy system. When important votes are taken, a Senator should be present. I am saying that there is an abuse that has progressed over the years only because of the basic fault within the organization of the Senate. Why are we waiting for grandfather to die in this case? Why do we not do something about it now? If we recognize this to be a fault, why not change the mechanism now? A Senator who serves on two major committees, subcommittees, and a joint committee, as I do, finds it impossible to attend all meetings. Why do we not correct the situation now? Why wait for grandfather to die?

The PRESIDING OFFICER. All remaining time of the Senator from Oklahoma has expired.

Mr. LONG of Louisiana. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Louisiana has 9 minutes remaining.

Mr. LONG of Louisiana. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have not been ordered.

Mr. LONG of Louisiana. Mr. President, I shall modify my amendment, at the end of the amendment where the period appears, by substituting a comma——

Mr. MUNDT. Mr. President, will the Senator speak louder?

Mr. LONG of Louisiana. I shall.

Mr. CLARK. Mr. President, have the yeas and nays been ordered?

Mr. LONG of Louisiana. They have not been ordered.

Mr. President, I modify my amendment at the end of the amendment where the period appears, by substituting a comma and adding:

However, proxies shall not be voted for such purpose except when the absent Senator has been informed on the matter on which he is being recorded and has affirmatively requested that he be so recorded.

Mr. President, that language would make clear that we would not permit a general proxy.

Mr. MUNDT. Has the Senator added those words?

Mr. LONG of Louisiana. Yes, on the motion——

The PRESIDING OFFICER. Will the Senator send the modification to the desk?

Mr. LONG of Louisiana. Mr. President, I shall yield to Senators, but I wish to explain that as far as this Senator is concerned, this modification would make clear that a Senator would only be recorded by proxy when he knows what the bill is and he knows he has the opportunity of being permitted to vote on reporting. If the Senator happens to be in his home or on official business, or where he is necessarily absent, in another part of the Capitol attending some other committee meeting, if he is called on the telephone and is told, "We are ready to report the bill. Do you wish to be recorded for the bill or against the bill?"—we can go ahead and vote him, making sure this general proxy is authorized in that instance.

As a matter of fact, Mr. President, on the committees on which I have had the privilege of serving, nobody ever gives a general proxy. The proxy has been directed toward a specific bill, to be recorded in a certain fashion. It seems to me to impede a measure unnecessarily when a man is in his office if he cannot be called and asked, "How do you want to be recorded: for or against the bill?"

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

Mr. LONG of Louisiana. I yield.

Mr. PASTORE. Why is there not added the thought that it has to be in writing? The proxy has to be given in writing, if we are looking for proof that a Senator was notified. One party will say, "I notified him," and the other party will say, "I did not get the call." If a Senator is at home, he could send a telegram—and that would be in writing—"I want to be recorded 'yea' on such and such an amendment."

If a Senator is in the building or if a Senator is in Bethesda Naval Hospital being examined, he could call on the telephone and have the message delivered, or he could have one of his assistants come out to the hospital. However, there should be documentary evidence of the vote.

Mr. LONG of Louisiana. We have a better arrangement in the Committee on Finance. If we have a tie vote we will get the Senator on the telephone. The Senators who are on one side of the question will take the telephone and explain their side to the Senator, and the Senators who are on the other side will then take the telephone and explain their side. Finally, the Senator will be asked: "How do you want to be recorded?" If someone changes his mind we would bring the bill back and take another look at it. We have never had trouble in trying to find out how a person wanted to be recorded. When a Senator is in the hospital and is sick, it would seem that the telephone is a fine invention. It has been here for a long time. It is no problem to call a Senator and determine how he wants to be recorded. Once in a while there might be a problem. It would seem to me that with the telephone both sides could call the Senator and the matter could be explained to him by the chairman, the ranking minority Senator, persons taking one side, and persons taking the other side; then everybody would be satisfied that that is how he wanted to be recorded.

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

Mr. LONG of Louisiana. I yield.

Mr. MONRONEY. Mr. President, we yielded to the Senator from Washington [Mr. MAGNUSON] who spoke representing the position of the Senator from Louisiana on the bill.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senator from Oklahoma be accorded 9 additional minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection and the 9 additional minutes are granted.

Mr. MUNDT. If the Senator feels that proxies are so important on a final vote—and there is some merit to the position of the Senator—certainly there is no reason why that should not be done in writing. Then we would have what is virtually the same thing as a Senator voting by his presence. Before a Senator states that he is going to sign in writing, he is going to be sure what the amendments are. That is what we are trying to do. We are trying to increase the responsibility, assumed by a Senator in the exercise of his vote because the Sen-

ator from Oklahoma [Mr. MONRONEY] makes a very significant point when he says that frequently a vote in committee is of a greater magnitude and importance than a vote on the floor of the Senate, where 99 other Senators can outvote one Senator.

The Senator from Louisiana [Mr. LONG] speaks of so many tie-breaking votes in that committee. It seems to be a common occurrence. If so, the tie votes should not be broken by absentee members.

Mr. LONG of Louisiana. Mr. President, I would have no objection to a Senator confirming his vote in writing, but sometimes we do need to call a Senator. There have been cases when there have been tie votes and it has been necessary to call a Senator at his home, on the telephone, and say to him, "We have arrived at a tie vote. Here is the issue. There are eight votes for it and eight votes against it. How do you want to be recorded?"

The committee is completely satisfied with that procedure. The two contending sides might talk to the Senator and determine how he wants to be recorded. When we have the Senator on the telephone, it would seem that he should be recorded. In other words, we cannot always get a note in advance because issues change. We can never be sure what the issue is going to be when the matter comes to a vote.

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

Mr. LONG of Louisiana. I yield.

Mr. MUNDT. Mr. President, as a taxpayer I am somewhat alarmed about the fact that there are so many tie votes in the Committee on Finance. It sounds as if many of the matters dealing with our taxes are decided by Senators talking over the telephone and casting votes in absentia by proxy. I hope that, under those circumstances, the committee would vote to defer action until the next day or until the absent Senators appeared. This is a significant point. The Senator should come in, and he would come in, and would know the full import of his tie-breaking vote before casting it.

Mr. GORE. Mr. President, whatever is done, we should not allow any proxies in the last 10 days of a session or the last 10 nights of a session.

Mr. MUNDT. It might save money for our taxpayers if we did not have votes in the Senate in the last 10 days of a session.

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

Mr. MONRONEY. Mr. President, I yield to the Senator from Montana, who is a member of the committee.

Mr. METCALF. Mr. President, the point is that the only time we need the presence of an individual Senator is on the final reporting of the bill. Proxies are allowed the remainder of the time. Somebody calls a Senator on the telephone and says, "Are you for reporting such and such a bill?" In that instance, the Senator does not know what amendments have been added. The Senator cannot find out even in a 30-minute telephone call exactly what has been done to a particular piece of legislation.

Mr. President, a Senator should be able to determine exactly the final disposition of the bill. Then, he could vote one way or the other. The preliminaries can be taken care of by committee rules, by proxies, by people making telephone calls or sending telegrams, and in many other ways. However, when a bill is reported with all of the amendments, changes, and ideas which have been inserted in the bill, the Senator should be there and say, "I am familiar with it. I know what happens. I vote to report the bill." That is all we are asking.

Mr. MONRONEY. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

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

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

Mr. MONRONEY. Mr. President, I yield back the remainder of my time.

Mr. LONG of Louisiana. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time having been yielded back, the question is on agreeing to the amendment, as modified, of the Senator from Louisiana [Mr. LONG].

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MANSFIELD (after having voted in the negative). On this vote, I have a pair with the distinguished Senator from New Mexico [Mr. ANDERSON]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Indiana [Mr. BAYH], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], and the Senator from New Hampshire [Mr. MCINTYRE] are absent on official business.

I also announce that the Senator from Idaho [Mr. CHURCH], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Florida [Mr. SMATHERS], and the Senator from Georgia [Mr. TALMADGE], are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. BAYH], the Senator from Idaho [Mr. CHURCH], and the Senator from Massachusetts [Mr. KENNEDY] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Michigan [Mr. GRIFFIN] is necessarily absent.

The Senator from Texas [Mr. TOWER] is absent on official business.

If present and voting, the Senator from Texas [Mr. TOWER] would vote "yea."

The result was announced—yeas 48, nays 38, as follows:

[No. 20 Leg.]

YEAS—48

Aiken	Hickenlooper	Murphy
Bartlett	Hill	Muskie
Bible	Hollings	Nelson
Brewster	Hruska	Pearson
Byrd, Va.	Jackson	Pell
Byrd, W. Va.	Javits	Randolph
Cannon	Jordan, N.C.	Ribicoff
Carlson	Kennedy, N.Y.	Russell
Cotton	Long, La.	Smith
Curtis	Magnuson	Spong
Dirksen	McCarthy	Stennis
Dodd	McClellan	Symington
Dominick	McGovern	Williams, N.J.
Fannin	Mondale	Yarborough
Hart	Morse	Young, N. Dak.
Hartke	Morton	Young, Ohio

NAYS—38

Allott	Gruening	Montoya
Baker	Hansen	Moss
Bennett	Harris	Mundt
Boggs	Hatfield	Pastore
Brooke	Hayden	Percy
Burdick	Holland	Prouty
Case	Jordan, Idaho	Proxmire
Clark	Kuchel	Scott
Cooper	Lausche	Sparkman
Ellender	McGee	Thurmond
Ervin	Metcalf	Tydings
Fong	Miller	Williams, Del.
Gore	Monroney	

NOT VOTING—14

Anderson	Griffin	McIntyre
Bayh	Inouye	Smathers
Church	Kennedy, Mass.	Talmadge
Eastland	Long, Mo.	Tower
Fulbright	Mansfield	

So the amendment, as modified, of the Senator from Louisiana [Mr. LONG] was agreed to.

Mr. LONG of Louisiana. Mr. President, I call up my amendment No. 75.

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

Mr. LONG of Louisiana. I yield to the Senator from Pennsylvania.

Mr. CLARK. If I may have the attention of Senators, I should like to ask unanimous consent that the seven amendments which I still have pending, as the Senator from Oklahoma and I have informally agreed, may be the first order of business tomorrow. There will be rollcall votes on all of them.

The reason I do not intend to bring them up this afternoon is because so many Senators have told me that due to the blizzard, they wish to get home early, and would be seriously inconvenienced by further rollcall votes from now on.

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

Mr. CLARK. I yield.

Mr. DIRKSEN. What is the purpose of the unanimous-consent request?

Mr. CLARK. To make the Clark amendments the first order of business tomorrow. The Senator from Louisiana, as the Senator knows, has quite properly—and I make no criticism of it at all—occupied the floor all day today, so that what I had stated in the CONGRESSIONAL RECORD would be the floor business today has not been the floor business. I should like to obtain unanimous consent of Senators that we take those amendments up tomorrow.

Mr. DIRKSEN. It is only a matter of priority of consideration, and nothing more?

Mr. CLARK. That is right.

Mr. DIRKSEN. We waive no rights?

Mr. CLARK. Oh, certainly not. I

would never ask the Senator from Illinois to waive any rights.

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

The PRESIDING OFFICER. Will the Senator from Pennsylvania modify his unanimous-consent request to make it at the conclusion of the morning hour tomorrow?

Mr. CLARK. I so modify my unanimous-consent request.

Mr. MORSE. Mr. President, reserving the right to object, I make this inquiry: Did I understand the Senator from Pennsylvania to say we would have seven rollcall votes tomorrow on his amendments?

Mr. CLARK. If we can get through with them. I would like to; then I will be out of everybody's hair.

Mr. MORSE. Mr. President, I should like to have the attention of the majority leader a moment. We will not finish this bill before the Lincoln Day recess. Commitments for the next few days have been made by a considerable number of Senators. Those who attend the Interparliamentary Conference in Mexico—15 Senators—will be leaving tomorrow. There is nothing we can do about it, but I do not think it is necessary to take up the amendments of the Senator from Pennsylvania tomorrow, in view of the fact that we will not be able to dispose of the bill tomorrow. Of that I am quite certain. I have some amendments which I intend to offer after the Lincoln Day recess. One of them I shall offer this afternoon, in order to have it printed.

Under the circumstances that confront us, tomorrow will apparently be the Senate's last day of seeking to do anything with this bill before the Lincoln Day recess; I should like to suggest that we let the principal amendments go over until after the Lincoln Day recess, and seek, then, to have some unanimous-consent agreement to limit time on the amendments.

If we were not going away on official business, it would be a different matter. But we are going away on official business of the Senate and of the Government, and I think it is unfortunate, under those circumstances, that we go away faced with missing seven rollcall votes. That will put some of us in the position where we shall have to ask the Foreign Relations Committee to send us down at a later date, and we will miss a part of the conference.

Mr. STENNIS. Mr. President, will the Senator yield? Who has the floor?

Mr. CLARK. I believe I have the floor.

Mr. STENNIS. Reserving the right to object, Mr. President, will someone yield to me for a comment?

Mr. CLARK. I yield to the Senator from Mississippi.

Mr. STENNIS. I thank the Senator from Pennsylvania.

Mr. President, I join with the Senator from Pennsylvania in his unanimous-consent request, certainly, to the extent of these two amendments, the remaining two of the three that the Senator had of the so-called Bobby Baker amendments, or pertaining to the matters which are pending before the Ethics Committee. I hope we can dispose of those tomorrow. Debate has already been had on one of them; there is considerable interest in the matter, and I think they ought to be disposed of.

I do not know about the seven, but I am sure we will have a session tomorrow; if the Senator felt that he could reduce the number he would take up tomorrow, perhaps that would increase the probability of unanimous consent.

Mr. CLARK. Mr. President, in order to accommodate not only the Senator from Oregon, but the Senator from Mississippi, I am happy to modify my unanimous-consent request so that it will provide that the two Bobby Baker amendments, on both of which I would hope to have rollcall votes, will have a priority in the order of business tomorrow. Then I shall be perfectly willing to postpone my other five amendments until after the recess.

Mr. MANSFIELD. Mr. President, reserving the right to object, I, too, am planning on leaving tomorrow, and it is my intention to go, regardless of the kinds of votes there are on the floor, to participate in the deliberations of the Mexican-United States Interparliamentary Group, which I think is very important to our foreign relations.

As far as I am concerned, the Senator from Pennsylvania could have as much unanimous consent as he wishes, to vote on as many amendments as he wishes, tomorrow. I wonder if it would not be possible—the roads are getting clear, I understand, and the snow has stopped—if we could not have those so-called Bobby Baker or other amendments considered today.

Mr. CLARK. As far as I am concerned, I am prepared to go forward. The Senator from Oklahoma and a number of other Senators had spoken to me, urging me not to bring any further rollcall votes up now, because of the weather. But I am in the hands of the majority leader and the floor manager of the bill.

Mr. MANSFIELD. May I say that the Senate is on notice that today, tomorrow, and Thursday will be working days, and that at the conclusion of business on Thursday we will adjourn until noon Wednesday of next week, with a pro forma session on Monday, February 13, so that Senators, if they so desire, may return home to make Lincoln Day speeches. So I hope the Senate will proceed with this bill and continue the progress we have made today.

Mr. CLARK. Mr. President, it seems to me, in view of the colloquy which has developed, that it would be wiser for me to withdraw my unanimous-consent request, because I do not think I am likely to obtain unanimous consent, and place myself in the hands of the manager of the bill, the Senator from Oklahoma [Mr. MONRONEY], and be prepared to bring up any amendments this afternoon which he wants brought up.

I yield to the Senator from Mississippi.

Mr. STENNIS. Mr. President, I thank the Senator. I hope he does not entirely drop his unanimous-consent request, unless we are going to take those matters up this afternoon. That would suit me all right, but I think we will have fewer and fewer Senators here, frankly, from tomorrow on.

Mr. CLARK. Mr. President, may I state that the Senator from Louisiana has the floor, with the intention of bringing up another amendment. I am perfectly willing to stay this afternoon, as well as anybody else, but I do want rollcall votes on my amendments.

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

Mr. CLARK. I yield.

Mr. MONRONEY. I have discussed amendment No. 75 of the Senator from Louisiana with the committee, and we are prepared to accept this amendment. I believe it gives a little broader meaning to what committees can do, and there is no use restricting them, if the majority leader agrees to it.

Mr. DIRKSEN. Mr. President——

The PRESIDING OFFICER. The Senator from Louisiana has the floor.

Mr. MANSFIELD. Could the amendment be read?

Mr. LONG of Louisiana. Mr. President, what the amendment provides is that a committee can meet for any purpose during a session of the Senate, with the consent of the majority leader and the minority leader. They both have to agree to it, but the majority leader, speaking for the majority, and the minority leader, speaking for the minority, can agree that a committee can meet and act during a session of the Senate.

The PRESIDING OFFICER. Will the Senator send his amendment to the desk?

Mr. LONG of Louisiana. It is there.

Mr. MONRONEY. Mr. President, may we have the amendment of the Senator from Louisiana stated?

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 14, line 21, strike out the words "conduct a hearing" and insert in lieu thereof the words "sit for any purpose".

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

Mr. LONG of Louisiana. I yield first to the Senator from California.

The PRESIDING OFFICER. Who yields time?

Mr. LONG of Louisiana. Mr. President, I yield 1 minute to the Senator from California.

Mr. MURPHY. Mr. President, my question of the Senator was, in the event the majority or minority leader objected, would this not make a negative answer.

Mr. LONG of Louisiana. The Senator is correct.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the amendment of the Senator from Louisiana.

Mr. MORSE. What about the unanimous-consent request of the Senator from Pennsylvania?

The PRESIDING OFFICER. It was withdrawn by the Senator from Pennsylvania.

Mr. MORSE. Mr. President, do I understand that the amendment proposes to delegate to the majority and

minority leaders the authority to grant committees authorization to meet while the Senate is in session without the Senate itself having the right under our past practice to determine that matter?

Mr. LONG of Louisiana. The pending bill, without the inclusion of my amendment, provides that the committee can meet to conduct a hearing with the consent of the majority and the minority leaders while the Senate is in session.

My amendment would provide that a committee can sit during a session of the Senate for any purpose with the consent of the majority or minority leaders.

The majority leader shall protect the Democratic Senators, and the minority leader shall protect the Republican Senators. I would assume that if any Republican Senator should object to a committee meeting, he would notify the minority leader and the minority leader would not give consent. The same thing would be true with the majority leader who would be protecting the rights of Democratic Senators.

Mr. MORSE. I inquire as to who apportions any time for opposition to an amendment or a provision of the bill.

I would certainly like to speak against both the provision of the bill, if it is as the Senator from Louisiana says, and against his amendment.

The PRESIDING OFFICER. The Senator from Louisiana would control the time.

Mr. MONRONEY. I would not control the time because I have agreed to accept the amendment for the committee.

Mr. MORSE. That requires Senate action. The Senator cannot take it to conference without Senate approval.

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

Mr. MORSE. Mr. President, when the Senator gets through, I want time to oppose the amendment.

The PRESIDING OFFICER. Under the unanimous-consent agreement, if the manager of the bill does not wish to control the time, the minority leader does.

The Senator from Oregon can get time from the minority leader or his designee.

The Senator from Louisiana has the floor.

Mr. MORSE. I think the Senator can apportion time if he wants to do so.

Mr. MONRONEY. The distinguished Senator from Louisiana is in charge of the time for his amendment. I intend to be in favor of the amendment. Therefore, I am not eligible to control the time against the amendment.

Mr. MORSE. Who is the acting minority leader?

Mr. MUNDT. Mr. President, I shall support the amendment, but I am perfectly willing to yield time to the Senator from Oregon.

Mr. MORSE. Mr. President, I ask for not more than 10 minutes.

Mr. MUNDT. Mr. President, the Senator may have it.

Mr. GRUENING. Mr. President, I ask the manager of the bill if he really thinks that these 99 "he" men would be willing to keep a sprinkling, a very minor snow storm, from preventing their action. I see no reason why the lady from Maine should not be present. I see no reason why, with a very slight snowstorm, we cannot stay and get as many amendments completed tonight as we can.

I am one of those leaving on official business, like other Senators.

Mr. CLARK. Mr. President, will the Senator from Louisiana yield me 3 minutes? I am on his side.

Mr. LONG of Louisiana. Mr. President, I yield 3 minutes to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I support the amendment of the Senator from Louisiana, and I am absolutely amazed at my good friend, the Senator from Oklahoma, for accepting the amendment.

The Senator from Oklahoma and I argued on this floor for the better part of 3 hours when I was supporting the position taken by the Senator from Louisiana. The Senator from Oklahoma said that he could not accept the amendment.

I have always wanted committees to have the right to sit, for all purposes, with the consent of the majority and minority leaders while the Senate is in session.

The Senator and I must have argued for a couple of hours on this matter. The Senator from Oklahoma was adamant in his opposition to my position.

I am delighted that the Senator from Louisiana has much more influence with the Senator from Oklahoma than I do, as the Senator is now prepared to accept the amendment.

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

Mr. LONG of Louisiana. I yield 1 minute to the Senator from Montana.

Mr. METCALF. Mr. President, in justice to the Senator from Oklahoma, I want to say that I, as one of the members of the committee, was asked about accepting the amendment. We only accepted amendments today in order to expedite matters. I agree with the Senator from Pennsylvania that we should move forward.

I have been persuaded that the Senator from Pennsylvania and the Senator from Louisiana are correct in their position that this matter should be taken care of by majority vote.

Mr. CLARK. Mr. President, I say to my friend, the Senator from Montana, "Mine is not to ask or reason why. Mine only is to do or die." And if the Senator from Oklahoma wants to die for me, I am only too happy to have him do so. And I shall gladly die with him, if need be, in support of this amendment.

Mr. MONRONEY. Mr. President, I have conferred with all available committee members to see if they were willing to accept the amendment, as I have done on prior occasions. They feel that it would be perfectly all right to accept this amendment.

Mr. CLARK. Mr. President, I am delighted to see that it is not only women that have the privilege of changing their minds.

Mr. ALLOTT. Will the Senator yield?

Mr. MONRONEY. Mr. President, I yield 2 minutes to the Senator from Colorado.

Mr. ALLOTT. Mr. President, I think that the amendment of the Senator from Louisiana is perfectly in order if one happens to agree with this section of the bill.

I am not so sure that we will have changed substantively the picture of the Senate if we agree to this amendment. Looking at it from a practical matter, if the Senator from Virginia should go to the majority leader and say, "I want you to object to a committee sitting," or if the Senator from South Dakota should go to the minority leader and say, "I want you to object to a committee sitting," I think that for all practical purposes we are back where we were when we had to have the unanimous consent of the Senate for committees to sit during the session of the Senate.

I merely want to point this out. I am not going to object to this particular section of the bill.

I think that if a committee is going to sit, it might just as well sit for purposes other than just hearings, as the amendment of the Senator provides. However, I think that actually, for all practical purposes, we will be right back where we started.

Mr. LONG of Louisiana. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 3 minutes.

Mr. LONG of Louisiana. Mr. President, with reference to the observation of the Senator from Colorado, I point out that under our existing rules a committee can sit with the consent of the Senate, but a motion to let the committee sit is debatable. If a single Senator does not want to permit the committee to sit, all he has to do is to suggest the absence of a quorum and then start talking.

That being the case, the only way that the majority leader can get on with the business of the Senate is to adjourn or recess the Senate so that the committee can meet while the Senate is technically not sitting.

It would be much better if that motion were not debatable, or if there were some way to get the matter to a vote.

Sometimes we have very pressing matters that have a time limit and we have to get on to a vote. Oftentimes the matter before the Senate is not a very important measure. This is something that is usually done so that the committee can consider the measure and vote the bill out.

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

Mr. LONG of Louisiana. I yield.

Mr. CLARK. Mr. President, when we were discussing this matter on the floor before, the Senator from Oklahoma and I made a very careful legislative history to the effect that when the majority leader or minority leader were called upon to agree to permitting a committee to sit, they were not—I repeat, not—to be guided by one Senator's request, but were to make a decision on the basis of their own judgment of what was good for the Senate as a whole.

The Senator is not attempting to change that legislative history now, is he?

Mr. LONG of Louisiana. No. I would accept the Senator's explanation.

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

Mr. LONG of Louisiana. I yield.

Mr. MUNDT. I wish to be sure that nothing in the Senator's amendment would change the committee proposal that this must have the concurrence of both the majority leader and the minority leader. Not just one, but both the majority leader and the minority leader, under the Senator's amendment, would continue to have to concur.

Mr. LONG of Louisiana. The Senator is correct. For example, for the purpose of conducting a hearing.

Mr. MUNDT. The only change is to make it a committee hearing for any purpose?

Mr. LONG of Louisiana. The Senator is correct.

Mr. MUNDT. I see no objection.

Mr. MONRONEY. And the majority leader or minority leader is not to be acting as an agent and is not expected to be acting as an agent to block the committee from sitting at the request of one Member. Sometimes we ask them to object on our own behalf. They would be objecting on their own behalf and with relation to their official duties in connection with securing and expediting legislation on the floor.

Mr. MUNDT. I yield 10 minutes to the Senator from Oregon, against my convictions.

Mr. MORSE. Mr. President, I believe that we are making a great mistake, not only in connection with the procedure encompassed in the amendment of the Senator from Louisiana, but also the provision of the bill to which it relates. We are making a great mistake in the bill. This bill requires further consideration. That is why I voted to send it back to committee. It calls for further consideration by the Monroney committee and also by the separate committees of the Senate.

Yesterday, we had a meeting of the Committee on Labor and Public Welfare, and it became perfectly clear that great dissatisfaction exists within the committee with regard to the operation of this bill, if it is passed in its present form. And it appears that the bill will pass in its present form.

I speak kindly and respectfully. I do not believe that the bill is receiving the consideration that it should receive from individual Senators. I do not believe that they know what they are really adopting, if the bill continues to sail through the Senate.

Let us consider the subject matter that we have before us in the instant case. For many years, many Senators have been attempting to adopt procedural changes governing the Senate, in regard to the periods in which the Senate meets. Some of us have proposed that we should adopt a rule whereby the Senate meets at 9:30 or 10 o'clock in the morning, does business until 12:30 or 1, recesses until 2 for lunch, comes back and does the business of the Senate. Then there would be a period, say, starting at 4 or 4:30, in which nongermane matters would be taken up for that day. That matter is not covered by the pending reorganization bill.

Such a proposal would call, then, for committees meeting at the beginning of the session on days when the Senate does not meet. The committee days would be more frequent, and the Senate session days less frequent. As the session progressed, toward the end of the session, the work of the Senate would take up a greater part of the week, and the work of the committees a smaller part of the week.

I am sorry that this bill does not give any consideration to that type of reform, because in its present form, the bill downgrades the Senate sessions.

We are creating an image across this country that will reflect against the Senate, by this procedure, which already has been followed too much, and which will now be greatly escalated.

There will be increasing criticism from the people of this country, that when a major subject is being discussed on the floor of the Senate, 60 to 70 percent or more of the Senators are not even present. Why? Because you have delegated to two men in the Senate, under this proposal, the authority to have committees meet while seats in the Senate are vacant.

We should change that image of the Senate, for it is not a very favorable image. Efficiency and proficiency call upon us, yes, to change the rules of Senate meetings, but not this way, for this will enhance the practice of the Senate meeting with only a corporal's guard present, and it will continue to make a bad impression upon the people of this country.

Either our Senate sessions are important or they are not. I hope that we have not reached the point in the history of the Senate that meetings of the Senate do not involve serious debate of a nature that can change men's minds. I had hoped we might have moved a little away from the practice of deciding everything behind closed doors, and merely ratifying it on the Senate floor.

This proposal downgrades the Senate so far as its sessions are concerned. As a matter of policy, I do not believe that a committee should meet while the Senate is in session. The soundness of that rule has been proved in history.

Why are we making this retreat? I do not know why we are making it easier for committees to meet while the Senate is in session. What is there about a majority leader or a minority leader that should give him the right and the authority to determine what kind of public impression we create?

I wish to make a prediction. If we adopt this provision of the bill, complemented by the amendment of the Senator from Louisiana it will become a practice in the Senate for committee after committee to hold meetings all over the Capitol and in the Senate office buildings, while major legislation is being discussed on the floor of the Senate with fewer and fewer Senators present in the Chamber.

I hope we have not reached the point where the floor of the Senate is just for the purpose of making speeches. The primary purpose of the floor of the Senate is for Members of the Senate to exchange points of view on major legislation under debate. The people of the country expect us, as their Senators, to come to the floor of the Senate and thrash out, in good faith, the pros and cons of an issue. But what is occurring now, may I say respectfully, is that we walk out on our responsibilities on the floor of the Senate through this procedure. It is being rationalized on the basis that we have to meet in committee. We do not have to meet in committee while the Senate is in session, if we organize properly the work of the Senate, including the work of the committees.

It is a mistake for us to delegate our rights as individual Senators to the majority leader and the minority leader, to decide what kind of image we are going to present to the public on the floor of the Senate, when an item of business is before the Senate.

If a situation calls for committee meetings and it can be explained satisfactorily on the floor, unanimous approval will be received. However, if unanimous approval is not given, a committee should not convene, whether for a hearing or any other purpose.

We should not adopt this approach. It is a mistake. The matter calls for more study as to alternative ways of programing the work of the Senate. This is a great mistake, and I desire the record to show that I oppose not only the amendment of the Senator from Louisiana, but also this section of the Monroney bill itself. It is a very unfortunate section, and it should be stricken from the bill.

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

Mr. MORSE. I yield.

Mr. ALLOTT. If the theory of the committee is accepted—the Senator does not accept it and I do not—then I believe there is no objection to the amendment of the Senator from Louisiana. I think it is in perfect conformity and makes it actually better, in my opinion, and I would vote for the amendment.

However, would not the Senator agree that there are some committees for which there is no alternative, such as the Committee on Appropriations? The distinguished Senator from Washington heads the Subcommittee on Independent Offices—I am the ranking minority member, and the distinguished Senator from Oklahoma is on it—and we sit from 10 o'clock in the morning until 5:30, 6:30, and even until 7:30 in the evening. It takes much time to go through these matters. A committee such as that has no alternative but to sit while the Senate is in session.

Mr. President, I am afraid of exactly the same thing that the distinguished Senator from Oregon [Mr. MORSE] has stated, and that is that we are in danger of downgrading the work of the Senate; and any excuse, if we accept the interpretation of the Senator from Pennsylvania [Mr. CLARK] will serve to provide for a committee sitting while important legislative matters are going on and the Senator should be on the floor of the Senate.

Mr. MORSE. Mr. President, will the Senator from Colorado agree that the Committee on Appropriations has never had a problem with the Senate as far as

getting unanimous consent to meet is concerned?

Mr. ALLOTT. The Senator is correct.

Mr. MORSE. We have been able to recognize the needs of the committee.

I wish to point out one of the things that might develop under the rule if we were to adopt it. An unpopular issue comes up and someone is representing a side that may not be popular to a majority of Senators. Senators can answer the question, "Were you there for that debate?" by saying to constituents, "No, I could not be there because committee X, committee Y, or committee Z was meeting at that time and I had to be at that committee meeting."

Mr. President, our first responsibility is to the floor of the Senate. That is our first responsibility. We should organize our committee work consonant with the most effective and efficient administration of business on the floor of the Senate. That is why I have pleaded for years that there should be days on which nothing but——

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

Mr. MORSE. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER. Does a Senator on the minority side yield 2 minutes to the Senator from Oregon?

Mr. ALLOTT. Mr. President, I yield 2 minutes to the Senator from Oregon.

Mr. MORSE. Mr. President, the great danger here is that we have not given consideration to the proper organization of floor work and committee work, coordinating the two and correlating the two, so that there is not the constant conflict in time jurisdiction. We have not tried to do that. I am disappointed that this committee report does not cover that aspect. I think it is unfortunate that this bill goes in the direction of encouraging competition between the floor and its committees instead of eliminating the situation that has brought so much criticism upon the Senate.

Mr. President, the criticism is widespread. Senators should talk to their constituents who sit in the galleries and listen to the debates on the floor of the Senate when there are three Senators, four Senators, or five Senators in the Chamber and the remainder of the seats are vacant.

I remember some years ago a constituent of mine from Independence, Oreg., called me off the floor. The first question showed that she was not a Morse supporter. She said, "At least I am glad to see that you were on the job." At that time there were only six Senators present. I said, "Have you got 30 minutes that you can spare?" She said that she did. I took her from committee room to committee room and counted 52 Senators attending committee meetings while the Senate was in session. I told her that we could find other Senators who were in their offices talking to constituents, or who were downtown on official business. We find most of them are on the job.

However, Mr. President, that image exists. Constituents have a right to expect when they send us to the Senate that the business on the floor of the Senate is the primary concern of a Senator when the Senate is in session. Senators go to committees instead and leave to two men, the majority leader and the minority ledaer, to determine how many are going to be on the floor of the Senate. That is not part of the glorious history of this body. Mr. President, this is a new development in the last 20 years. In the early history of this body Members would not think of being out of their seats when a major debate involving the welfare of the country was scheduled on the floor of the Senate.

We have a unanimous-consent agreement. I was not here when that matter was taken up. Had I been here, there would not be an agreement.

Mr. President, I serve notice now, I shall not give consent to another request in this session of Congress. At least we are going to debate full time in the Senate when somebody wants to debate. This is an example to me of the undesirability of unanimous consent to limit debate. I shall not give another one in this session of Congress unless I can be shown that there is a great emergency in some special case justifying it. I am going to do what I can to try to restore to the Senate the prerogatives and duties that were intended when the Senate was created in the first place.

Mr. ALLOTT. Mr. President, I yield myself sufficient time to make a parliamentary inquiry.

Does the Senator from Louisiana wish to proceed?

Mr. LONG of Louisiana. No. The Senator from Colorado may propound his parliamentary inquiry.

Mr. ALLOTT. Mr. President, in the event that no other amendment or any other action is taken before the amendment of the Senator from Louisiana is voted on, would a motion be in order to strike the language beginning with line 20, page 14, and ending at the top of page 15?

The PRESIDING OFFICER. Will the Senator repeat his inquiry?

Mr. ALLOTT. Mr. President, after the amendment of the Senator from Louisiana is acted upon, would it be in order to move to strike the sentence beginning on line 20, page 14?

Mr. MONRONEY. Is that the language beginning with "Any other standing committee of the Senate may conduct a hearing while the Senate is in session if consent therefor has been obtained from the majority leader and the minority leader of the Senate"?

This would throw us back to the present rule so that any unanimous-consent request could be blocked by one Member.

I might say to the distinguished Senator from Colorado that the long history of this provision goes back to 1946 when Senate committees could sit at any time. There was no restraint upon them and no consent or requirement effective, so that we would have a great deal of trouble in keeping Members in the Chamber.

In the Reorganization Act of 1946 it was provided that no standing committee of the Senate or the House shall sit without special leave when the Senate and the House, as the case may be, is in session. This was passed with the understanding that the Senate or the House could be given the authority by a majority vote to permit the committees to meet or sit or transact their business.

The Parliamentarian, through some holding that was never carefully documented, interpreted that this could provide that one Senator of our 100 Senators could prohibit any committee in the Senate from meeting—or any committee in the House, as the case may be—while the Senate is in session.

Mr. President, this device was used in filibusters primarly to prevent committees from meeting. The Senator from Colorado remembers the 7 a.m. sessions that we had to have in order to hear testimony on the independent offices bill before the Senate went into session at 10 o'clock because we could not get permission under filibuster procedures to sit.

This has been a customary weapon of the procedures. It is a little strange to me to find the distinguished Senator from Oregon [Mr. MORSE] wanting to retain this provision. It was one of the reasons we provided unanimous consent would not prevent a meeting. The report of the committee was to give some authority beyond one person to prohibit the necessary work of the committees from going on. We hold up the sessions generally not because of debates on the floor of the Senate but because of jamups in the committee. When we get the bills from committees, things start to move.

Mr. ALLOTT. Mr. President, may I have a ruling?

The PRESIDING OFFICER. The Senator's motion is in order.

Mr. ALLOTT. Now, Mr. President, I yield myself——

The PRESIDING OFFICER. That is, the motion would be in order, if the Senator wishes to make it.

Mr. LONG of Louisiana. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Louisiana will state it.

Mr. LONG of Louisiana. Would such a motion be in order while the amendment is pending?

The PRESIDING OFFICER. No; not while the amendment is pending.

Mr. LONG of Louisiana. Mr. President, I recall, when the President of the United States, Lyndon Johnson, was majority leader of the Senate, some occasions when I would be pressing for an amendment, or opposing something in a bill, and would be taking quite a bit of time on the floor of the Senate to do it, and the then majority leader would be told by some of us, "Well, if you can get enough people in here to hear our arguments before we vote, then we will agree to vote." But we are not willing to have this matter decided, so we speak to a relatively empty Chamber. The response of the majority leader was always the same, "I can put a quorum call on and get some Senators in here, but I cannot make them stay to hear your speech. It is up to you to see if you can get Senators to stay to hear what you have to say."

The practice of objecting to committee meetings by a single Senator is well recognized as a filibuster tactic. On some occasions, it is a delaying tactic that Senators can use. On certain occasions, if the Senate, or any substantial number of Senators, do not want a committee to

meet, they of course can object to a committee meeting while the Senate is in session. But a great many times, committees have enormously important legislation to work on which requires a great deal of time. As examples, I recall that the Finance Committee spent a great deal of time on the Revenue Act of 1964, the Revenue Act of 1966, on social security amendments—the so-called medicare bill. Many times it took long hours to get the work done, especially because a committee must wait, as the Finance Committee does, until the House passes its revenue bills, and as the Appropriations Committee has to wait many times for the House to pass its appropriations bills. It can create a real problem, finding time to get a committee together to meet.

Those with the responsibility, the majority and minority leaders, have to think about not only the schedule but also the matter of the work of the Senate. Thus, I really think that this is one amendment that would very much help to expedite the business of the Senate.

Mr. President, if there is no other Senator who desires to address himself to this amendment, I am prepared to yield back the remainder of my time.

The PRESIDING OFFICER. Does the Senator from Colorado [Mr. ALLOTT] yield back the remainder of his time? Or the Senator from South Dakota [Mr. MUNDT]?

Mr. MORSE. Mr. President, will the Senator from Louisiana yield to me for a question? Does the Senator say that he is about to make a motion?

Mr. LONG of Louisiana. Mr. President, I am prepared to yield back the remainder of my time, but if the Senator from Oregon desires to speak, I can arrange for sufficient time for him.

The PRESIDING OFFICER. All time has been yielded back——

Mr. MUNDT. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment——

Mr. LONG of Louisiana. Mr. President, how much time does the Senator from Oregon need?

Mr. MORSE. Just 1 or 2 minutes.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senator from Oregon [Mr. MORSE] may proceed for 5 minutes.

Mr. MUNDT. Mr. President, if the Senator desires time, I will yield 2 minutes time to him.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. MORSE. Mr. President, I do not follow the argument of the distinguished Senator from Oklahoma. He raises the point that under the unanimous-consent rule, one Senator has authority to say that committees cannot meet and he seeks to link it to filibuster tactics.

My objection to committee meetings when the Senate is in session does not have the slightest relationship to a filibuster.

My objection to committees meeting when the Senate is in session is that I think it amounts to a downgrading of the primary function of the Senate. I think the Senate should organize its work so that it can hold its meetings for the transaction of business with Senators in the Chamber, for the comparison of points of view.

I do not like the idea of giving to the majority and minority leaders the authority to rule the Senate. Let me say, and most respectfully, that they have too much power, anyway.

I think that each one of us has a responsibility to do what we can to protect the operations of the floor of the Senate. I am all for requiring a unanimous-consent rule for a committee to meet, if the business of the Senate, in the opinion of one Senator, is sufficiently important for a hearing on that business.

The trouble is that we have not tackled the real problem of organizing the schedule of the Senate so that we do not meet so many days in a week, but only those days when Senate business needs to be transacted, and devote the rest of the time to the work of committees.

I should like to ask the Senator from Colorado [Mr. ALLOTT] this question: Is it the Senator's plan to move to strike the language on page 14 of the bill, beginning with the word "any" on line 20, and ending with the word "Senate," on line 1, page 15?

Mr. ALLOTT. Let me say to the Senator from Oregon that while I concur in his remarks, I feel exactly as I stated a few moments ago that, considering the legislative situation, I do not propose to offer that amendment.

Mr. MORSE. That is what I wanted to find out.

Mr. ALLOTT. I would not want the Senator to rely upon the feeling that I might offer the amendment. I was merely making inquiry as to what the situation was. I found out that we would then be back to the original rule.

Mr. MORSE. Which would require a unanimous-consent agreement.

Mr. ALLOTT. Either unanimous consent, or a motion.

Mr. MORSE. What is wrong with that?

Mr. ALLOTT. I see nothing wrong with it. I have been reasonably happy with the situation with respect to this, I must say. The facts are, I think that we must realize that, within this situation, in one sense, the minority, whichever it might be in the Senate, has perhaps a greater degree of protection, although a less formal degree of protection, in this particular bill, than it has otherwise.

Mr. MORSE. Mr. President, I ask unanimous consent to proceed for 2 additional minutes.

Mr. MUNDT. Mr. President, what is the status of the time?

The PRESIDING OFFICER. All time has been yielded back. The Senator from Oregon is speaking under a unanimous-consent agreement.

Mr. MUNDT. Mr. President, I am glad to yield the Senator 2 minutes.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 2 additional minutes.

Mr. MORSE. Mr. President, I have one additional comment about the reference by the Senator from Oklahoma [Mr. MONRONEY] to the filibuster in connection with committees meeting by unanimous consent. All I am saying is, he is arguing—and it seems to me eloquently—for modification of rule XXII. His argument calls for a change in the filibuster rule.

What the Senate should do is change rule XXII. That has nothing to do with retaining a procedure which I think is of the utmost importance to present the Senate in the proper light to the American people, and to give encouragement to the Senate returning to its primary function when the Senate is in session; namely, for Senators to be in their seats, conducting the business of the Senate on the floor of the Senate.

That is why for many years I have urged that we have a luncheon break and that the Senate recess for the lunch period, instead of going through the very inefficient and confused operation of the Senate where we go down to lunch with the understanding that someone will take the floor of the Senate and hold it while the rest of us eat.

What inefficiency that is.

What a false impression that gives to the American people.

I think we should tackle the problem of regulating the time of the Senate and this, the Monroney bill has not done. This is one of the shortcomings of the report. That is why I believe that its final action needs to be postponed for some days, until we can come in, after more reflection on it, and offer some amendments to improve it.

Now, Mr. President, a parliamentary inquiry. I would like to move to strike the language on line 20, page 14, starting with the word "Any," and ending with the word "Senate" on page 15, line 1.

My inquiry is, Is it in order?

The PRESIDING OFFICER. It is in order.

Mr. MORSE. It is in order?

The PRESIDING OFFICER. But after the pending amendment has been disposed of.

Mr. MORSE. I serve notice that I am going to offer the amendment as soon as the Long amendment has been disposed of; and I want a rollcall on the Long amendment.

Mr. WILLIAMS of Delaware. Mr. President, has all time been used on the amendment?

The PRESIDING OFFICER. All time has been yielded back.

Mr. MORSE. Mr. President, I ask for the yeas and nays.

The yeas and nays were not ordered.

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

Mr. WILLIAMS of Delaware. Mr. President, will the Senator withhold that request for a moment?

Mr. MANSFIELD. Yes.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to speak 2 minutes on the amendment before we get the rollcall.

Mr. MANSFIELD. Mr. President, would the Senator allow me to put in a quorum call, and then withdraw it?

Mr. WILLIAMS of Delaware. Yes.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. WILLIAMS of Delaware. Mr. President, I support the position of the committee that would delegate to the majority and minority leaders the right to give consent for any committee to hold hearings during the sessions of the Senate. I see no danger in that and would support it. However, I do question the wisdom of delegating away our authority as individual Members of the Senate to object to a committee's meeting to mark up a bill during the session of the Senate. We cannot be at both places.

I cite a particular case as to why I am concerned. In the closing days of the last session of the Senate there was pending before the Finance Committee the 1966 Revenue Act, as the Senator from Louisiana [Mr. LONG] will remember. The chairman was anxious to get the bill out. On that occasion I did not object to granting permission to our committee to hold hearings on the bill while the Senate was in session, but when committee amendments were being voted on I objected to executive meetings while the Senate was in session. There were measures before the Senate in which I was interested, and I wanted to be present while they were being considered and voted on.

I am referring to the time when the so-called "Christmas tree" bill was being considered by the Finance Committee.

As one who was opposed to these amendments it was important for me to be present in committee during the markup of this bill. Of course, I was not able to stop many of the proposals, but at least I could find out what was being done. I think a member who wants to take part in the markup of a bill by his committee should be able to do so without giving up his right to participate in the legislative processes of the Senate.

For that reason, I question the wisdom of the Senator's pending amendment. I would go along with the provision respecting hearings, but I hope the amendment of the Senator from Louisiana is defeated.

Mr. LONG of Louisiana. Mr. President, I believe the Senator will find, on the occasion he has in mind, that his request was respected and we did not attempt to sit at the time the Senator objected. I believe I respected his request. Had I not done so, and as could be done under the pending proposal, I have no doubt that the minority leader [Mr. DIRKSEN] would have protected the Senator's rights as a minority member of the committee.

Mr. WILLIAMS of Delaware. I do not question that, but I think we should make that right less vulnerable.

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

Mr. MORSE. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MUNDT. Mr. President, I ask to have 1 minute. I am about to vote for the amendment of the Senator from Louisiana, but I see some merit in the suggestion made by the Senator from Delaware. I wondered if the language as reported by the committee would remove the objections of the Senator from Oregon, so that we could proceed to a vote?

Mr. MORSE. No; I object to the authority on page 14, beginning on line 21.

Mr. MUNDT. Even for a hearing?

Mr. MORSE. Even for a hearing. I am talking about downgrading the prestige of the Senate when we start walking out on our responsibilities to be present when a debate on measures is going on.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Indiana [Mr. BAYH], the Senator from Alabama [Mr. HILL], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], the Senator from New Hampshire [Mr. MCINTYRE], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

I also announce that the Senator from Idaho [Mr. CHURCH], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Florida [Mr. SMATHERS], and the Senator from Georgia [Mr. TALMADGE] are necessarily absent.

I further announce that, if present and voting, the Senator from Ohio [Mr. LAUSCHE], and the Senator from Massachusetts [Mr. KENNEDY] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Michigan [Mr. GRIFFIN] and the Senator from Illinois [Mr. PERCY] are necessarily absent.

The Senator from Texas [Mr. TOWER] is absent on official business.

If present and voting the Senator from Texas [Mr. TOWER] would vote "nay."

The result was announced—yeas 57, nays 25, as follows:

[No. 21 Leg.]

YEAS—57

Allott	Hart	Murphy
Baker	Hayden	Muskie
Bible	Holland	Nelson
Boggs	Hruska	Pastore
Brewster	Jackson	Pearson
Brooke	Jordan, Idaho	Pell
Burdick	Kennedy, N.Y.	Proxmire
Cannon	Long, La.	Randolph
Carlson	Magnuson	Ribicoff
Case	McClellan	Scott
Clark	McGee	Smith
Cotton	McGovern	Sparkman
Dirksen	Metcalf	Stennis
Dodd	Miller	Symington
Ellender	Mondale	Thurmond
Fong	Monroney	Tydings
Gore	Montoya	Williams, N.J.
Gruening	Moss	Yarborough
Harris	Mundt	Young, N. Dak.

NAYS—25

Aiken	Byrd, W. Va.	Ervin
Bartlett	Cooper	Fannin
Bennett	Curtis	Hansen
Byrd, Va.	Dominick	Hartke
Hatfield	Kuchel	Spong
Hickenlooper	Mansfield	Williams, Del.
Hollings	Morse	Young, Ohio
Javits	Morton	
Jordan, N.C.	Prouty	

NOT VOTING—18

Anderson	Hill	McIntyre
Bayh	Inouye	Percy
Church	Kennedy, Mass.	Russell
Eastland	Lausche	Smathers
Fulbright	Long, Mo.	Talmadge
Griffin	McCarthy	Tower

So the amendment (No. 75) of Mr. LONG of Louisiana was agreed to.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. LONG of Louisiana. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MORSE. Mr. President, may I first announce, before Senators leave the floor of the Senate, what I propose to do.

I propose to move now an amendment to strike the language starting on line 20, page 14, beginning with the word "Any," and going over to line 1, page 15, after the period on the first line, following the word "Senate."

Before explaining the amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CLARK. Mr. President, may I have the attention of the Senator from Oklahoma [Mr. MONRONEY].

It is my understanding that the Senator from Oklahoma is in accord with me, and if he is, I shall not ask for unanimous consent that I may have authority to bring up my two Bobby Baker amendments, and perhaps others, tomorrow.

I shall ask for rollcall votes. I want to make the announcement for the benefit of the Senator from Mississippi and others who are interested. If that is agreeable with the Senator from Oklahoma, that will be perfectly all right.

Mr. MONRONEY. Mr. President, I cannot control the situation. The Senator will have to be on the floor and seeking recognition. We will be careful to protect his rights with a quorum call.

Mr. CLARK. It is possible for the Senator from Louisiana to sit in the majority leader's seat and yield the floor and I shall be present to introduce my amendment.

Mr. MONRONEY. The Senator is correct.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. Mr. President, are we under a time limitation on the amendment?

The PRESIDING OFFICER. The Senator is under a time limitation.

Mr. MORSE. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 10 minutes.

Mr. MORSE. Mr. President, what I propose to do is to strike the language starting on line 20, page 14: "Any other standing committee of the Senate may conduct a hearing while the Senate is in

session if consent therefor has been obtained from the majority leader and the minority leader of the Senate."

Many Senators were not present on the floor of the Senate when we had a debate on the Long amendment which would give the majority leader or the minority leader the authority to have committees meet to conduct hearings and any other business.

I pointed out that, in my judgment, the Senate is not giving proper consideration to the type of reform that we ought to be adopting in regard to the distribution of the time for Senate meetings and for committee meetings.

The Senate is increasingly creating a very negative image across the country for the way in which we conduct Senate business. And we deserve the criticism, for, in my judgment, we are overlooking the historic import of the floor of the Senate.

The Senate was set up by our Constitutional Fathers for the purpose of debate here in the Senate on major issues in an attempt to get the facts for the benefit of our colleagues' point of view and to change minds on the basis of the debate in the Senate.

I speak respectfully and sadly when I say that more and more the floor of the Senate has become just a meeting place for Senators to congregate and vote. Most of the time Senators do not know what they are voting on.

We come through the door, and a staff member says, "The vote is yes," or "The vote is no." They say, if it is an administration bill. "The vote is yes." If it is a Republican bill, they say, "The vote is no." We get that advice and some other advice that has nothing to do with the merits of the bill.

The Senate has ceased to be the parliamentary body that it was set up to be. I think it is a shame, and I think we deserve all of the criticism we get when constituents sit in the galleries and there are four, five, six, or seven Senators on the floor supposed to be debating a major issue.

Our constituents know that the whole thing is a farce and has no substance.

I said earlier this afternoon, and I repeat now, that some of us have been proposing this for years. If we really want to reform the rules of the Senate, we ought to do it on a Senate basis.

One of the great shortcomings of the Monroney bill is to be found in the very section, a part of which I seek to strike, when it says that—

> Except as hereinafter provided, no standing committee of the Senate or the House shall sit.

What are we trying to do? We are trying to tell the House what its procedure shall be.

I want to tell the Senate what we have here. We have a conglomeration of compromises between Members of the Senate and of the House of Representatives in a bill that seeks to reform procedures in both Houses jointly. What we ought to have is a committee to reform procedures in the Senate and a separate committee to reform procedures in the House.

It is not my purpose to tell the House my judgment of what its procedures should be, and it is not the business of the House to tell the Senate what its procedures should be.

Historically, we have some great differences in responsibilities, may I say, in the legislative process. And here, I think, we have one of the compromises as a result of the type of procedure we have set up.

That is why I will move some amendments when I get back from Mexico unless it is desired to steamroller the bill through without opportunity to consider it after the Lincoln Day recess. I think these amendments will correct some of the mistakes if Senators take more time to reflect on the bill.

I speak respectfully, but I have talked to many Senators in the cloakroom and on the floor, and I believe that we have been going at such a tempo since this session has started that, in my judgment, not half of the Members of the Senate know what is in the bill.

We need some time in which to study the bill, and if we were to take some time to study the bill, we would get some modifications in the bill. If there had been more time to study it, we would have recommitted the matter to the Monroney committee for further study.

I now come to the substance of my amendment.

It would be a mistake to give the majority leader and the minority leader the authority to determine between themselves when committees will meet and not meet.

I do not believe in that delegation of Senate power. The majority leader and the minority leader are not our bosses. They are our agents. They are our servants. They are not the ones to call the shots in the Senate of the United States.

That is the equal prerogative of each and every one of us.

There has been a very important benefit in having the rule that committees cannot meet except with unanimous consent of the Senate. When we have had a case that justifies a committee meeting, we will have a hard time, on the 10 digits of our two hands, finding the times that committees have not been able to get the consent of the Senate if the case can be made for it.

The difficulty often is that we are not facing up to our responsibility of regulating the time of the Senate and of the committees, so there is not this conflict as far as meeting dates are concerned.

I want to say that it is also used by strategists to downgrade the importance of a subject matter that may be on the floor for Senate action.

We have too many votes already agreed to; and, of course, it is unfortunate that people get irrevocably committed to vote in a certain way on a bill, irrespective of what may be said about the bill before the debate is over.

How many times have individual Senators gone to a Senator and said, "I wish you would give some consideration to the merits of this," and the reply is, "I have decided that you are right, but, unfortunately, I have myself committed."

Of course, the Senator who irrevocably commits himself to a bill before the debate has been concluded is not living up to his obligations in the Senate, in my opinion. I believe that we should keep our minds open and wait until the debate has been concluded.

We are making a great mistake in downgrading debate in the Senate. I shall not vote to give to my majority leader and the minority leader the power to speak for me on anything, including the power to speak for me in regard to whether or not committees should meet when there is pending on the floor of the Senate a vital matter in which there should be debate and Members of the Senate should be heard, and when Senators should not be in a committee room or somewhere else. That is the problem that faces us, and I plead this afternoon that you do some rethinking about this delegating of power in the Senate.

It has become almost a general practice on the part of Senators to delegate away their power within the Senate and between the Senate and executive branch of government. I have spoken—to your boredom—about my very deep conviction that we are delegating away our power as Senators, under our check-and-balance system, with the result that the responsibility for building up a monstrous executive power in our system of government is the fault of no one but ourselves.

It is incomprehensible to me why men struggle so hard to become Senators; then, when they get here, they shrink from making the decisions they were elected to make, and hasten to delegate their duties to someone else.

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

Mr. MORSE. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

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

Mr. MORSE. We are walking out on our responsibility of checking the executive branch of the Government. It has its checks upon us. Our forefathers, with great wisdom, recognized the importance of maintaining a system of three coordinate, coequal branches of government, and I do not wish to see it weakened.

You may ask what that has to do with this issue. It has this to do with the issue: You are again feeding the attitude that has developed in the Senate of delegating away more and more of your individual senatorial responsibilities. We should stop doing so.

Whenever a committee can make a case for itself to meet while the Senate is in session, it can come to the floor and in most instances secure that consent.

It was argued earlier this afternoon that the unanimous-consent rule for committees is part of the filibuster technique. My reply to that argument is that it has nothing to do with the filibuster technique unless you permit it to have something to do with that technique. What you should do is change rule XXII, and then you would not have to worry about somebody using the

unanimous-consent requirement in regard to committee meetings in connection with a filibuster.

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

Mr. MORSE. Mr. President, I ask unanimous consent that I may proceed for 1 additional minute.

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

Mr. MORSE. Mr. President, we should not mix those two things, because they have no cause and effect relationship in fact.

I close, Mr. President, by saying that I believe we should strike this language. This would give us an opportunity later on, in the Senate, as an entity, to decide what rules we may desire in regard to the conducting of committee hearings.

I do not believe that any Senator would suggest that we should run to the House and ask the House whether we should be allowed to pass a rule providing that the Senate will meet, say, 3 days a week in the early period of the session and 2 days a week later on, or vice versa; that on the other days, committees will meet all day; that we shall recess at noon for an hour and a half or 2 hours for lunch. We do not have to get the consent of the House for that.

In my opinion, we have made a great mistake in having a joint committee that seeks to work out conformity of rules between the House and the Senate. There is no virtue in conformity of rules between the Senate and the House. It should be recognized as the prerogative of each body to adopt its own rules. We are constituted differently, we serve different purposes in the representative system, we operate differently, why should we not have different rules?

We have been very jealous about that prerogative in other fields. I do not know why we have yielded in this instance.

We should retain the present rules for the time being and give further consideration to the matter, and we should not vest in the majority leader and the minority leader prerogatives which, in my judgment, we should not vest in them.

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

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

The PRESIDING OFFICER. Who yields time?

Mr. ALLOTT. Will the Senator yield me 5 minutes?

The PRESIDING OFFICER. Does the Senator from Oregon yield?

Mr. MORSE. I yield to the Senator from Kentucky, and then I shall yield to the Senator from Colorado.

Mr. COOPER. Mr. President, I believe that the Senator from Oregon has raised a very serious question respecting this section of the bill.

It is possible, with the adoption of this section, to organize better the work of the Senate. But there are more important considerations involved. I believe that organization of the Senate's work could be taken care of administratively.

Several years ago I spoke on this subject in the Senate, and called to the minds of Senators the time when the late Senator Taft was in effect the majority leader of the Senate. In the early days of the Congress, he arranged the schedules of the committee meetings and fitted them into the sessions of the Senate, scheduling the short sessions of the Senate in the early days of the Congress, so that in the first 2 or 3 months of the Congress, very effective work was done in the committees, and the work was speeded up. This could be done administratively.

But much larger considerations have been raised by the Senator from Oregon. I believe in important matters which affect one of us as a Member of the Senate, perhaps affect our State, or matters in which we have a deep interest and deep convictions beyond the interests of our State, that each Member should have the right to require, under the present rule, that we be present. This is not meant as a reflection upon the judgment of the majority leader or the minority leader. But we represent our States and we are here as Members of the Senate with our own responsibilities, and I believe that we should protect our responsibilities and our duties.

I concur wholly in what the Senator from Oregon has said about the debates of the Senate. There has been a lessening of interest in debate, I know. But there should be more interest. The Senator from Oregon is one of the Senators who has urged this view for a long time. I support the Senator's motion to strike this section from the bill.

Mr. MORSE. Mr. President, I yield myself 1 minute.

Under the present policy, you ask for unanimous consent. If you do not get unanimous consent, a motion can be made to permit a committee to meet. It may be said that that motion is debatable and that therefore it can be related to a filibuster. But I repeat that you should clean up rule XXII. Merely because a motion for a committee to meet is debatable, you should not therefore vest in two men in the Senate the power to determine whether or not a committee may meet. It is an important prerogative for the Senators individually to decide, as part of the majority, if a majority decides to grant or not to grant the committee meeting.

I yield 5 minutes to the Senator from Colorado.

Mr. ALLOTT. Mr. President, the amendment of the distinguished Senator from Oregon arose out of a parliamentary inquiry I made a few moments ago with respect to the subject of the amendment.

I say to Senators sincerely that I wholeheartedly support this amendment. Now, why? Because of the way the section is written. First, it really comes back to the same thing, anyway; because if a member of a committee comes to the majority leader or to the minority leader, either of them will almost certainly—except in the most exceptional instances—have to agree to the request of an individual member. So, in a way, with this section we would come back to the same thing we now have; that is, that a single member can prevent the sitting of a committee while the Senate is in session.

As the distinguished Senator from Oregon has pointed out so well, what we are doing here is to leave the individual Members of the Senate completely out in the cold. No longer will we have the power to go on the floor and keep a committee from meeting, when that particular committee's meeting is concerned with business on the floor which may be vital not only to him or to his State or to his section of the country, but it may be vital to the national interest of the country.

Many times I have bent backwards, and I am sure other Senators have also, in order not to interfere with the business of the Senate or the business of the committee, even though the option to come to the floor of the Senate and object was available. I do not think there have been many instances when this privilege has been abused.

I agree that we are tending to surrender not only to the executive branch but also in other places too many of the prerogatives which are ours as Senators. For that reason, I believe we would be surrendering here a right which is inherent and a part of the office which we hold in the Senate.

Mr. President, I wholeheartedly support the amendment of the Senator.

The PRESIDING OFFICER. The Senator from Oregon [Mr. MORSE] has 8 minutes remaining.

Mr. MONRONEY. Mr. President, I rise in opposition to the amendment of the distinguished Senator from Oregon. The amendment would put the rule back to where it was before. It would prevent the committees from meeting regardless of how urgent the nature of the reason was, awaiting this report on the legislation from the committee, so that it could be the last order of business on the floor. It would give to one man the ability to block the efforts of 60 or 70 Senators to take up legislation, and it may be at a time when the Senate is engaged in a lackadaisical discussion of something far afield from the pending business and things that are of no great moment to the Senate at all.

It seems to me we have voted for some 20 years by interpreting the rule to mean without special leave to give every Member the right to say no to the other 99 Senators. I do not think that this was intended by the legislative reorganization. We expected a vote by the Senate at that time to allow committees to meet. Some say that because of the right of unlimited debate on a motion to allow them to sit that provision never became effective.

It seems to me the matter has been taken up in a way that would be best suited to both the majority and the minority, in giving to the men who are most seriously concerned with carrying out the vast program of the Senate which it has before it, or expects to have before it, the right jointly to make this decision. I would rather have the distinguished leaders of the majority and the minority make that decision than one Senator over 99 other Senators, who might rise and say, "No, the committees cannot meet."

If we are crowded, as in adjournment time, we come down at 7 o'clock or 8 o'clock in the morning to try to rush in order to get the business of the Senate

completed before 11 o'clock, noon, or whatever the time it is that the Senate is meeting. This is not the way to move and expedite our business.

I do not see many Senators who would wish personally to deny the right of committees to meet. They give them that power.

We thought it would have been wrong to provide that the motion to permit committees to sit was nondebatable. This would have given the opportunity for the minority to make the ruling for the majority. The minority called this to our attention. The best arbiters as to whether committees should sit, I think, are the majority and minority leaders of the Senate.

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

Mr. MONRONEY. I yield.

Mr. ALLOTT. The Senator is not contending, and I am sure he did not contend here, that one Senator who would object to the meeting of the committee would tie up the entire Senate.

Mr. MONRONEY. It was my contention that the entire committee apparatus could be tied up.

Mr. ALLOTT. He cannot dictate how it will be run. All that a Senator can do if this amendment is adopted is keep a committee from meeting while the Senate is in session. The committee could meet at other times, as it has done.

Mr. MONRONEY. The committee could meet in the morning and then adjourn, and it may be 20 minutes, 1 hour, or as much as 2 hours. Committees already have the right to meet during the morning hour.

Two or three years ago we passed an amendment—and I helped to get it passed—allowing committees to report legislation during the morning hour. This was one of the amendments attached to this legislation.

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

Mr. MONRONEY. I yield.

Mr. MILLER. The Senator is saying, is he not, that the thrust of this provision in the bill is to speed up action in the Senate; and if a Senator might possibly feel aggrieved under the present rules he can delay things a little. As I understand the situation, if I object under the present committee rules, that committee could not meet this afternoon, but there would be nothing to prevent the committee from meeting tomorrow to conduct the business that it would have conducted this afternoon. In effect, I would have delayed the work of the committee.

Under some circumstances there may be technical reasons, but it seems to me that the thrust of the bill is to help speed up the action of the Senate and, within certain limitations, speeding up the action of the Senate is well overdue.

Mr. MONRONEY. I appreciate the comments of the Senator.

The rule states:

> Except as hereinafter provided, no standing committee of the Senate or the House shall sit, without special leave, while the Senate or the House, as the case may be, is in session.

We would not repeal that provision. We hope that committees will not be in session, but should they need to be in session, after consultation with the two men who have on their hands the program for the entire Senate, they can get permission to sit and complete hearings or complete the markup of a bill while the Senate is in session. I do not think that there will be any great loss to the United States or to future generations by requiring all committee members to forego committee hearings and be here to hear priceless oratory that transpires on the floor of the Senate. It is hard to find it with reference to the issue at hand. It is hard to hear succinct debate on matters such as the legislation before us when we drift and wander around. No wonder there are few Members in the Chamber.

There are few Senators on the floor under the old rule. We have not had good attendance in the past 20 years. Yet the arrangement that the Senator from Oregon wants to go to is to keep what we now have. I think that there would be little deviation. I am surprised that a man who fought the filibuster as hard as the distinguished Senator from Oregon [Mr. MORSE] would like to see it made possible for them to do that, where the floor of the Senate is tied up with a debate over some matter to forestall a vote under rule XXII. It would seem to me that the majority leader and the minority leader would be better able to say whether the committees can sit and do their work.

Committee procedures and the failure to have bills reported cause October and November adjournments. I do not believe that the amendment of the Senator from Oregon would alleviate that situation, by preventing all members of the committee, if need be, getting permission of the Senate through the majority leader and the minority leader to sit in an afternoon or later when the Senate is in session.

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

Mr. MONRONEY. I yield 5 minutes to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I rise to support the position of the Senator from Oklahoma with respect to the pending amendment, which I hope will be defeated.

Senators will recall that for 10 years now I have been attempting to persuade the Senate to adopt a rule which would permit committees to sit while the Senate is in session, by majority vote, to be determined without debate. I endeavored to persuade the Senator from Oklahoma early during the consideration of the bill to accept that amendment. He was unwilling to do so. Nevertheless, we have proceeded, I believe, to what is now an acceptable compromise which, in effect, is that committees can sit, not only for the purpose of hearings, but also, thanks to our good friend from Louisiana, for all purposes, which includes the marking up of a bill, at any time while the Senate is in session if they have the consent, not of every Senator in the Chamber, but of the majority and minority leaders.

More than that, we have made legislative history which establishes that the majority and minority leaders are not automatically to deny that permission because one of their members is affronted at a committee sitting, but are rather to take into consideration, in all good conscience, just what the needs of the Senate are.

Now the Senator from Oklahoma has made an abundant record in the past making it plain that it was never the intention of the managers of the 1946 reorganization bill to give to one Senator the right to prevent committees from sitting. Actually, the practice which has developed has had the effect of tying up the Senate—I repeat to my good friend from Colorado, tying up the Senate—not just committees. Objecting to committees sitting while the Senate is in session is a relic and an anachronism. The situation which results comes pretty close to chaos. Senators well know that as we near adjournment, the Senate does not convene at 12 o'clock or 11 o'clock, but at 10 o'clock in the morning. It does not adjourn at 4 or 5 o'clock, but at 6 or 7 o'clock.

All during that period, any one Senator, as the parliamentary rulings stand now—although the Reorganization Act of 1946 never intended it—can immobilize important legislative committees of the Senate. Were it not for the fact that by custom—of which I personally disapprove—the Appropriations Committee gets unanimous consent to sit at any time, one Senator could tie up appropriations, as well.

On one occasion, 2 years ago, I refused to grant that unanimous consent. I did so in the hope that some members of the Appropriations Committee would be willing to grant to other legislative committees of the Senate the same privilege of moving forward in an orderly way with their work which has traditionally been given to the Appropriations Committee by unanimous consent.

Mr. President, we are now at the beginning of a really important, historic session.

There will be controversial matters coming before the Senate. There is not a legislative committee in this body which is not overworked. It is all very well to say that we can sit at 8 o'clock in the morning, or we can sit until 7 o'clock at night, that we can tell the wife that we will be home for dinner, that we can tell our kids that we will not be able to see them, that we will get up at the crack of dawn—but, try to get a quorum when a committee sits that early, or that late at night.

Thus, we have proceeded by the process of free debate on the floor of this body, and have arrived at a reasonable compromise. We have acted by a rollcall vote on the motion of the Senator from Louisiana, and I hope that we will not now reverse ourselves by adopting the amendment proposed by the Senator from Oregon.

Mr. President, I yield back the remainder of my time.

Mr. MONRONEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oklahoma will state it.

Mr. MONRONEY. How much time remains?

The PRESIDING OFFICER. The Senator from Oklahoma has 17 minutes.

Mr. MONRONEY. Mr. President, I

yield 2 minutes to the distinguished Senator from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 2 minutes.

Mr. MUNDT. Mr. President, I rise in opposition to the Morse amendment because I think we have worked out a reasonably sound and good compromise.

I speak as one who has opposed continued efforts to change rule XXII in order to make it easier for a high riding majority to grind down the position, the desires, and the statements of the minority.

But now we are confronted with a proposal which would continue to establish a minority of one as a control of the Senate. Certainly, the strongest supporter of rule XXII has never argued that one individual Senator should be able to obstruct the Senate; but that is what we actually have here.

In order to try to arrive at a compromise, I believe that the majority party was exceedingly fair in giving the minority leader the same authority as the majority leader in order to prevent a committee from sitting. I think that both leaders are responsible enough and responsive enough so that if a Member of the Senate goes to the leader of his party and says, "I am the ranking member of this committee and I have a special amendment in this committee and I would request you, respectfully, not to permit the committee to meet at such and such a time," I think he would respond.

I think that is the function of leadership, not just to exercise what has been called "the arrogance of power" because of an individual position and attitude, but because as the leader of a group they are willing to listen to consultation. Thus, because I do not believe that a minority of one should control the Senate, because I have confidence in the combined leadership that they will do those things which are in the best interests of the Senate, because they think they have persuasive capacity, at times, to convince individual Senators who might be a little bit obstreperous for a day or two, that perhaps they were not acting wisely in seeking to prevent committees from sitting, I think we can expedite the work of the Senate and protect the rights of individual Members. Accordingly, I oppose the proposal of the Senator from Oregon.

Mr. MORSE. Mr. President, I yield myself 2 minutes to reply to the Senator from Oklahoma and the Senator from Pennsylvania [Mr. CLARK].

The PRESIDING OFFICER. The Senator from Oregon is recognized for 2 minutes.

Mr. MORSE. It is not a fact that the present rule permits one man to hold up the Senate in regard to committee hearings. If request for unanimous consent is not obtained, the majority leader or anyone else is in a position to move that the Senate permit a committee to sit.

Oh, but the Senator from Oklahoma is saying by implication that one man can engage in a filibuster. I repeat that the Senator from Oklahoma should join us in trying to get rule XXII changed. Maybe we can change it by way of the Clark proposal, that in such a situation a motion be made that it is not debatable, or debate should be limited, and write it into the rule. But, Mr. President, I do not want the RECORD to stand that one man can prevent committees from meeting. I shall look forward next time to a vote on cloture and how the Senator from Oklahoma gives us the benefit of his vote on cloture.

The rule XXII issue has nothing to do with this issue. It is a very important issue, rule XXII, and we should deal with it separately; but also I want to say that other arguments made by the Senator from Oklahoma, and the Senator from Pennsylvania, in regard to other procedures in the Senate, are irrelevant to this issue. The only relevancy we have here is whether we want to give to the majority and minority leaders the powers of a majority of the Senate, themselves, to decide whether a committee shall meet.

I happen to think that each one of us has an important prerogative in determining the exercise of senatorial power.

I do not propose to vote to give it to the majority and minority leaders. I think that we should stop delegating away our individual senatorial powers.

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

Mr. MORSE. Mr. President, I ask unanimous consent to proceed for 1 additional minute.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 1 additional minute.

Mr. MORSE. If we adopt the rule that I propose, then we can proceed to consider other rules, such as the Senator from Pennsylvania has fought for for 10 years. My record is pretty good in standing with him in support of most of his procedures. But, I am at a loss to understand why my good friend from Pennsylvania wants to delegate to the majority and minority leaders powers that he should insist be retained within the rights of every individual Senator in the Senate.

One more point. Again I want to point out that we have a bill here that is mixed in the sense that we as Senators are going along with a procedure by which we tell the House what they should do with its rules in exchange for letting them have a voice in what we should do with our rules. I repeat that we ought to decide our own rules, independent of the House, and they ought to do likewise.

Before this debate is over, I shall offer an amendment which will treat provisions of this bill as only recommendations to Senate committees.

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

Mr. MORSE. I ask unanimous consent to proceed for 1 additional minute.

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

Mr. MORSE. The important thing is to see to it that each committee of the Senate operates on the basis of rules fixed by majority vote. They know the problems of their duties. They can be counted on to adopt rules of procedure for running those committees that will be in the Senate's interest and in the public interest.

We are really proposing in this bill to treat Members of the Senate as though they were kindergarteners, on whom we have to impose rules that they must abide by, such as kindergarten pupils have to, even to raise their hands to leave temporarily.

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

Mr. MORSE. I ask unanimous consent for 1 additional minute.

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

Mr. MORSE. I do not know why we must adopt this type of mish-mash bill that, in my opinion, forbids their acting as Senators on a majority-rule basis, for the purpose of operating committees.

If I have any time left, I yield to the Senator from Pennsylvania.

Mr. MONRONEY. Mr. President, I yield 2 minutes to the Senator from Pennsylvania [Mr. CLARK].

Mr. CLARK. Mr. President, the Senator from Oregon has raised an interesting philosophical argument, which, to my way of thinking, can be defined in this way: Shall we proceed by way of orderly rules and procedure or should the principle of unrestricted liberty govern the procedures in the U.S. Senate?

This is a question which we constantly run into in our pluralistic and democratic society. Sometimes we think we have to use curb bits on ourselves in order to get things done. There are others of us who think that we should exercise our liberties in a free society. All of this confirms my conclusion that we should be on the side of law and order in this regard, because, in my opinion, the structure of the Senate gives far too much negative power to individual Senators and not enough positive power to the majority leader who wants to get through the program of his President and his party.

I feel also that the minority leader has a little too much power and the committee chairmen have too much power sometimes. I would like to preserve the right of the majority leader to control floor procedures. In trying to carry that out I have proposed an amendment, which is not satisfactory to the Senate or to the Senator from Oklahoma. Now we have an amendment which gives me about two-thirds or 70 percent of that which is desirable.

It is for that philosophical reason that I disagree with the Senator from Oregon.

Mr. MORSE. Mr. President, I yield myself one-half minute.

That may be the philosophy and that may be the analysis of the philosophical concepts that are involved in the debate according to my friend from Pennsylvania, but let me say that all advocates of giving unchecked power to administrators have made the argument that it is in the interest of expediting law and order. I have never seen much law or order in a system which has developed that gives to an individual unchecked power over the many. I do not propose to give this kind of unchecked power to either the minority or majority leader of the Senate. It is for us to decide, and it is for them, as our servants, to do as we decide.

Mr. LONG of Louisiana. Mr. President, if I may take 2 minutes, as Senators who have served here know, most of the work of the Senate is done in committee, and the average Senator does more work in committee than on the floor. If Senators want to do it, they can discharge their responsibilities in both places; but when the Senate is in session for long hours and when the committees must meet for the consideration of important legislation, it is necessary that they must be able to meet.

The way we do it now is that a chairman of a committee will discuss the matter with the ranking Member on the other side of the aisle. They will agree to a certain time or day. Perhaps witnesses take more time than was expected, and the committee's meetings run into the hours when the Senate is in session.

At that point the chairman and the ranking Republican member may say, "Shall we ask the Senate for permission for the committee to meet?" It they agree, they will ask the majority leader to make the request, and if it is satisfactory, that is done. But if a Senator objects, and the question is to be put up to a vote, the Senator who has objection can do what we all know we can do. I know I have done it. The Senator can suggest the absence of a quorum. Then he can read a few newspaper articles into the RECORD, and then suggest another absence of a quorum. After two or three or four quorum calls and a few dilatory tactics, the majority leader will decide that it is futile for the committee to meet. The majority leader is then faced with the choice of either adjourning the Senate, so that the committee can meet, or the committee must stop its proceedings and come back the next day, or after the Senate is through its session, perhaps late at night.

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

Mr. LONG of Louisiana. I yield myself 1 additional minute.

Then the chairman has to try to get enough members together to do business.

So, as a practical matter, unanimous consent must be obtained. A Senator who is not even on the committee or not interested in the bill has the power to keep the committee from getting on with its vital business.

Mr. MONRONEY. Mr. President, I am prepared to yield back my time.

Mr. MORSE. I yield back my time.

The PRESIDING OFFICER. All time on the amendment having been yielded back, the question is on the amendment of the Senator from Oregon. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Indiana [Mr. BAYH], the Senator from Alabama [Mr. HILL], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Georgia [Mr. RUSSELL], and the Senator from Mississippi [Mr. STENNIS], are absent on official business.

I also announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Florida [Mr. SMATHERS], and the Senator from Georgia [Mr. TALMADGE], are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Ohio [Mr. LAUSCHE], would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Michigan [Mr. GRIFFIN] and the Senator from Illinois [Mr. PERCY] are necessarily absent.

The Senator from Texas [Mr. TOWER] is absent on official business.

The Senator from Idaho [Mr. JORDAN], and the Senator from California [Mr. KUCHEL] are detained on official business.

If present and voting the Senator from Texas [Mr. TOWER] would vote "yea."

The result was announced—yeas 33, nays 47, as follows:

[No. 22 Leg.]

YEAS—33

Aiken	Dominick	Morse
Allott	Ervin	Morton
Bartlett	Fannin	Murphy
Bennett	Gruening	Pastore
Byrd, Va.	Hansen	Pearson
Byrd, W. Va.	Hartke	Pell
Carlson	Hatfield	Prouty
Cooper	Hruska	Thurmond
Cotton	Javits	Williams, Del.
Curtis	Jordan, N.C.	Young, N. Dak.
Dirksen	Mansfield	Young, Ohio

NAYS—47

Baker	Hayden	Moss
Bible	Hickenlooper	Mundt
Boggs	Holland	Muskie
Brewster	Hollings	Nelson
Brooke	Jackson	Proxmire
Burdick	Kennedy, N.Y.	Randolph
Cannon	Long, La.	Ribicoff
Case	Magnuson	Scott
Church	McCarthy	Smith
Clark	McGee	Sparkman
Dodd	McGovern	Spong
Ellender	Metcalf	Symington
Fong	Miller	Tydings
Gore	Mondale	Williams, N.J.
Harris	Monroney	Yarborough
Hart	Montoya	

NOT VOTING—20

Anderson	Jordan, Idaho	Percy
Bayh	Kennedy, Mass.	Russell
Eastland	Kuchel	Smathers
Fulbright	Lausche	Stennis
Griffin	Long, Mo.	Talmadge
Hill	McClellan	Tower
Inouye	McIntyre	

So Mr. MORSE'S amendment was rejected.

Mr. MONRONEY. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. LONG of Louisiana. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LONG of Louisiana. Mr. President, I have two relatively minor amendments that I have discussed with members of the committee and the members of the committee seem to feel that the amendments are all right and that they can accept them.

AMENDMENT NO. 72

Mr. President, I call up my amendment No. 72 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 11, line 11, immediately after the period, insert closing quotation marks.

Beginning with line 12, page 11, strike out all to and including line 24, page 11.

Mr. LONG of Louisiana. Mr. President, the amendment merely deletes the requirement that a committee must print a set of rules every year. If the committee wants to print the rules, that is fine. If the committee has rules, there is no reason to print them every year once they have been printed.

The amendment would leave it to the discretion of the committee members.

I have discussed the amendment with the distinguished manager of the bill and he seems to feel that it would be a more flexible arrangement. They are willing to accept the amendment.

Mr. MONRONEY. Mr. President, we feel certain that the committee will provide for the printing of rules when major changes are made. We feel that to print them every year would be an unnecessary expense and that it would not be necessary in a new Congress. For that reason, we are willing to accept the amendment.

Mr. LONG of Louisiana. Mr. President, I yield back the remainder of my time.

Mr. MONRONEY. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from Louisiana.

The amendment was agreed to.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

AMENDMENT NO. 74

Mr. LONG of Louisiana. Mr. President, I call up my amendment No. 74, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows.

On page 14, line 3, strike out the words "on at least one day of", and insert in lieu thereof the words "during the".

Mr. LONG of Louisiana. Mr. President, I send to the desk a modification of my amendment and ask that it be stated.

The PRESIDING OFFICER. The modification will be stated.

The assistant legislative clerk read as follows:

On page 14, line 3, strike out the word "on," and insert in lieu thereof, the word, "during."

Mr. LONG of Louisiana. Mr. President, the committee bill would require that if the minority members wish to call witnesses, they be called on another date. My amendment has in mind that if we can complete the entire hearing in 1 day, the minority witnesses would be heard on the same day as the witnesses called by the majority.

Mr. MONRONEY. Mr. President, the

committee is very happy to accept the amendment. We do not wish to prolong the hearings unduly by having a separate day for the minority witnesses. We wanted to make certain that the minority would have the right to put on its witnesses during the committee hearings. It is done, from a practical standpoint, on practically all of the committees anyway.

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

Mr. LONG of Louisiana. I yield.

Mr. CASE. Does the requirement of 1 week's notice still remain?

Mr. LONG of Louisiana. The Senator is correct. This amendment has nothing to do with the requirement for 1 week's notice.

Mr. WILLIAMS of Delaware. Mr. President, may we have the amendment read as modified?

The assistant legislative clerk read as follows:

On page 14, line 3, strike out the word "on," and insert in lieu thereof, the word, "during."

Mr. LONG of Louisiana. Mr. President, I do not believe that the committee thought of this, but if we are able to complete the hearings in 1 day, there is no need of having a second day for the witnesses who represent the minority view.

It is recognized that if the hearings require more than 1 day, sometime during that period we would have time for the minority viewpoint to be expressed. However, I do not think that anyone would say that if we can complete all of the witnesses and get them all heard we should not complete the hearings in 1 day. That is what the amendment has to deal with.

Mr. President, I yield back the remainder of my time.

Mr. MONRONEY. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from Louisiana.

The amendment was agreed to.

AMENDMENT NO. 77

Mr. LONG of Louisiana. Mr. President, I call up my amendment No. 77.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to dispense with the reading of the amendment and I will explain why in a moment.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

(c) Each report of a committee of conference shall be printed as a report of the House of Representatives. As printed in the House, each such report shall be accompanied by an explanatory statement prepared by the conferees on the part of the House. Each such statement shall be sufficiently detailed and explicit to inform the House as to the effect which amendments or propositions contained in such report will have upon the measure to which it relates. If any conferee on the part of the House desires to submit to the House an additional individual explanatory statement with respect to any such report, such individual statement may be filed as an appendix to, and may be printed together with, the explanatory statement made by the conferees on the part of the House, if such individual statement is available at the time of the filing of the report of the committee of conference to the House. The report of a committee of conference with respect to any measure may be printed as a report of the Senate in the discretion of the conferees on the part of the Senate. If such report is so printed, it may include an explanatory statement with respect to that report prepared by the conferees on the part of the Senate.

Mr. LONG of Louisiana. Mr. President, I am not going to insist on a vote. The pending amendment has to do with the requirement that when conferees bring a conference report back to the Senate, they must submit the report of the Senate conferees.

At present, the House managers submit their report and the Senate managers do not ordinarily submit a report. They may have a colloquy on the floor and discuss the conference report and their legislative intent. However, usually they do not submit a report.

The committee bill would require that there be one statement from the conferees on the part of the Senate. Some of us have some doubt about this because we fear that, especially with regard to revenue bills, if the Senate conferees take a different view than the House conferees, the legislative intent is unclear. In this event, we would require litigation in the highest courts to determine what Congress did have in mind when it passed the bill.

If we could have some understanding that in the event the Senate conferees were satisfied with the statement of the House conferees, they could simply so affirm, and we could perhaps comply with this provision in the bill. Otherwise, we would need an amendment to say that we could not have a separate statement if we do not think it necessary.

Mr. MONRONEY. Mr. President, the purpose of the amendment is to give the Senate coequal status in a statement on the part of the managers from both Houses. The statement would be available as a cohesive and prepared statement as to their interpretation of the action of the conference committee.

We have been at a handicap through the years in that our conferees come back, and while the House manager submits a written prepared statement, the Senate manager handles it through colloquy on the floor and in the CONGRESSIONAL RECORD and they have not made a formal statement as to their understanding.

We hope, by providing for a written statement as to the understanding on the part of the Senate and the House, that gradually the managers from the two Houses will get together and use the same statement and have the understanding of the Senate coequal with the understanding of the House.

It will be an easy matter. If the managers on the part of the Senate agree with the House statement, they can just say, "We concur in the statement on the part of the manager of the House as being the Senate statement."

This would avoid any controversy whatever: However, where there is a slight difference in understanding, we want the Senate position to be as clear and as prestigious as the House statement has been. It would eliminate the need for striking this out as an unneeded and unnecessary amendment.

Mr. LONG of Louisiana. Mr. President, what happens on revenue bills usually is that the Joint Committee on Internal Revenue and Taxation staff works for both committees and prepares the statement for the House manager. The Senate staff will work with the House staff, and perhaps with the advice of draftsmen from the Treasury work out what the House manager's statement should be.

It is desirable, if possible, that the statement of the Senate manager should not conflict with that of the House manager, particularly on tax laws.

If we could have an understanding that both can use the same statement, or simply say, "We concur with that statement," then it would not be necessary to amend the bill.

Mr. MONRONEY. Mr. President, we would hope this would be the case in all cases. However, if we were to tell the House that they must agree with the Senate, we know what would happen in the committee. We hope that we can work together so that one statement will suffice for both Houses.

Mr. WILLIAMS of Delaware. Mr. President, the example of the Senator from Louisiana to the effect that there is disagreement between the House and the Senate conferees as to what is intended means that they should go back and do the work over again, because in enacting a tax measure, it is very important that there be complete agreement, by both the House and the Senate, as to what we are doing.

Mr. LONG of Louisiana. Mr. President, I withdraw the amendment.

Mr. President, I move to reconsider the vote by which my amendment No. 69, as modified, was agreed to.

Mr. BYRD of West Virginia. I move to lay that motion on the table.

The PRESIDING OFFICER. The motion of the Senator from Louisiana requires unanimous consent.

Mr. LONG of Louisiana. I ask unanimous consent.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana? The Chair hears none.

Mr. BYRD of West Virginia. I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion of the Senator from Louisiana.

The motion to lay on the table was agreed to.

ITT–ABC MERGER

Mr. MORTON. Mr. President, in Monday's issue of the Wall Street Street Journal appears comment on a statement that I made in the Senate, in which I criticized the action of the Department of Justice in the ITT–ABC merger case.

In order to set the record straight, I should like to point to a comment in the article, which says:

Republican Senator Morton, of Kentucky, whose family holds a large interest in ABC's Louisville affiliation, spoke on the Senate floor, advising the FCC to ignore Mr. Turner's intervention.

I rise only to set the record straight. It is probably the fault of my own office that this misconception came about. My late brother-in-law had the first television station in Kentucky. My sister now owns that property. It involves three stations today. They are not ABC; they are NBC. I have no interest in that property. But, of course, there is a family interest, because she is my beloved sister, and I hope that the business prospers.

I merely wish to indicate for the RECORD that I was speaking for a competitor of my sister's properties, and not as one who had anything to do with ABC, as is indicated in the Wall Street Journal.

UNANIMOUS CONSENT REQUEST

The PRESIDING OFFICER. What is the will of the Senate?

Mr. MORSE. Mr. President, I have an extraordinary unanimous-consent request to make. I ask unanimous consent that I may send to the desk and have introduced today an amendment which is being drafted presently by legislative counsel. They may not finish it today, so I ask unanimous consent that, when it is finished, it may be printed and lie on the desk, to be called up in this debate. In the event that it proves necessary, the Senator from West Virginia [Mr. BYRD], the secretary of the Democratic conference, is willing to introduce the amendment, by request, on my behalf, tomorrow, with no commitment on his part whatsoever. I make that unanimous-consent request.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MORSE. I ask unanimous consent that I may have 2 minutes in which to explain my amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MORSE. Mr. President, this amendment which I shall offer will provide that if the bill is passed, all the provisions in respect to Senate committee and hearing procedures shall be considered as naught but recommendations for the committees; the amendment further provides that each committee of the Senate shall, by majority vote and rule, decide on its own committee procedures, irrespective of any provisions of the bill.

I repeat what I said earlier this afternoon: I do not believe that the House should have the slightest voice in determining what Senate committee procedures should be. The Senate should give to each committee the authority to adopt its own procedures, and the only Senate rule imposed upon the committee in respect to the procedures that it adopts will be the requirement that a majority of a committee shall have the authority to adopt Senate rules.

In essence, this will be the purport of my amendment.

I hope that when the Senate delegation of 15 Members returns on the 15th from Mexico City, where we will be carrying out an official responsibility as Members of the Senate, this bill will still be pending, and that we will have an opportunity at that time to offer this amendment for debate and vote, as well as other amendments that I believe should be considered by the Senate before final action is taken on this bill.

ADJOURNMENT

Mr. LONG of Louisiana. Mr. President, in accordance with the order previously entered, I move that the Senate stand in adjournment until 12 o'clock tomorrow noon.

The motion was agreed to; and (at 6 o'clock and 6 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, February 8, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 7, 1967:

ASSISTANT SECRETARY OF TRANSPORTATION

Donald C. Agger, of Maryland, to be an Assistant Secretary of Transportation (new position).

HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 7, 1967

The House met at 12 o'clock noon.

Rev. John A. Bozeman, Jr., B.D., Aldersgate Methodist Church, Madison, Tenn., offered the following prayer:

Almighty God, our Father, maker of heaven and earth, guardian of all who seek Thy face, we pause during these opening moments of silence in this assemblage of men and women from across the United States to lift our prayers of thanksgiving and praise, and to acknowledge our need for Thy divine guidance this day.

Each of us standing on this hallowed ground in our Nation's history is here because there were men back home who had faith in us; may we so conduct ourselves as to uphold that trust. We are here as men with the credentials of a servant, seeking not the delusion of self-glory or power, but seeking only a place at the foot of the table where we might further the cause of right through self-giving, sacrificial service.

Forgive us, O God, when we fancy ourselves gods—not men—and grant us a faith which says to us when all about seems to be falling in ruins: "Nothing is ever lost which furthers the noble cause of our fellow man—and our country, under God."

In Christ's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 20. An act to provide for a comprehensive review of national water resource problems and programs, and for other purposes; and

S. 270. An act to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant, and for other purposes.

THIRD-CLASS POSTAL RATES

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, at a time when the American Advertising Federation is meeting here in the Nation's Capital, it is timely to bring up the subject of free enterprise in advertising. I believe very firmly in the free enterprise system, Mr. Speaker, and that is why I am opposed to any system which allows the Federal Government to use taxpayers' funds to subsidize any form of advertising.

I hope that my colleagues who believe in the free enterprise system will rally to my support, as have people throughout the country who enthusiastically support my bill, H.R. 99, to provide that junk mail and advertising mail should pay their own way. Third-class mail now pays only 60 percent of the cost of delivery. The people of this country are strongly in favor of raising third-class postal rates so that this class of mail will pay its own way.

The Post Office Department, which is now running a deficit of $1.2 billion annually, is losing money on third-class mail not only because of the absurdly low rates. Another reason is that third-class mail weighs a good deal more than first-class mail. I would like to point out that the average out-of-town first-class letter weighs six-tenths of an ounce. The average weight of a third-class bulk piece of mail is 1.3 ounces, which is more than twice the first-class weight average.

Statements are being circulated contending that postal workers and the public favor these absurdly low rates. Others are trying to create a smokescreen by saying I ought to attack second-class rates also. Well, I am in favor of raising second-class rates, and I am sure they will be raised, and I am glad we got the discussion started. I ask those interested in raising second-class rates to join my campaign to raise the third-class rates and I will help them with their efforts on second class.

I have a letter dated January 10, 1967, from Earl F. Gault, secretary of branch 481 of the National Association of Letter Carriers in Parkersburg, W. Va., who states:

I want to take this opportunity to convey to you the action taken at our January branch meeting. A motion was tendered, duly seconded, to endorse your stand to raise the rates on said class of mail. This motion was carried unanimously, and I was instructed to write you to this effect.