H.R. 3430. An act for the relief of Yim Mei Lam;

H.R. 3497. An act for the relief of Ramiro Velasquez Huerta;

H.R. 4534. An act for the relief of Mary Bernadette Lineham; and

H.R. 5216. An act for the relief of Roberto Martin Del Campo.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1933. An act to provide for the disposition of the judgment funds now on deposit to the credit of the Cheyenne-Arapaho Tribes of Oklahoma; and

S. 2310. An act to provide more effectively for the regulation of the use of, and for the preservation of safety and order within, the U.S. Capitol Buildings and the U.S. Capitol Grounds, and for other purposes.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 23 minutes p.m.), under its previous order, the House adjourned until Monday, October 23, 1967, at 12 o'clock noon.

REPORT OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAWSON: Committee on Government Operations. Report entitled "The Administration of Research Grants in the Public Health Service" (ninth report by the committee) (Rept. No. 800). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. Report entitled "Food and Drug Administration Procedures for the Selection of Laboratory Sites" (10th report by the committee) (Rept. No. 801). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. S. 1136. An act to amend section 9 of the act of May 22, 1928 (45 Stat. 702), as amended and supplemented (16 U.S.C. 581h), relating to surveys of timber and other forest resources of the United States, and for other purposes (Rept. No. 802). Referred to the Committee of the Whole House on the State of the Union.

Mr. EVINS of Tennessee: Committee of conference. H.R. 9960. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes (Rept. No. 803). Ordered to be printed.

Mr. EVINS of Tennessee: Committee of conference. H.R. 12474. An act making appropriations for the National Aeronautics and Space Administration for the fiscal year ending June 30, 1968, and for other purposes (Rept. No. 804). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BURKE of Massachusetts (for himself and Mr. BATES):

H.R. 13616. A bill to provide for orderly trade in leather footwear; to the Committee on Ways and Means.

By Mr. DOWNING:

H.R. 13617. A bill to amend the Public Health Service Act to provide special assistance for the improvement of laboratory animal research facilities; to establish standards for the humane care, handling, and treatment of laboratory animals in departments, agencies, and instrumentalities of the United States and by recipients of grants, awards, and contracts from the United States; to encourage the study and improvement of the care, handling, and treatment and the development of methods for minimizing pain and discomfort of laboratory animals used in biomedical activities; and to otherwise assure humane care, handling, and treatment of laboratory animals; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MACGREGOR:

H.R. 13618. A bill to require the establishment, on the basis of the 19th and subsequent decennial census, of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes; to the Committee on the Judiciary.

By Mr. RHODES of Arizona:

H.R. 13619. A bill to amend title 18 of the United States Code to make it unlawful to assault or kill any member of the armed services engaged in the performance of his official duties while on duty under orders of the President under chapter 15 of title 10 of the United States Code or paragraphs (2) and (3) of section 3500 of title 10 of the United States Code; to the Committee on the Judiciary.

By Mr. JOHNSON of Pennsylvania:

H.J. Res. 904. Joint resolution to establish a Commission on Balanced Economic Development; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ERLENBORN:

H.R. 13620. A bill for the relief of Emma Exconde; to the Committee on the Judicary.

By Mr. FARBSTEIN:

H.R. 13621. A bill for the relief of Agata Carmen Smith, also known as Tina Scala; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES

MONDAY, OCTOBER 23, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Jesus said, "I am the light of the world: he that followeth Me shall not walk in darkness, but shall have the light of life."—John 8: 12.

Our Father God, in the darkness of our day we turn to Thee who art the light of the world and the light our world needs this present hour. Amid the discontent and dissatisfaction of this age we come to Thee for guidance and direction.

Lead, kindly light, amid the encircling gloom, lead Thou us on. Keep Thou our feet; we do not ask to see the distant scene; one step enough for us. Help us to see it and to have the courage to take it—that step by step we may move in the direction of more harmonious relationships among our people, greater cooperation among the nations of the world, and an ever increasing good will in the hearts of all men. In the name of Him who is the light of the world we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, October 20, 1967, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 11767. An act to authorize the Secretary of the Navy to adjust the legislative jurisdiction exercised by the United States over lands comprising the U.S. Naval Station, Long Beach, Calif.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 108. An act to authorize the conveyance of all right, title, and interest of the United States reserved or retained in certain lands heretofore conveyed to the State of Maine;

S. 2068. An act to repeal certain acts relating to containers for fruits and vegetables; exportation of tobacco plants and seed; naval stores; and wool; and for other purposes; and

S. 2179. An act to extend for 3 years the special milk programs for the Armed Forces and veterans hospitals.

THE HOUSE OF REPRESENTATIVES SHOULD SET EXAMPLE OF COURAGEOUS LEADERSHIP

Mr. GETTYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. GETTYS. Mr. Speaker, the U.S. House of Representatives was under security Saturday more stringent than during World War II. Doors were locked and services to Members were suspended. Apparently we were supposed to fear violence which might come by reason of the visit to Washington of thousands of marchers demonstrating and protesting against U.S. involvement in Southeast Asia.

Since when, Mr. Speaker, should the normal functions of this great body be disrupted at the whim of peaceniks and demonstrators? Are we afraid to confront those who are not in accord with the official policies of the United States? Shall we have for ourselves at home peace at any price and yet demand of Americans courageous sacrifice on a foreign battlefield?

Who shall dictate the locking up of our shop next? We speak of responsibility. Responsibility to whom, Mr. Speaker? To the vast majority of the American people who expect some dis-

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

play of courageous leadership from their elected Representatives, or should we in the House be quiveringly responsive to the demands of the irresponsible minority who would govern by demonstrations, marches, and civil disobedience?

If we are symbolic of what America stands for, Mr. Speaker, the House was a poor example on Saturday past to the soldiers, airmen, seamen, and marines fighting for our freedoms in Southeast Asia; to the parents, wives, and children whose loved ones represent us on the battlefield.

We should stand tall for our fighting men overseas instead of catering to those that demonstrate in a manner repugnant and disgusting to the vast majority of the American people.

Shame on our House, Mr. Speaker. Shame on our House.

VIOLENCE DISCREDITS MASS PROTEST

Mr. PELLY. 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 Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, every American citizen has strong convictions concerning the war in Vietnam. However, regardless of how they feel, I am sure all Americans are thankful that when some 50,000 persons decided to express their opposition to the war at the steps of the Pentagon this past weekend, that no one in authority abridged their constitutional right to assemble peaceably.

At the same time, those who resorted to violence and attempted to force their way into the Pentagon brought shame on their fellow protestors as well as themselves and discredit on those who lawfully protested the war. The majority of the demonstrators, exercising their constitutional right to protest in a lawful manner, lost because of a minority of militants who attempted anarchy. The militants lost because their lawlessness caused sensible Americans to discredit their movement. The end result was confusion and shame.

Mr. Speaker, any person who exhibits violence or lack of respect for law and order, or burns draft cards and money, or shows contempt for the courts or the flag, or flaunts individual rights above the rights of society, should not receive either comfort or compassion.

As a Member of Congress, I can assure those who peacefully demonstrate, I will do everything I can to protect and preserve our heritage of laws and freedom, including their right to dissent.

But, on the other hand, I have nothing but indignation for those who resort to violence and choose to defy the laws of our great Nation.

ATTACKS UPON OUR GOVERNMENT

Mr. BRAY. 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 Indiana?

There was no objection.

Mr. BRAY. Mr. Speaker, by now the filth and debris left by the rabble that infested Washington over the past weekend has been removed from sight, but the scar on the honor of our country will remain for all to see.

Has there been any other time in world history when the chief executive of a country overruled his advisers and gave permission for what turned into an all-out attack against the nerve center of his country's defense system?

Can any other example be cited where a powerful government dealt with persons who admittedly recognize no limits and obey no laws other than those they choose?

Where else in a country's history has official consent and tacit blessing been given to those who openly planned to engage in civil disobedience and invite arrest?

Why was it necessary to subject U.S. soldiers to what the newspapers called "face-to-face taunts and incredible obscenities" and "ugly and vulgar provocation—the most vicious personal slander"?

Did we have to hand over to our country's enemies some remarkable propaganda in the form of films showing thousands, against the backdrop of our Capital City's shrines, in what appears to be open revolt?

And did we have to allow to be inflicted on our country as a whole the deep feeling of shame, when our citizens see their own Government seemingly helpless against those who would destroy it?

This disgraceful matter, condoned by the administration, means the beginning of more and increasingly vicious insults to and attacks upon our Government.

PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO SIT DURING GENERAL DEBATE THIS AFTERNOON

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may sit during general debate this afternoon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

REGULAR FRIDAY SESSIONS FOR THE HOUSE

Mr. MAYNE. 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 Iowa?

There was no objection.

Mr. MAYNE. Mr. Speaker, as one of the Members who requested regular Friday sessions almost a month ago, I want to commend the Democratic leadership for arranging a somewhat impromptu session last Friday. I realize how difficult it is to accept any constructive suggestion to speed the work of the House, and particularly one which comes from first-term Republicans. But now that we have made this historic breakthrough, I urge the leadership to take a further step by announcing today that the House will sit regularly each Friday for the rest of the session. It should not tax the planning capacity of the leadership to give Members much more notice of Friday sessions than was done last week. When the announcement did not come until late Thursday afternoon, I for one did not feel I should cancel speaking engagements made for Friday in my district.

It is, of course, embarrassing that only 21 out of 28 Republicans who requested Friday sessions were present. This was an attendance mark of 75 percent compared with 60 percent for all Republicans and only 47 percent for the Democratic Members of the House. Actually this was the high-water mark for the Democrats, who had only 45½ percent present on the final vote. One hundred and thirty-four Democrats were absent and only 112 present out of a total of 246. If you will just give us a little more notice, Mr. Speaker, we Republican first-termers will make every effort to beat Democratic attendance by a greater margin than last Friday's 75 percent to 45 percent.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. MAYNE. I am happy to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I should like to advise the gentleman that, when the program is announced, it is announced for the full week. Members are always on notice that we may meet on Friday. There is no announcement as to whether or not we will meet on Friday, but if we do not finish our business we may well meet on Friday. Would the gentleman expect us to meet on Friday if there is no business?

Mr. MAYNE. Mr. Speaker, I would expect, on the basis of only 10 months' experience, that the distinguished majority leader, Mr. ALBERT, should be able to let us know more in advance than was done last week. In all seriousness—and I think the other Members of this group of 28 Republicans would agree—and in all good faith we hope we can meet regularly on Fridays for the rest of this session. There is obviously much business still to be done, and we do not want to have to be here until Christmas if it can be avoided.

Mr. ALBERT. Mr. Speaker, the legislative week runs through Saturday, and we can only adjourn over by unanimous consent. We would never make the attempt if there was business still to be done for the week.

Mr. MAYNE. May I ask the distinguished majority leader if, other than the joint meeting which is planned for Friday, there is any plan to have legislative business on this Friday?

Mr. ALBERT. It all depends on whether we have any business ready for floor action and consideration on Friday.

ATTENDANCE AT HOUSE SESSIONS ON FRIDAYS

Mr. HAYS. 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 Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, I feel impelled to make an observation, brought forth by the complaint of the gentleman from Iowa [Mr. MAYNE], a member of the junior advisory board to the Speaker, who, one might say, figuratively speaking, was caught last Friday with his legislative trousers at half-mast.

My grandfather, who was a livestock dealer—I said this a year ago, and I repeat it for the gentleman's benefit—used to say, "They hardly ever squeal until you stick them pretty good."

FRIDAY ATTENDANCE AND ABSENTEEISM

Mr. JOELSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. JOELSON. Mr. Speaker, I had a little bit of amusement already this week listening to the gentleman from Iowa. He told us he was a freshman, but really that was not necessary, because it is very obvious he is inexperienced. Now, I would give him a little free advice. If you are embarrassed by criticizing the leadership for not meeting on a Friday and then not being here on Friday yourself, instead of highlighting it or spotlighting it, when you make a blunder like that, I think the best thing for you to do would be to ignore it.

Now, on my part, I had planned to go home last Friday and I had not issued any pious statements about how diligent I am, but when there was a session announced I had a very remarkable idea. I just called up home canceling my appointment, and I was here, and I missed the gentleman from Iowa.

THE RECENT DEMONSTRATION AT THE PENTAGON

Mr. RIVERS. 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 South Carolina?

There was no objection.

Mr. RIVERS. Mr. Speaker, of course the disgraceful performance, or whatever one chooses to call it—of that motley crowd which assaulted the Pentagon—is a chapter in our history which is not good to behold, but is not all bad. Because from this demonstration we have learned this morning that the Selective Service System has taken all of these cards that were turned in—those they could get their hands on—and these cards will be sent back to the local draft boards with instruction that the names of these cardholders and their status with the Selective Service System be reappraised in order to find out what classification they have.

Moreover, Mr. Speaker, the Selective Service System is going throughout the country in the determination of these cases and is going to undertake to prosecute those cases that have not been prosecuted heretofore for violations of the Draft Act.

And, Mr. Speaker, to my great satisfaction, the Department of Justice has finally agreed to start moving upon the prosecution of some of these cases.

The Committee on Armed Services, as the Members will recall, wrote the Draft Card Burning Act, the act which makes it a felony to burn a draft card. However, the Department of Justice has been sitting on dead center on this. Now they have agreed to prosecute these cases. So, all is not bad.

Further, the Selective Service plans to send into the various States a staff to support the local boards in preparing the prosecutions, so something good might come out of this after all.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Speaker, would the gentleman be receptive to a bill which I would like to introduce providing that when one destroys a draft card, they automatically induct him into the service?

Mr. RIVERS. Why, of course, I am. I am receptive to anything which my distinguished friend from Ohio suggests.

CALL OF THE HOUSE

Mr. ASHBROOK. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 330]

Anderson, Ill.	Fountain	Nix
Anderson, Tenn.	Frelinghuysen	O'Hara, Mich.
Arends	Fulton, Tenn.	Philbin
Ashley	Gallagher	Pickle
Aspinall	Gibbons	Pool
Barrett	Goodell	Purcell
Bell	Halleck	Rarick
Blatnik	Halpern	Rogers, Fla.
Boggs	Hansen, Wash.	Ronan
Bolton	Hébert	Rostenkowski
Brock	Heckler, Mass.	Roush
Broomfield	Herlong	Roybal
Brown, Calif.	Holifield	St. Onge
Burton, Utah	Horton	Schadeberg
Button	Jarman	Schwengel
Carey	Jones, Mo.	Sisk
Celler	Kluczynski	Smith, N.Y.
Chamberlain	Kornegay	Stephens
Corman	Kyl	Udall
Davis, Wis.	Laird	Utt
Dent	Long, La.	Williams, Miss.
Diggs	Macdonald, Mass.	Willis
Donohue	Mathias, Md.	Wright
Dwyer	Mosher	Wydler
Farbstein	Nelsen	Zablocki

The SPEAKER. On this rollcall 358 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

MERGER MARKS MILESTONE IN MAJOR HEALTH FIELD

Mr. TAFT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TAFT. Mr. Speaker, recently the voluntary battle against epilepsy was strengthened by the merger of the Epilepsy Foundation and Epilepsy Association of America in to the Epilepsy Foundation of America. The merger represents a previously unrealized opportunity to provide important and necessary services to the nearly 2 million Americans who are afflicted with epilepsy. It is a welcome step.

The legal and medical problems of epilepsy first came to my attention when I served in the Ohio General Assembly. At that time we succeeded in enacting legislation governing driver permits, workmen's compensation coverage, and marriage licenses for persons with epilepsy. Unfortunately, laws governing the activities of persons with epilepsy are too often based on an obsolete conception of epilepsy. Actually, more than half of all persons with epilepsy can become seizure-free when given competent medical treatment, while an additional 30 percent can enjoy substantial relief from seizures.

There is still much progress possible, however. I am hopeful that the new Epilepsy Foundation of America will continue to help to make great strides.

FACILITATE LAND EXCHANGES

The SPEAKER. The unfinished business before the House is the question on the passage of the bill H.R. 10442, which the Clerk will report by title.

The Clerk read the title of the bill.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

NASA APPROPRIATIONS, 1968

Mr. EVINS of Tennessee. Mr. Speaker, I call up the conference report on the bill (H.R. 12474) making appropriations for the National Aeronautics and Space Administration for the fiscal year ending June 30, 1968, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 804)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12474) "making appropriations for the National Aeronautics and Space Administration for the fiscal year ending June 30, 1968, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 3; and agree to the same.

The committee of conference report in disagreement amendments numbered 1 and 2.

JOE L. EVINS,
EDWARD P. BOLAND,
GEORGE E. SHIPLEY,
ROBERT N. GIAIMO,
JOHN O. MARSH, JR.,
DAVID PRYOR,
GEORGE MAHON,
CHARLES R. JONAS,
WILLIAM E. MINSHALL,
LOUIS C. WYMAN,
BURT L. TALCOTT,
FRANK T. BOW,
Managers on the Part of the House.

WARREN G. MAGNUSON,
ALLEN J. ELLENDER,
RICHARD B. RUSSELL,
SPESSARD L. HOLLAND (except amendments Nos. 1 and 2),
JOHN O. PASTORE,
CLINTON P. ANDERSON (except amendments Nos. 1 and 2),
GORDON ALLOTT (except amendments Nos. 1 and 2),
MARGARET CHASE SMITH (except amendments Nos. 1 and 2),
ROMAN L. HRUSKA,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at a conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12474) making appropriations for the National Aeronautics and Space Administration for the fiscal year ending June 30, 1968, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

RESEARCH AND DEVELOPMENT

Amendment No. 1: Reported in disagreement.

CONSTRUCTION OF FACILITIES

Amendment No. 2: Reported in disagreement.

ADMINISTRATIVE OPERATIONS

Amendment No. 3: Appropriates $628,000,000 for "Administrative Operations" as proposed by the Senate instead of $648,000,000 as proposed by the House.

JOE L. EVINS,
EDWARD P. BOLAND,
GEORGE E. SHIPLEY,
ROBERT N. GIAIMO,
JOHN O. MARSH, JR.,
DAVID PRYOR,
GEORGE MAHON,
CHARLES R. JONAS,
WILLIAM E. MINSHALL,
LOUIS C. WYMAN,
BURT L. TALCOTT,
FRANK T. BOW,
Managers on the Part of the House.

The SPEAKER pro tempore (Mr. MILLS). The gentleman from Tennessee [Mr. EVINS] is recognized for 1 hour.

Mr. EVINS of Tennessee. Mr. Speaker, we bring you today the conference report for the National Aeronautics and Space Administration for the fiscal year 1968. Since the authorizing legislation passed the House and the appropriate bill for NASA has passed we have had extended sessions among the conferees. We have agreed on two items and have been unable to agree on two others. At the outset I would say that the House won in the conference in holding down the overall appropriations. We have made reductions of more than half a billion dollars, specifically we have cut $526,600,000 below the budget.

Mr. Speaker, basically there are three amendments to consider in this conference report. First is research and development; second is construction; third is administrative operations.

The Senate reduced the amount for administrative operations by $20,000,000. When the conferees met we accepted this reduction of $20 million in administrative operations below the House figures.

The two amendments in disagreement on which we have been unable to agree are in research and development and construction. There are some 20 items in research and development in the bill overall. We have reduced the items in disagreement to about two or three items. The original budget recommended for NASA was $5,050,000,000. Subsequently an amendment was submitted by the Bureau of the Budget for $50 million additional for the NERVA nuclear rocket research program. This brought the overall budget for NASA for next year to $5.1 billion. The House has cut this amount to $4,583,400,000, or a reduction of $516.6 million. We have thus cut the funding for NASA by more than half a billion dollars.

In the research and development program, the Apollo and the Apollo applications programs will continue. The manned flights programs have been rescheduled following the tragedy. The Apollo applications program is planned and will be continued with various industries throughout the country.

There will be no delay or stopping the Apollo and the Apollo applications programs. A viable space program will continue to move forward.

The House has cut two new items of research—which are the Voyager and the NERVA II programs. We reduced Voyager by $36 million—and we reduced the nuclear rockets program by $29.5 million.

So, we have made reductions in new programs beyond the Apollo program. I repeat, we have made reductions in the Voyager and the nuclear program which involve space exploration beyond the lunar landing.

The other body feels that the Voyager program which is involved in research with interplanetary space, flights to Venus and Mars is important, and we agree it is important. However, we feel these programs can be deferred at this time. The ongoing projects of NASA will continue.

Mr. Speaker, as a matter of fact when the House passed the appropriations bill earlier, the President of the United States commended the House upon the one-half billion dollar cut which we made. He stated that conditions had changed since the 1968 budget was prepared almost a year ago and since the budget was submitted to the Congress.

I would like to read briefly to the Members of the House again from the President's statement. The President in signing the authorization bill for NASA took the unusual position of commending the House for its cuts in appropriations for the space program. The President said that ordinarily he would be opposed to such a large reduction but that conditions have changed greatly since January. He pointed out the fact that the Nation now faces increased expenditures, reduced revenues, a potentially large deficit and the need for a 10-percent tax surcharge.

Mr. Speaker, against this background President Johnson said that "some hard choices must be made to distinguish between the necessary and the desirable."

Mr. Speaker, we have made these decisions on that which we think is necessary and desirable.

We agree that the Voyager program is important—interplanetary research in space to Venus and Mars is important, but we feel that these cuts are necessary.

While these programs are desirable they are not necessary. We feel they can be deferred at this time.

In further explanation of the action of the conferees, Mr. Speaker, we have agreed to an increase of $10,000,000 over the amount originally provided by the House for tracking facilities. NASA has a nationwide and worldwide system of tracking and communications. We have contracts with various governments around the world and with various countries. We are under agreement and contract to meet certain monetary commitments for these tracking facilities.

In addition to this there is the fact that these tracking facilities are very vital to the safety of our astronauts. So, we have allowed this increase in the tracking facilities item as the conferees have agreed.

In summary, Mr. Speaker, the other body has reduced the item of "Administrative operations" by $20 million. The House conferees have agreed to a $10 million increase in the tracking facilities. So, the net result is a reduction of $526.6 million below the budget. The total amount which is carried in this conference report is $4,573,400,000.

We certainly think this sum will provide for an ongoing and a viable space program and ask that the conference report be adopted.

I include in my remarks a chronological history of this bill:

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION APPROPRIATIONS, 1968, COMPARATIVE STATEMENT OF CONFERENCE ACTION

[Reflects recommendations of House conferees on items reported in disagreement]

[In thousands of dollars]

	Appropriation, 1967	Budget estimate, 1968	Passed House, 1968	Passed Senate, 1968	Conference action, 1968	Conference compared with—			
						Appropriation, 1967	Budget, 1968	House, 1968	Senate, 1968
Research and development	4,245,000	4,352,000	3,899,500	3,995,500	3,909,500	−335,500	−442,500	+10,000	−86,000
Construction of facilities	83,000	76,700	35,900	55,400	35,900	−47,100	−40,800	.....	−19,500
Administrative operations	640,000	671,300	648,000	628,000	628,000	−12,000	−43,300	−20,000	.....
Total	4,968,000	5,100,000	4,583,400	4,678,900	4,573,400	−394,600	−526,600	−10,000	−105,500

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. EVINS of Tennessee. I yield to the distinguished gentleman from North Carolina, a member of the Committee on Appropriations.

Mr. JONAS. I thank the gentleman from Tennessee [Mr. EVINS], the chairman of the subcommittee, for yielding time to me. However, I shall use only a minute or two of the time of the House during which to say that that I concur in the views expressed by the distinguished gentleman from Tennessee, the chairman of the subcommittee.

Let me review briefly what has happened with respect to this bill so that Members will know exactly what is involved.

The budget request—revised—was for $5,100,000,000. The House-passed bill contained $4,583,400,000—a reduction of $516,000,000 under the budget. The Senate-passed bill contained $4,678,900,000, which was an increase of $95,500,000 above the House bill. So we went to conference to resolve the differences in the two bills.

The result of that conference is before the House today in the form of a conference report and a statement of the House managers.

If the conference report is adopted and the motions that will be made by the gentleman from Tennessee are approved, the result will be a net reduction of $85.5 million in the Senate-passed bill and a net increase of $10 million in the House-passed bill.

This will still be $506,000,000 below the budget.

We feel that the committee position is a sound one and that the House should sustain it by adopting the conference report and approving the motions that will be made by the gentleman from Tennessee.

I therefore join my friend, the gentleman from Tennessee, in urging the House to adopt the conference report and approve his subsequent motions. I would point out, and I am sure the gentleman from Tennessee will concur in this, that there is reprograming authority in the law. If the administration feels in its wisdom that there should be some reprograming as between the several research and development programs as detailed in the reports, they have the right to come up here and present their reprograming proposals to the appropriate committees of the Congress. I for one would like to assure the administration that any reprograming proposals will receive fair consideration.

I would like to request the gentleman from Tennessee to yield to the gentleman from Iowa [Mr. GROSS], and then to the gentleman from Pennsylvania [Mr. FULTON], as they have requested me to get them some time on the conference report.

Mr. EVINS of Tennessee. I will be glad to yield to the gentleman from Iowa, but before doing so let me say that I certainly agree with the gentleman from North Carolina that NASA under Administrator Webb has authority to submit reprograming changes and transfer funds for that which he considers to be in the best interest of the United States. We have cut the funds down, but if the Administrator feels certain programs are of greater importance than others, or of higher priority than some of the other programs, then he can submit such proposals to the Space Committees of the House and the Senate, and to the Appropriations Committees within the confines of the budget.

Mr. JONAS. That gives a degree of flexibility to this program, and yet it keeps the final control in the hands of the Congress as to the amount of money that will be spent.

Mr. EVINS of Tennessee. I certainly thank the gentleman from North Carolina for bringing out this point because there is some concern about the NERVA II program. If reprograming is requested and supported by the Administrator, it can be considered by the appropriate committees of the Congress.

Mr. JONAS. Now, if the gentleman will yield briefly to the gentleman from Iowa, and then to the gentleman from Pennsylvania.

Mr. EVINS of Tennessee. I yield 3 minutes to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding me this time.

I have in hand a newspaper insert published by North American Aviation, the apparent producers of the Apollo. It is very interesting.

As I understand it, North American Aviation is financed approximately 100 percent by the Federal Government. In other words, the taxpayers' money is being used to put out this sort of thing.

I cannot give the Members the exact number of copies, but it was circulated in certain newspapers of Sunday, October 8, to some 10 million people. In other words, 10 million purchasers of the newspapers selected, and there were 18 of them. I am interested in this from the standpoint of the use of the taxpayers' money for this sort of thing.

I tried to find out how this was paid for. North American Aviation says it was paid for "out of corporate profits."

But the corporation is not prepared to talk about the money involved. Mr. William Hines, science editor of the Washington Star, says an expert newspaper estimator informed him the cost was between $400,000 and $600,000 for this newspaper insert, or approximately a half million dollars.

Mr. RYAN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. RYAN. I think the gentleman should be commended for bringing this matter to the attention of the House. I, myself, asked NASA questions about this expenditure for extravagant advertising by North American Aviation for the purpose of building up its public image. After all of the revelations about North American I should think that it would try to improve its own internal management rather than indulging in external publicity. It is important that we know how this is being paid for. Clearly the American taxpayers are paying, for they pay the bills for the Apollo program. In addition, it's fair to assume that North American will claim a tax deduction for the corporate advertising with reference to this program.

Mr. GROSS. I thank the gentleman for his observation.

I would say again, as I have said before, that the director of the NASA program, Mr. James Webb, ought to have been fired after the Apollo disaster that cost the lives of three astronauts last January. More than ever does it become evident, when you see this sort of expenditure by North American Aviation, the prime contractor for Apollo, that the time is long past due for the elimination of James E. Webb.

There is something seriously wrong when an outfit such as North American Aviation, approximately 100-percent financed by the Federal Government, and with contracts running into the hundreds of millions of dollars, spends $500,000 on a one-shot "prestige" advertising deal in 18 newspapers of this country. This simply means to me that the contracts the Government has with this firm are entirely too lush.

This, in my opinion, is a contribution to the fantastic cost of getting to the moon. It is an extravagance that the taxpayers of this country cannot afford, and I urge the House Appropriations Committee to conduct a thorough investigation of it.

Mr. EVINS of Tennessee. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I would like to answer the ques-

tion as to who is paying for the advertising insert of North American Aviation. This advertising of North American Aviation is paid for by the stockholders of that company out of the profits of the corporation.

I have never heard the gentleman question any of the oil companies or the telephone companies, which are regulated businesses and put on some very fine television programs, or any of those people who are big advertisers. I have never heard the gentleman question their rights to use their profits as they see fit. I think they have a right to do it.

If the gentleman will go back, he will remember that this was thrashed out some years ago in the Committee on Armed Services when the aerospace companies were forbidden to charge against their operating expenses any money that they spent for prestige advertising. There was a fine line drawn at that time as to the aerospace industry in that advertising that they had to do to attract people to them, that is, ads they put in the paper for engineers and scientists, were a legitimate charge against their operations. All other advertising comes out of their profits.

I am sure the gentleman would not want some farmer who works pretty hard in Iowa being told how he can spend the profits that he makes on his farm.

Mr. EVINS of Tennessee. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. FULTON].

Mr. GROSS. Mr. Speaker, will the gentleman yield to me very briefly to make a statement?

Mr. FULTON of Pennsylvania. I yield to the gentleman from Iowa.

Mr. GROSS. In response to the gentleman from California [Mr. MILLER], let me say I know of no oil company in this country that is financed almost 100 percent by the taxpayers of this country through Government contracts. There is a great difference in this case between oil companies and North American Aviation.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I do not have control of the time to yield to the gentleman from California. The gentleman from Pennsylvania [Mr. FULTON] has yielded to me.

I would say to the gentleman from California that this newspaper insert does not concern employment. There is not one word in it directed to the recruitment of engineers or any other kind of technician by North American Aviation. This is a promotion piece for North American Aviation paid for at the American taxpayers' expense.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. FULTON of Pennsylvania. I yield to the gentleman from California.

Mr. MILLER of California. I want to say to the gentleman from Iowa, that as usual he got a little bit confused. When I told him that some years ago we made that distinction between advertising that contributed to their business, such as advertising for engineers, that was allowable. But as to prestige advertising, it was not allowable—and this is prestige advertising.

Mr. FULTON of Pennsylvania. I want to thank the gentleman for the time he has yielded to me. I would like to say to the House that this is a serious turning point, a critical crossroads in our U.S. space program.

Every Member should be very interested in what is being proposed on the funding of future programs with necessary long leadtimes to see what the U.S. directions are going to be for the future 8 to 10 years. Ours is now not merely a decision having to do with tomorrow. This is a time of basic decision on these important space programs. The first decision is, Shall we in the United States remain and compete in the space race with Russia, not only to the moon, but likewise in planetary exploration?

The world has a new competitor in the space age research and development, as well as in atomic and nuclear propulsion. China is now proceeding with the development of a rocket with nuclear propulsion. It has early become evident to Peking scientists that in order to operate successfully in space, big booster power, high energy fuels, and nuclear propulsion are necessary.

The Chinese nuclear rocket program is based upon a nuclear reactor through which passes liquid hydrogen that is stored in the rocket. This same fuel, liquid hydrogen, in circulation is also used as a coolant for the nozzle of the rocket.

The Chinese research and development programs are broad in their scope. They are proceeding with the development of a sounding rocket called Caditi for the purpose of exploring the high atmosphere for weather determination purposes. Likewise, work is being carried on in China in the province of Kwangsi not far from Vietnam on telecommunications satellites. The University of Nanking in the southern part of China is conducting training courses in various applications of rocket programs.

The Chinese space research center of Sinkiang now has programs in the study of materials necessary for space experiments. Intensive training is being given at the rocket institute in this center—Balon Roditi. Chinese research and development scientists are working on the development of rockets for long distance use in the Pacific area. Of course, there is talk of work on "far out" rocket purposes such as the rocket Kueidite, a proposed postal rocket.

The nations of the West, including Russia, should not underestimate Chinese competence in these matters and the pace of their research and development programs. Dr. Fan The Ngoc was trained at Moscow before the Chinese-Russian division. Dr. Chin San Chang directs the work of the Nuclear Institute of Peking. The director of the Institute of Physics of Peking is Dr. Wang Kan Chang. It can be seen that each of these people is of doctoral level under any world standards.

It is my belief and prediction that the Chinese will orbit the first Chinese satellite by January 1968, which will amaze many people, but not surprise me in the least. In addition, it should be seriously considered that the Chinese rocket institute—Balon Roditi—is interested in the development of rockets "for all purposes." This, of course, includes military as well as peaceful uses. Peking is not a signatory to the recent peace treaty for the peaceful uses of outer space.

The U.S. Government and the American people must be alerted to the swift progress of the Red Chinese nation in space research and development, high energy propulsion, and large boosters. Especially, the U.S. Government and the American people must realize the tremendous advances being made in the Red Chinese nuclear research field.

Under these circumstances, it is tragic to me and an ominous omen for the future that the Chinese nation is going ahead with studies and work around the clock in these fields while the United States is slowing its effort, easing up on its progress, and settling down to what has been recently called a space program crawling on its hands and knees. To longtime supporters of U.S. eminence in space, this is a tragedy of no small proportions.

The U.S.S.R., with the tremendous competence in its recent soft landing of scientific instruments on Venus, has awakened the world to see more clearly the outstanding competence of the U.S.S.R. The eyes of the world have not been opened to the strong advance of the Chinese in research and development in all fields and especially the space field and nuclear rocket propulsion, and the amazing advance in nuclear weapons that has already been made public. My warning to America is to expect these developments soon in research and development in the space programs as well as the nuclear propulsion field.

The U.S. Congress has the important decision to make whether the United States will remain in the space race for lunar and planetary exploration.

The House Science and Astronautics Committee has decided that we will remain in the race. For the Apollo program there are adequate funds in this appropriation bill for the United States to make the three-man landing on the Moon, in my estimation as the ranking Republican member of the Science and Astronautics Committee. Our committee has worked on this long and hard.

I would like to say likewise that there are adequate funds, and to me more than adequate funds, for the Apollo applications program which follows the Apollo program. Likewise I believe there are adequate funds in most of the various other NASA research and development categories.

However, I do feel that, with the Russians having just softlanded an instrument package on Venus with their Venus V program, we in the United States are tremendously behind the Russians on planetary exploration. In order to have any program at all for the United States for planetary exploration in the 1970's, NASA must now begin on what is called the Voyager program. The original NASA request was for $71.5 million. In the authorization conference with the Senate, I succeeded in getting agreement at the $42 million level for Voyager. In my House motion to recommit on June 28,

1967, I had asked for $50 million for the Voyager program and the House adopted my recommendation by a large majority.

The $36 million proposed by the Senate appropriations action is, in my opinion, the absolute minimum with which our country can even start a program for an unmanned lander to Mars by 1975. Under this very low level of funding, the originally proposed 1973 Voyager flight, according to Mr. James Webb, the Administrator of NASA, cannot be accomplished.

I strongly urge the House to reconsider before the United States is forced out of the field of planetary exploration during the 1970's. We need and must have this $36 million appropriation.

As Congress can see, unless NASA goes ahead, the United States is going to run into a blank wall in U.S. programs 3 or 4 or 5 years from now. The Members have heard me recommend valid cuts in the NASA budget, and I appreciate the House approval of so many of these cuts. It was my motion to recommit and my amendment, as amended, that deferred $201.4 million from this program, where I felt it could be cut. But I have maintained throughout that NASA should not lay up a lot of these tremendous vehicles that cannot be used before 1972, 1973, and 1974.

I believe that the House conferees shoud agree in the conference to the Senate proposal to restore $36 million for the Voyager program, $10 million for the NERVA nuclear rocket research program and $9.5 million for initial funding of the construction of nuclear rocket test stands in Nevada.

As I have consistently maintained, the future of our space program lies not in manufacturing large numbers of our present vehicles and spacecraft but rather in constantly developing newer and more efficient vehicles and craft such as the Voyager and NERVA II engine.

The Saturn V booster, as presently constituted, is based on a design which will be at least 8 to 10 years old when the vehicle is put into use. We need better fuels, more efficient engines, space storable fuels and, most importantly, very high specific impulse and long-life rocket engines. This last feature, to the best of my knowledge, can only be obtained through the nuclear propulsion route. NASA must not sacrifice tomorrow's goals by adhering to yesterday's technology. NASA must pursue the development of the NERVA II nuclear engines.

I recommend that the House conferees should not accede to the Senate request for adding $35 million to the Apollo applications program as approved by the House. You will recall the House reduced the NASA request for this program from $454 million to $300 million. This figure is more than adequate and can be maintained at the $300 level without materially affecting our total space program and, more importantly, our research and development effort for newer and better equipment.

The Apollo applications program currently calls for the use of the uprated Saturn I vehicle for its initial missions in 1969, 1970, and 1971. The original uprated Saturn I program called for the production of 12 vehicles. In addition, NASA has already initiated the procurement of long lead items for four more vehicles. I ask why are these four needed? Of the original 12 vehicles, three have been launched, one is at Cape Kennedy ready for launching, six are in storage, and the other two are in the final stages of checkout and assembly. If the Saturn V program is successful, as everyone believes it will be after all these years of development and testing, NASA will have at least seven uprated Saturn I vehicles for use on the Apollo applications program. Why then does NASA need four more? These additional four will not be delivered until calendar year 1970 and 1971, over 3 years from now. All this time, NASA will have seven Saturn I vehicles already produced and in mothballs waiting for approved missions.

I am also concerned over the NASA plan to produce uprated Saturn I vehicles which will be placed in storage for lack of timely missions. Many of the uprated Saturn I vehicles now in storage will not be used for several years after their assembly. This will most certainly cause a critical problem in reliability, in the training of launch crews with widely scattered launches, in the refurbishment of engines, seals, gaskets, and other such parts which deteriorate rapidly in storage, as well as less well understood causes of deterioration. Why is NASA continuing the production line when the end product goes to storage? Why does not NASA store the production line itself until the items are needed?

The same situation will hold true for Saturn V vehicles and spacecraft to be used in the Apollo application program. NASA will have, I assure you, as many as five to seven surplus Saturn V vehicles and Apollo spacecraft from the Apollo lunar landing program which can be used without producing a single additional vehicle or spacecraft.

NASA, in its original request for Apollo applications, included over $267 million for launch vehicles and spacecraft in its total request of $454 million. The House reduction of $154 million still left, at the very minimum, over $110 million for vehicles and spacecraft even if the entire House reduction was taken in this one area.

I would also like to point out to the House that the Apollo applications program, as presently constituted, is developing more and more into a "blue sky" science program. Where the Congress was told initially that this program would be primarily earth oriented in inventorying and identifying earth resources, it now develops that the currently planned Apollo applications missions are primarily oriented toward launching an orbital workshop and a solar telescope. In these critical times of financial deficits, I find it difficult to see how the Congress can agree to the addition of funds to the Apollo applications program to carry out missions which could well be deferred a year or more without any damage to our space effort.

I consider the nuclear rocket program to be the most important propulsion effort that the United States has initiated since the start of the Saturn V rocket program. It is necessary that Congress provide funds to develop the NERVA II nuclear rocket at 200,000 pounds of thrust, rather than reduce the program to where NASA can proceed only with the smaller NERVA I system. If the funding level is held to the House figures, NASA will develop an engine of only one-third of the required thrust cabability.

The Senate approved $56.6 million for research and development for this item and that is the figure that I recommend that the House agree to. The reasons are simple. The space program is committed now to using the Saturn V as the basic boost vehicle. Its original capability for lifting a lunar capsule was 95,000 pounds. It has been uprated to the point where it can now lift 100,000 pounds, which is about the limit that can be obtained from product improvement. Any additional mission capability must come from the upper stages.

Additionally, in the Apollo manned capsules there has been an increase in weight of 8,500 pounds since the design was firmed up in 1964. There has been a 3,000-pound increase since the Apollo fire. NASA is now at the limit of its capability for the current configuration and the total payload is approaching the 100,000-pound limit which will leave no margin of safety. I use this bit of history to show what the weight increases are likely to do in future space work. Why, then, limit the United States to a costly development of the smaller NERVA I engine which takes about the same time period to develop and at only slightly lower total cost, when a much larger thrust requirement is almost certain to develop in the near future? To develop an item that is known to be inadequate for future needs is shortsighted waste. I strongly feel that the United States should never again be caught with inadequate boost capability.

I have always strongly supported research and development. I suggest that NASA apply the moneys saved from the Saturn I production and apply it to this work. The NERVA II rocket which doubles the payload capability of the Saturn V also provides a maneuver capability, a start-stop capability and later recovery of the engine for subsequent use. I recommend that the House conferees accept the more progressive and forward looking position by accepting the Senate figure for nuclear engine research and development.

The nuclear test stands in Nevada will then require funds for their construction. NASA's original request was for $22.5 million of which $3 million was for designing the facility. This $3 million is provided in the facility planning and design line item.

The Senate figure is the total amount, $19.5 million required for construction only. I recommend that these construction funds be reduced $10 million agreeing to an appropriation of $9.5 million. This amount is all that NASA can utilize this year since these test stands have not yet been designed.

As I have stated before, the Voyager program represents the only major planetary program this Nation will have

in the 1970's. In view of the recent spectacular success of the Russians with the Venus 4 lander, I find it difficult to understand any reluctance to provide at least a minimum level of funding to keep the Voyager program alive. The President's Science Advisory Committee's report on the "Space Program in the Post-Apollo Period" gave unequivocal endorsement and the highest priority to planetary exploration after the lunar landing and strongly recommended an expanded commitment to the Voyager project in fiscal year 1968.

The Soviet Union has launched planetary spacecraft to Venus and Mars at virtually every opportunity since 1960. We must not place this country in the position of relinquishing its position in this important area.

NASA originally requested $71.5 million to fund the initial portions of the Voyager program in this fiscal year. When Mr. Webb, the Administrator of NASA, was asked as to what could he do with a level of $40 million, he replied that he would have to forgo a launch in 1973 to Mars and prepare, at a rock-bottom effort, for a landing in 1975. This less than desirable level inherent in the $36 million proposed by the Senate will still permit NASA to proceed with investigating critical areas of technology such as propulsion, fuel tankage, data storage and transmission systems, life and cycle tests on power systems, science photographic systems, and other areas.

In summary, I oppose the addition at this time of further funds for the Apollo applications program for the reasons I have just given. This Apollo applications program which has many vehicles in storage without approved missions and which does not intend to fly missions until the 1970's should certainly be able to more than get along with the $300 million the House appropriated at this time.

I strongly recommend that there be continued research and development on the nuclear engine by approving addition of $10 million for nuclear rockets and $9.5 million for the nuclear rocket test stand construction. And, finally, I feel that it is imperative that Congress live up to its full responsibility for U.S. planetary research by the U.S. Congress including $36 million for the Voyager program.

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, it seems to be an appropriate time to review the status of the authorization and appropriation of funds for the National Aeronautics and Space Administration for the fiscal year 1968. Detailed hearings have been held by the Committee on Science and Astronautics in the House of Representatives and its counterpart in the other body. The views of the Members of the House and the other body have been thoroughly aired in discussion of the authorization legislation. The House Appropriations Committee has reported on the floor of this House and this House has accepted the bill proposed by our Appropriations Committee.

The appropriations conference has met and reached agreement only on the administrative operations portion of this bill and will now return to the Senate for addtional conferences. Over half a billion dollars has been cut from the NASA budget request for fiscal year 1968. It is now time that we reach an agreement on the NASA appropriation. One-third of the fiscal year 1968 is already behind us. For NASA to conduct an orderly program, it is necessary that we reach an agreement at the earliest possible time.

The Apollo program, to land and safely return a man from the moon in this decade, is already regaining momentum from the tragic accident of this past January. The Apollo Applications program, to gain a maximum return on the investment which we are making in the space program, has now reached the point of hardware development. The Voyager program, to maintain an orderly and forward looking unmanned planetary exploration program, has been proposed by NASA. This is further supported by the NASA proposal to undertake the development of NERVA II, a nuclear rocket stage, to assure us of the propulsion capability for manned and unmanned capabilities in the 1970's.

NASA will be hard pressed to achieve a lunar landing in this decade. In fact, it is my assessment that NASA likely has less than a 50–50 chance of achieving a manned lunar landing and return in this decade. For the fiscal situation for 1968 to continue in the way that it stands today is a disservice to NASA and to the Nation. It is time that we stopped dragging our feet.

Both the Voyager and NERVA II programs have been deleted by the House in this year's budget. The Apollo applications program has been reduced by over $150,000,000 by the House. Today, by actions on the floor, an additional cut of $20,000,000 in administrative operations as proposed by the other body has been accepted in the House. All of these actions pose major management problems to NASA. The sooner final action can be taken on this bill, the sooner the final shape and form of our national space effort for the ensuing several years can be established.

I must remind my colleagues that today just as in previous years we still remain in competition as a world power with the Soviet bloc. Their achievement of less than a week ago of a soft landing of a vehicle on the surface of Venus only strengthens my conviction that this is not only a competition for scientific achievement, but also a competition involving our national security. The actions which have occurred in the Congress since January of this year with respect to Apollo applications, planetary programs, and development of manned applications as well as new propulsion capability, have been weakened. We must look with concern to our future position in space. To some extent, this represents an insufficient effort on the part of NASA and industry to acquaint the general public with the full import of our national space program. I have spoken out on this issue before and have been critical of both NASA and the industry in not bringing the story of the national space program to our general public.

I must commend North American Aviation for their recent publication in several of the leading newspapers of the United States in bringing the Apollo program to the direct attention of the general public. The supplemental section which North American Aviation published in several of these newspapers, at their own expense, represents an excellent example of the fact that the story of this complex and important program, Apollo, can be brought to the general public.

However, if the story of the national space program is adequately presented to the American public, I am convinced that it will receive the support that is necessary to assure that we will be second to none in space. As I have said before, space is much like the high seas. If we wish to maintain this sphere of activity for the use of all people it will be necessary for us to develop and maintain our capability in space utilization and exploration. I call upon all of the Members of the House to consider not only this year but also in the years immediately ahead when the space program will require courageous support to assure that adequate funds are provided to gain the return on the large investment which we have already made that awaits us in the space program. This we must do for the good of our country.

Mr. DOWNING. Mr. Speaker, will the gentleman yield?

Mr. EVINS of Tennessee. I yield to the gentleman from Virginia.

Mr. DOWNING. Mr. Speaker, I am, as is the gentleman from Pennsylvania [Mr. FULTON], distressed to hear that funds for Voyager have been eliminated from this appropriations bill. It is my understanding that $36 million was proposed by the Senate and not agreed to by the House.

Mr. FULTON of Pennsylvania, That is correct.

Mr. DOWNING. So there is no funding for Voyager?

Mr. FULTON of Pennsylvania. Mr. Speaker, in this particular set up we have in the House, we will give no funds at all for Voyager and cancel all planetary exploration in 1973 and 1975 to Venus and Mars.

Mr. DOWNING. That means we will have no on-going program in outer space.

Mr. FULTON of Pennsylvania. That is the end of the interplanetary programs for America. We are dropping out of the space race.

Mr. EVINS of Tennessee. Mr. Speaker, I yield myself 1 minute. Certainly with more than $4.5 billion we are not discontinuing the space program.

Mr. Speaker, we have not reached the moon and we have not safely returned a man to earth yet with the Apollo program. The Apollo program is being continued. The Apollo applications program is being continued. Some feel there is too much money provided for these programs and that there is some cushion

in funds that may be available for other purposes.

As the gentleman from North Carolina pointed out, there is authority for the administrator to transfer funds in research from one program to another as the Administrator may in his judgment feel is in the best interests of the United States. If he feels that Voyager is of sufficient importance and of high priority he can ask for reprograming of research funds for this purpose.

Mr. DOWNING. Mr. Speaker, did I understand the gentleman to say the Administrator can do that. He can transfer funds?

Mr. EVINS of Tennessee. If he shows that to the Congress that it is desirable to do so, yes. He can determine which is of the highest priority and importance and of the greatest interest to the United States. The reprograming procedure is available.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. EVINS of Tennessee. I yield to my distinguished friend the gentleman from North Carolina.

Mr. JONAS. Mr. Speaker, I would like to say, in response to the question asked by the gentleman from Virginia, that it has been made clear on the floor today that insofar as this committee is concerned, any reprograming effort on the part of the administration will be very carefully considered. I think because of the cushion we think is in here already and because of that reprograming authority, they can take care of all needs within the limits of the appropriations that will be available if the action proposed today is approved.

Mr. DOWNING. Mr. Speaker, will the gentleman yield?

Mr. EVINS of Tennessee. I yield to the gentleman from Virginia.

Mr. DOWNING. Mr. Speaker, I would like to say, that whereas this is not a new program, the plans were laid long ago, and the NASA facilities in charge of it, have manned the program accordingly. It means that many people may have to be discharged from their present positions. Certainly none of us wishes this to happen if it can be prevented. If this cut persists I hope the administration will consider transfering sufficient funds to keep this program going.

Mr. EVINS of Tennessee. The Voyager program is at least 6 years away, and it would cost an estimated $2.3 billion. The gentleman is speaking about a new program with expenditures in excess of $2 billion for a beyond-the-moon program. Confronted with a budgetary situation as we are, it was the feeling of our committee that this new and costly program could be deferred and delayed.

I want to say that I do not personally oppose the Voyager program, or the nuclear programs. I am impressed with the possibilities that these programs may offer and perhaps sometime in the future a more modest funding for them can get underway.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. EVINS of Tennessee. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Speaker, I asked for this time because I should like to pose a question to the chairman of the subcommittee, and the same question to the ranking minority member.

In his opening remarks the chairman of the subcommittee said that there were desirable projects and there were essential projects; that they were cutting out those projects they felt were not essential. That does not mean they are prejudiced against the desirable projects, if and when we can afford them?

Mr. EVINS of Tennessee. Not at all. Many members of the committee feel that the Voyager program would develop scientific information of great value to the country.

It relates to exploration flights to Venus and Mars which possibly will be of great scientific value to the country in the future. We are not prejudiced against these programs. We just do not believe they are of the highest priority and essential at this time.

Mr. FULTON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. EVINS of Tennessee. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. To make the legislative history, then, if NASA—within these funds which the Appropriations Committee members who were on the conference committee from the House, on both sides have provided—can go ahead, we would like for NASA to go ahead with the Voyager programs, to keep us in the planetary exploration field; and, second, we would like for them to go ahead with the NERVA II nuclear engine program; and, third, we would like for them to go ahead with the ordering of four more Saturn 1–B's so that the lines will not close down on the making of the Saturn 1–B's. That would mean, within these funds, we would like these programs which have been proposed by the President to go ahead. If they can, as the gentleman has said, by the transfer of funds get that fine result, all well and good; we are for it; is that right?

Mr. EVINS of Tennessee. The conferees cannot commit the authorizing committees of the House and Senate as to what they may do by way of reprograming. No action can be taken on funds until reprograming is considered.

Mr. BROTZMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, I am deeply distressed that Project Voyager has been deleted from the fiscal year 1968 NASA appropriations bill, as reported back by the conference committee. Earlier the House Appropriations Committee had eliminated funding for the Voyager program, but I had been hopeful that the conference report would restore at least some life to this extremely important interplanetary exploration effort.

Only last week the Soviet Union demonstrated, with her soft landing of an instrumentation package on Venus, that she is proceeding massively with Voyager-type programs.

In my mind the Nation, is today, setting the stage for another expensive catch-up effort, because I cannot believe that we are willing, as a nation, to give up the exploration of the next great frontier, interplanetary space, by default.

Voyager gave us the opportunity to proceed on a cost-effective basis, but I am afraid that this opportunity may now be lost.

Mr. RYAN. Mr. Speaker, NASA funding this year has been a long and complicated process. Various actions have been taken with varying degrees of soundness. I am on record as having favored reductions in NASA's budget which I believed to be desirable. As the months have worn on, many Members, not previously disposed to limit NASA's appropriations, have chosen to support cuts on the basis of the attitude of economy with which all budget questions are now being faced. Unfortunately, this has led to some cuts which are less fortuitous than others. I refer, in particular, to the attitude which has emerged toward cutting new programs because they are new and leaving on-going programs alone because they are on-going. This might seem reasonable in a vacuum, but it does not work out or mean precisely what it is expected to mean when careful consideration is given to NASA's program.

For example, the Senate Committee on Aeronautical and Space Sciences deleted the Voyager program on this basis, and the House Appropriations Committee followed suit. The Senate Appropriations Committee has now recommended that $36 million be restored of the $71.5 million requested in order to get this program under way. Although I am in favor of reducing NASA's budget where reasonable, Voyager is not really a good place to do it. Whereas the Voyager program may appear to be new, it is announced with a new title and new procurement plans, unmanned space exploration is not at all new to our space program. Voyager, which is the plan to conduct unmanned interplanetary space probes, is simply carrying out what has perhaps been the most beneficial portion of our space program to date. Unmanned space flight is far less costly than manned space flight since there is no requirement to put astronaut safety before scientific experiment and does not, therefore, need the advanced life-support systems or extensive safety measures necessary when men are an integral part of the mission. The bulk of the scientific benefits received so far from our efforts in space has been in unmanned missions, such as the discovery of the Van Allen radiation belt—a discovery of tremendous importance—which was made on a mission estimated to have cost in the neighborhood of $1 million.

It is my belief that greater emphasis at this time should be placed on unmanned space exploration, with an insistence that direct scientific experimentation be the primary aim in order to derive the greatest benefits for America and for all of mankind. The more glamorous manned space flight should be pursued in a more

orderly fashion than it has to date. At the least, a good mix should be sought in which scientific experiments are the primary aim, and men are included only when their presence is deemed to contribute significantly to the scientific goals of the mission. The President's Science Advisory Committee recognized this problem very well in their report of February 1967 and stated as follows:

The Nation can choose any one of several different levels of space effort. The program can be extremely ambitious and press rapidly forward with manned exploration of the planets, or can be less expensive and emphasize a larger proportion of unmanned missions in near earth space; the choice must depend on evaluation of the direct and indirect benefits . . . we believe that man should be used in space flight only when his presence contributes in an important way to the exploratory and scientific objectives.

At another point the report stated:

We recomend a. That a far more intensive effort be carried out to examine the applicability of satelite technology to the missions of all the Federal agencies. Such studies should take into account not only technological possibilities but the benefits, economic and others which might be derived from satellite technology as compared with other methods. For many purposes, it would appear that unmanned satellites are the preferred way to meet such possible requirements.

b. That, whether the proposed space application systems are manned or unmanned, a reasonably clear case of potential utility must be made, which includes an assessment of potential economic benefit, before significant development costs are assumed. . . . We must emphasize that a great deal of space technology has passed the point where the demonstration of mere feasibility of a particular space application has any technological or prestige significance.

c. That, before a manned earth resources survey is included in the Apollo Applications Program, detailed cost-benefit studies be completed which treat manned versus unmanned methods for accomplishing these tasks.

I think the President's Science Advisory Committee spoke extremely wisely when it made these recommendations, and Congress in its effort to limit Federal spending should profit from these informed opinions. In the long run an investment in Voyager may save a great deal of money, whereas the Apollo applications program—while billed as an "on-going program," is an effort to keep the Apollo manned space flight program alive by devising new ways to make use of Apollo hardware. As the PSAC has pointed out, and as I and others have pointed out during recent months, the Apollo applications program is, as yet, largely a concept about how to continue the present emphasis on manned space flight—regardless of the cost—and has yet to be presented in the kind of detail—with mission schedules, expected accomplishments and benefits, and long-range cost projections that should be an absolute requirement before Congress votes to invest enormous funds in boosters and other long lead-time items of hardware which will commit us to the program by the sheer amount of money spent. Therefore, it should be clear that the House recommendation that the Apollo applications program be limited to $300 million should be held fast. My own recommendation has been that the appropriation for Apollo applications be limited even further until such time as NASA presents a clear cost-benefit picture as a basis for congressional decisionmaking. But at the least the House-recommended $300 million should stand firm, and no more funds should be added for this program at this time.

Another, and perhaps the most important item under consideration, is the Senate recommendation that $10 million be added to the appropriation for the NERVA II nuclear rocket program and that $19.5 million be added for construction of test stands at the nuclear rocket development station, which is for the purpose of flight testing the NERVA II nuclear rocket engine. These are two halves of the same question and should be jointly considered. I have gone into this issue in great detail in recent months and will only try to summarize the situation today. If we consider the premise that Congress should seek proper evaluation of the costs and benefits of manned space flight, it will be clear why NERVA is such an important item from the point of view of limiting NASA's appropriation. The NERVA II nuclear engine is proposed by NASA for one sole purpose—even though it is not yet technically proven that this engine is necessary for the intended purpose—to place an astronaut on the planet Mars. The House has deleted a far less costly unmanned probe of Mars in the proposed Voyager program, and should insist upon its disagreement to the recommendation of the Senate to restore funds for a manned Mars mission—which has not been agreed to as a national goal—and is conservatively estimated to cost upward of $200 billion in a mere 18 years.

The NERVA engine program has been going on for a number of years, and technology studies have been nearing completion. Thus the program was phasing down. NASA's original budget request of $46.5 million was intended to continue the phasing down of these technology studies. This knowledge will not disappear, and will be available should we decide to pursue it. However, NASA, prior to congressional consideration of the budget, submitted an amended budget proposal asking for additional funds to initiate no further studies, but the development of actual flight hardware so that the NERVA II engine could be built and put into use. This is a long-term project which is estimated to cost upward of $2 billion in the next 8 years. There is no doubt that after $2 billion is spent in building this engine and testing it on the test stands at the Nuclear Rocket Development Station for which the $19.5 million of construction funds is proposed by the Senate, there will be tremendous pressure to go ahead and justify the expense by using the engine. Needless to say, other developments are taking place so rapidly that many experts expect that the NERVA II engine may be obsolete by the time its proposed date of use comes around. These experts point out that it is also not yet clear that the engine will have all the benefits expected.

But NASA is anxious to get this program underway before serious questions are raised about it so that another major manned space goal will become a reality and NASA may be assured of maximum funds with which to operate. Although I can appreciate this desire on the part of NASA, my concern for the welfare of this Nation, the finiteness of our budget, the need for a careful examination of national priorities and, in particular, the need for rational long-range planning and a sensible allocation of resources within the space program lead me to feel this would be an unwise decision for Congress to make at this time. It is a luxury which we can ill-afford when an unmanned mission is a reasonable alternative and would, as far as we know, benefit us as much or more. I believe we can well defer this item.

Mr. Speaker, I was pleased to note that the Senate recommended, and the House will be asked to concur, a reduction in the funds for Administrative Operations by $20 million. I have argued extensively that administrative operations funds must in the future be presented to Congress in such a way that it will be possible for Congress to determine the allocation of these funds to the various programs they are intended to support. This has not been done to date and is one of the reasons why Congress has not been able to determine the actual cost of a given program in NASA's budget. I argued further that in line with this principal administrative operations funds could and should be cut by an amount roughly equivalent to cuts in research and development programs in order to carry out and insist upon the relationship which exists between the two and which ought to be spelled out for Congress as it funds programs and makes decisions about the distribution of resources. Since research funds have been reduced from the original request, it is reasonable that administrative funds be reduced as well. I commend the conferees for this action.

GENERAL LEAVE TO EXTEND

Mr. EVINS of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the conference report just adopted and that I be permitted to extend my own remarks and to include in the RECORD a table reflecting the appropriations for the NASA program.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EVINS of Tennessee. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore (Mr. MILLS). The question is on the conference report.

The conference report was agreed to.

AMENDMENTS IN DISAGREEMENT

The SPEAKER pro tempore. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 1: On Page 2, lines 5 and 6, strike out "$3,899,500,000" and insert "$3,995,500,000."

MOTION OFFERED BY MR. EVINS OF TENNESSEE

Mr. EVINS of Tennessee. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. EVINS of Tennessee moves that the House recede from its disagreement to the amendment of the Senate numbered 1 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment insert "$3,909,500,000".

Mr. EVINS of Tennessee. Mr. Speaker, this relates to the increase in appropriations for research and development.

Within the overall amount of $3,909,500,000—I repeat, $3,909,500,000 for research and development—consideration can be given to the Voyager program or to any other research program in which the administrator is interested, provided reprograming is approved by the appopiate committees of the Congress.

We believe that with the more than $4.5 billion provided in this conference report, a viable space program can and will be maintained and continued.

Mr. GURNEY. Mr. Speaker, will the gentleman yield?

Mr. EVINS of Tennessee. I yield to the gentleman from Florida [Mr. GURNEY], a member of the Space Committee, who is interested in the Voyager program, since we are considering research and development under the Voyager program.

Mr. GURNEY. Mr. Speaker, the House of Representatives is making a great mistake in this conference report on the appropriations for NASA, when it cuts out the moneys for the Voyager, interplanetary flight to Mars. At a time when our chief competitors in space, the Soviet Union, is making spectacular advances in its interplanetary exploration program, the House of Representatives proposes to ax completely the similar planetary programs of the United States.

It has occurred to many of us who are interested in space, that the very spectacular achievement of the Soviet Union in its soft landing recently on Venus should have convinced the House Appropriations Committee members to have at least partially funded the Voyager program.

The Soviet Union is putting a great deal more emphasis and more money in its planetary programs than we are. In fact, from the action of the House today, we have insured that the Soviets will leave us far behind in this very important program. At a time when they are pressing ahead, we are cutting back. We are leaving Russia as the sole occupant of interplanetary space.

It is inconceivable to me how House Members can forget the enormous worldwide impact of Sputnik I. Russia got into space ahead of us, both in unmanned and manned space flights. It took years and years of enormous spending and crash programs to catch up with the Russians and to convince the people of the world that we were not a second rate scientific nation, at least in the field of space.

In this action of the House on this conference report, we are repeating all over again the mistakes of yesteryear. Under the guise of economy, we are letting Russia forge ahead of us in space efforts. This is false economy. Again, I predict that in the 1970's when Russia makes flights to Mars and we have no programs at all going to that planet, that Members of this House will take the floor and blame whoever is in charge at that time for their shortsightedness and for not going ahead with these planetary missions. However, those who are in the House today and who will be in the House in the 1970's and seek to point fingers at people for shortsightedness will have only themselves to point at.

Here today, we are cutting out completely, the interplanetary flight programs for the 1970's. We will have no planetary missions in the decade ahead.

A great scientific nation cannot afford to fail to meet the competition in interplanetary space flight. I sincerely hope the House of Representatives will reconsider this ill-advised action next year.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. EVINS of Tennessee. I yield to the gentleman from Michigan, the distinguished minority leader of the House.

Mr. GERALD R. FORD. Mr. Speaker, I should like the gentleman from Tennessee to clarify the parliamentary situation we are now facing.

Do I understand by his motion that we are insisting on the House figure?

Mr. EVINS of Tennessee. The gentleman is correct, with the exception of the $10 million increase in research and development. This is brought about by reason of the testimony on the tracking facilities. It was said that because of our commitments and our contracts around the world we did not have enough funds to pay for tracking. Also, when the big booster shots are fired and the astronauts are in space, for reasons of safety we may need more money for tracking. We are standing firm in our reductions in research except for the $10,000,000 increase for tracking. The House yields to the Senate position for this amount.

Mr. GERALD R. FORD. But in any case the total amount is less than the budgeted figure in the first instance?

Mr. EVINS of Tennessee. That is correct. We are over one-half billion dollars below the budget.

Mr. GERALD R. FORD. May I ask one other question? Under this amendment we would be going along with an additional $10 million over and above the House figure for tracking. How much below the Senate figure does the amendment provide for research and development and what is the amount in the amendment for research and development overall?

Mr. EVINS of Tennessee. The Senate increased the House figure for research and development by $96,000,000. We have agreed only to the $10,000,000 increase for tracking. We are recommending a cut and reduction of $86,000,000 in the R and D item.

Mr. GERALD R. FORD. And the House would be restoring $10 million of that remainder for the tracking if we stand firm?

Mr. EVINS of Tennessee. The gentleman is correct.

Mr. FULTON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. EVINS of Tennessee. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. When we were considering this research and development fund, I would like to emphasize for the House, it is better for the future of the space program that we emphasize very hard research and development. If we do not, we are freezing the state of the art in space right now where we are. We will have the astronauts flying vehicles that have been in storage for 5 to 8 years on old designs. Therefore we must look into things like the solid fuel prime booster for the Saturn V and Apollo programs. Also on the second stage we should have liquid and high-energy fuel research on boron and fluorine and these caustic liquids.

Mr. EVINS of Tennessee. We are not freezing research, I will say to the gentleman, or the space program. We are recommending an appropriation of $4,573,400,000 which includes $3,909,500,000 for research in space alone. If this conference report is adopted there will be $4,573,400,000 for the space program for 1968, so we are not freezing the research program on the space program at all, I will assure the gentleman.

Mr. FULTON of Pennsylvania. May I add one more point?

Mr. EVINS of Tennessee. The gentleman has made his point clear.

Mr. FULTON of Pennsylvania. I have challenged NASA on the floor of the House for wasting $400 million because of poor scheduling. I have had no reply to that, nor has any Member challenged the statement that on Saturn V, by going down to two in a year's production in the years 1971 and 1972, they will cost over $120 million apiece, while if they will make them at the rate of four a year, their cost will be $93 million apiece. If they make six on Saturn V's, they will cost only $63 million apiece. NASA, by its scheduling, is wasting money at the rate of $400 million overall on the Saturn V program. Again I challenge them and ask them to revise their scheduling. Again I ask for them to revise their scheduling so as to save this money.

Mr. EVINS of Tennessee. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The motion was agreed to.

The SPEAKER pro tempore (Mr. MILLS). The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 2: On page 2, line 12, strike "$35,900,000" and insert in lieu thereof "$55,400,000".

Mr. EVINS of Tennessee. Mr. Speaker, with reference to this amendment we are urging that the House insist on its position with request to construction. If the research and development funds are not provided for phase II of the NERVA program, funds for construction of the test stands will not be required. Construction appropriations have been reduced corresponding to appropriations for research. We feel that NASA can sustain those reductions and continue with ongoing and important space research and exploration.

The SPEAKER pro tempore. It is the understanding of the Chair that the gentleman from Tennessee has a motion to offer.

MOTION OFFERED BY MR. EVINS OF TENNESSEE

Mr. EVINS of Tennessee. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. EVINS of Tennessee moves that the House insist on its disagreement to the amendment of the Senate numbered 2.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and on the several motions was laid on the table.

AUTHORIZING ADDITIONAL TUNNELS AND BRIDGES IN MARYLAND

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 948 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 948

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11627) to amend the act of June 16, 1948, to authorize the State of Maryland, by and through its State roads commission or the successors of said commission, to construct, maintain, and operate certain additional bridges and tunnels in the State of Maryland. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee [Mr. QUILLEN], and pending that I yield myself such time as I may consume.

Mr. Speaker, this is a very simple resolution, making in order what I understand to be a very simple bill. To the best of my knowledge there is no opposition except one opponent to the bill or the resolution. However, in the interest of time and, actually, on behalf of the distinguished gentleman from Florida [Mr. PEPPER] who was to have handled the rule, I yield 15 minutes to the distinguished gentleman from Maryland [Mr. LONG].

Mr. LONG of Maryland. Mr. Speaker, during the legislative progress of H.R. 11627 through this House—first in the Public Works Committee, then in the Rules Committee—I have spoken out in opposition to one of the bridges authorized by this legislation; the bridge parallel to the existing Chesapeake Bay Bridge. I have sought to delete the authorization for this bridge from the bill.

I would now like to present the case against the parallel bay bridge on the floor of this House. I realize that I have no chance to win on the issue of deleting the parallel bay bridge from this bill. The dean of the Maryland delegation is chief sponsor of H.R. 11627, and he is also chairman of the powerful Public Works Committee. All of us who know the political facts of life know what I am up against.

My purpose in taking my fight against the parallel bay bridge to the floor is to bring out certain facts about the bridge for the benefit of my colleagues in this House; for the benefit of the Senators who will soon consider this bill; and for the benefit of the voters of Maryland who decisively rejected the parallel bay bridge in a referendum only last November.

The necessity for congressional action on a bill authorizing the construction of bridges and tunnels in Maryland, according to the Public Works Committee report, stems from two technical requirements:

First. Because the bridges in this group were partly authorized by an act preceding the General Bridge Act of 1946, in which Congress delegated to the States the power to permit construction of bridges over navigable waters; and

Second. Because new structures authorized by this bill will participate in the financial pooling of revenue established by the original act.

However, Maryland officials are interpreting congressional endorsement of this legislation, which includes the parallel bay bridge, not as the technicality which is its only justification, but as ringing approval of their own insistence on a project that the people who voted them into office had rejected.

Therefore I urge my colleagues to look beyond technicalities before deciding on the value of H.R. 11627. Because the implications and significance of the parallel bay bridge are not mere technicalities—not to the people of Maryland who will use these bridges and who rejected the parallel bay bridge—not to the Maryland State officials who have so assiduously pushed the parallel bay bridge, and not to the Federal Government, which may have to finance the approach roads to the bridge. Construction of the parallel bay bridge will determine State and Federal expenditures for highways in Maryland for years to come.

If the parallel bay bridge is built, at least $50 million will be needed for an Arundel Expressway to speed Baltimore area residents to the parallel bay bridge. Millions more will be needed for a new Kent Narrows Bridge, which is a small drawbridge on the approach road to the Chesapeake Bay Bridge that is lifted up to 50 times daily on busy summer weekends; and for a new Choptank River Bridge, another narrow bridge on the vacation route to the parallel bay bridge.

I would also like to call my colleagues' attention to actual traffic figures for the existing Chesapeake Bay Bridge, and economic and financial data about the projected parallel bridge.

The existing Chesapeake Bay Bridge is now carrying only half its rated capacity of 8.5 million cars a year.

Traffic on the existing bridge failed to make any real gains between 1963 and 1965 because of the opening of other toll facilities.

The existing bay bridge is congested on only a few summer weekends during the year.

Simple and inexpensive methods of easing such infrequent congestion—for example, increasing toll booth facilities, and eliminating approach-road bottlenecks—have yet to be introduced by the State roads commission. In fact, I believe it is fair to say that they want all the congestion they can get so they can make a case for another parallel bridge. Each time they get a little congestion there they have photographers swarming all over the place trying to get pictures of it.

If a bridge were built in the Baltimore area first, it would provide better service to the 60 percent of the Maryland population living in the metropolitan area. It would expand the port frontage, attract new industry and population, and build up the economy of Maryland generally.

These bonuses cannot be claimed for a bridge alongside of a bridge which can give greater convenience on only a few summer weekends, and mostly to out-of-State motorists.

Contrary to the claims of the Maryland State Roads Commission, the parallel bridge will not be paid for by tolls of the people who cross it. Interest and amortization on the second bridge will cost $4 million to $5 million a year, and at a $1 toll will require an extra 4 to 5 million cars annually.

Yet the State roads commission figures show that the extra traffic using this second bridge will still be far below this figure, even by 1985. The parallel bay bridge will therefore have to be paid for by the people who use other toll facilities—the Susquehanna Bridge, the Potomac Bridge, and the Harbor Tunnel.

That is why they have to come to the Congress because they have to have the revenue from these other toll facilities, including the existing bridge and the Potomac River Bridge which is across interstate waters. This requires them to come from congressional authorization.

If they were just content to let that bridge be paid for by the people who cross it, they would not have to come to the Congress for money at all—at least that is their claim.

If the parallel bridge—and a second harbor tunnel—were not built, and it is very interesting to note that this has been overlooked at all times in all of the arguments, if these are not built, all of these toll facilities in the State would become free to motorists in 3½ years under the State law automatically.

Maryland voters have been told again and again that the advice of experts should determine which bridge should be built first, and where, and that the advice of these experts should supersede the wishes of the votes as expresesd in referendum.

The records of these so-called experts give some index to measure the value of their advice.

Estimates of traffic and revenue on the proposed parallel bay bridge were made by the traffic consulting firm of

Coverdale & Colpitts. I have discovered eight major projects on which this firm made gross overestimations in traffic and revenue—including two bridges in Maryland, the Potomac River Bridge and the Susquehanna River Bridge. These eight projects have a total value of three-quarters of a billion dollars, or 15 percent of Coverdale & Colpitts' entire business.

In addition to the Maryland bridges, this firm's six other blunders include two bridges in Michigan; and toll projects in Illinois, West Virginia, Massachusetts, and Kansas. Three of the projects are in default on interest payments to bondholders. A fourth is paying interest out of borrowed money. In the fifth and sixth projects, tolls had to be raised sharply in an attempt to make up for traffic deficiencies. Even with higher tolls, revenue is still below the firm's predictions.

The main motive behind this drive for a parallel bridge is not the economic merits of the project but the millions of dollars to be made from fees and land speculation.

The Governor—and now listen to this—along with eight business and political associates, owns land on the approach to and very near the proposed parallel span. Last year, when his ownership was discovered, he promised in a rather emotional statement to sell his share and give any profits to charity. Repeated public prodding has only just now succeeded in getting a definite action to sell this property. Whatever happens to the profits of his share though, and keep this in mind, eight business and political associates of the Governor, of course, still own the remainder of this land and still stand to profit from this parallel bridge.

More questionable than the record of Coverdale and Colpitts is that of the J. E. Greiner Co., the consulting engineers who recommended the parallel bridge and have just been given a cost-plus contract—although I thought those things went out with World War II—under which the higher the costs, the higher the profits, to design and supervise construction of this bridge—a bridge duplicative of the present bridge, which was designed by this same firm.

This same firm can draw on the designs which they originally used to build the bridge and which ought to be of some value in building the parallel bridge.

In Pennsylvania, in 1957, after two Greiner officials were indicted on a charge of conspiracy to defraud the turnpike commission of millions of dollars, the commission dismissed the Greiner Co. as consulting engineers and brought a $7.7 million civil negligence suit against the firm. The Greiner Co. had recommended a program, of drilling and filling minefields, for which the State was billed over $7 million, but which—State mine officials testified—should have cost only $82,900, or 1 percent. Five State officials, including the chairman of the turnpike commission, went to jail. The two indicted Greiner officials escaped conviction, but the Greiner Co. paid the turnpike commission to settle the civil suit out of court.

In Florida in 1965, a grand jury ruled that fees charged by the J.E. Greiner Co. for engineering and design of the Tampa Airport were "unduly excessive" by $907,000, or 37 percent.

In Pennsylvania and New Jersey, in 1956, the J. E. Greiner Co., as consulting engineers to the Delaware River Joint Toll Bridge Commission, was found to have authorized illegal payments of $181,000 in public funds to commission members and employees. In addition, Greiner officials authorized additional payments of public money for extravagant parties and pleasure trips to Las Vegas and other cities.

For example, a $4,000 set of china which was made by the same firm with which the chairman of the commission was connected was bought from that firm for entertaining, and a gal was hired and put on the rolls for secretarial services, though she was simply a nightclub entertainer known as TNT From Gay Paree.

So doubtful was the chairman of the Maryland State Roads Commission that his contract with Greiner for the parallel bridge could withstand public scrutiny that he long delayed making this document available. I had one heck of a time getting hold of it. I have just been able to obtain a copy, but only after the contract was signed and delivered, and even then only after one of my assistants prodded the chairman's office for 3 days running.

This cost-plus contract gives Greiner every incentive to squander public money because the firm will not only be reimbursed for all of its payroll expenses on this project but will receive in addition an amount equal to 101 percent of these expenses.

In summary, the building of a parallel bay bridge would be a tremendous economic and financial mistake for Maryland and its people, who would be paying for this blunder through extra tolls for years to come. I have briefly described the history of miscalculation, negligence, land speculation, and plain incompetence surrounding this bridge and the consultants and the Governor who recommended it. The need for a parallel bridge is far from proven, and the black marks against it so many and varied, that the House would be wise not to authorize its construction at this time. During the reading of H.R. 11627 for amendments, therefore, I shall offer an amendment to strike the parallel bay bridge authorization from this bill.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. LONG of Maryland. I yield to the gentleman from Iowa.

Mr. GROSS. In his previous remarks, the gentleman made some reference to the interest of the taxpayers' or the people of the Nation generally in this matter. Is this proposed bridge going to cost the Federal taxpayers, the taxpayers of all the country, any money now or in the future?

Mr. LONG of Maryland. Not directly, but indirectly. In the first place, it will cost the toll taxpayer. They are merely taxpayers who are paying sums out of a different pocket, anywhere from $70 million to $100 million, depending on its cost. But in addition, there will be scores of millions of dollars worth of approach roads and bridges which will have to be built to service this road which would not necessarily otherwise have to be built if a bridge were built in another area.

So this is of great significance to the Federal taxpayer.

Mr. MORTON. Mr. Speaker, will the gentleman yield?

Mr. LONG of Maryland. I yield to my colleague from Maryland.

Mr. MORTON. In connection with the matter of approach roads. Approach roads would have to be built regardless of where the bridge is built; is that not correct?

Mr. LONG of Maryland. Not necessarily.

Mr. MORTON. In Kent County there are no road systems that would now handle or support any reasonable amount of traffic across the proposed bridge?

Mr. LONG of Maryland. I agree with the gentleman entirely. If a bridge is built in another area, roads would have to be built. The Governor and the State road commission have consistently maintained that only the northern approach would require approach roads. Now it turns out that already a $60 million Arundel Expressway is being projected for the parallel bridge, if the parallel bridge goes through.

The SPEAKER pro tempore (Mr. MILLS). The time of the gentleman from Maryland has expired.

CALL OF THE HOUSE

Mr. MICHEL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. MILLS). Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 331]

Anderson, Ill.	Gallagher	Pepper
Anderson, Tenn.	Gibbons	Philbin
	Goodell	Pickle
Arends	Halleck	Pool
Ashley	Halpern	Purcell
Aspinall	Hansen, Wash.	Rarick
Barrett	Hébert	Resnick
Bell	Heckler, Mass.	Rogers, Fla.
Blatnik	Herlong	Ronan
Boggs	Horton	Rooney, Pa.
Broomfield	Ichord	Rosenthal
Brown, Calif.	Irwin	Rostenkowski
Button	Jarman	Roush
Carey	Jones, Mo.	Roybal
Celler	Karth	St. Onge
Chamberlain	Kluczynski	Schadeberg
Clark	Kornegay	Scheuer
Conyers	Kyl	Schwengel
Corman	Laird	Smith, N.Y.
Davis, Wis.	Long, La.	Springer
Dent	McMillan	Stephens
Diggs	Macdonald, Mass.	Thompson, N.J.
Donohue		Udall
Dwyer	Martin	Utt
Edwards, Calif.	Mathias, Md.	Watson
Farbstein	Mosher	Williams, Miss.
Fountain	Multer	Willis
Fraser	Nelsen	Wright
Frelinghuysen	Nix	Wydler
Fulton, Tenn.	O'Hara, Mich.	Zablocki

The SPEAKER pro tempore. On this rollcall, 341 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

Mr. QUILLEN. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, as the gentleman from Missouri [Mr. BOLLING] has ably stated, House Resolution 948 provides for the consideration of H.R. 11627 under an open rule with 1 hour of general debate.

The purpose of H.R. 11627 is to allow the State of Maryland to construct and operate four bridges or tunnels across the Chesapeake Bay, a navigable waterway.

In 1938 and 1948 Federal legislation was enacted to provide for construction of the current bridges and tunnels. Since a navigable waterway is involved, Federal approval must be obtained by the State. Present and future needs require additional crossings.

No Federal cost is anticipated. Costs will be borne by the State, which will recover its costs through tolls.

The Maryland General Assembly, in its recently completed session, approved the four crossings covered by this legislation. Maryland is ready to go to work. No Federal agency, the Corps of Engineers, Bureau of the Budget, or the Department of Transportation has any objections, though Transportation takes no position on two of the proposed crossings, saying it has not had enough time to study them. There are no minority views.

Mr. Speaker, I know of no objection to the rule. I have no further requests for time, but I reserve the balance of my time.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. FALLON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11627) to amend the act of June 16, 1948, to authorize the State of Maryland, by and through its State roads commission or the successors of said commission, to construct, maintain, and operate certain additional bridges and tunnels in the State of Maryland.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 11627, with Mr. JOELSON in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Maryland [Mr. FALLON] will be recognized for 30 minutes, and the gentleman from Florida [Mr. CRAMER] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Maryland [Mr. FALLON].

Mr. FALLON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the bill H.R. 11627 would authorize the State of Maryland, by and through its State roads commission, to construct, maintain, and operate certain additional bridges and tunnels in the State of Maryland. The purpose of the bill is to allow the State of Maryland to construct, maintain, and operate a bridge parallel to the existing Chesapeake Bay Bridge from a point in Anne Arundel County at or near Sandy Point to a point in Queen Annes County at or near Kent Island; a bridge across or a tunnel under the Chesapeake Bay from a point in Baltimore County at or near Millers Island to a point in Kent County, or a combined bridge and tunnel at such locaton; a bridge across or a tunnel under the Chesapeake Bay from a point in Calvert County to a point in Dorchester County, or a combined bridge and tunnel at such location; and an additional tunnel under or a bridge across the Patapsco River from a point at or near Hawkins Point in the city of Baltimore to a point at or near Sparrows Point in Baltimore County.

This legislation was reported unanimously by the Committee on Public Works. It is needed and necessary legislation and is purely technical in nature, allowing the State of Maryland to build these additional structures.

I might point out to the Members that there is no cost to the Federal Government involved in the enactment of H.R. 11627. The entire total financial obligation will be borne by the State.

The Maryland Legislature in its last session enacted into law the authorizing legislation for the additional bridge structures and the tunnel contemplated under the terms of the bill we are considering today. The approval for these additional bridges and tunnel by the Maryland Legislature was overwhelming in both houses.

This is purely and simply a State matter insofar as the actual construction, location, and determination of the bridges and tunnel are concerned. I might point out that under the Federal-aid highway program, which came into being in 1956, the question of the actual location and the site for highway construction must be initiated and approved by the States before there can be any Federal participation in the highway program. Thus, under our great highway program we gave to the States the initiative as far as location and construction of roads and bridges are concerned, and this is completely similar to the legislation we have before us today and the authority the State of Maryland would have under this bill.

In 1938 the Congress approved an act—52 Stat. 205—which authorized the State of Maryland to construct a bridge across the Susquehanna River within the State of Maryland and a bridge across the Potomac River from a point in Charles County, Md., to a point approximately opposite in the State of Virginia. The first mentioned bridge is entirely within the confines of the State of Maryland. The bridge across the Potomac River connects Maryland with Virginia and is an interstate bridge.

In 1946 Congress enacted the General Bridge Act which gave congressional consent, subject to certain Federal agency approval, to bridges and tunnels across navigable waters within the States. This general approval did not, however, include interstate bridges such as the Potomac River Bridge.

In 1948 the Congress passed an act—Public Law 654, 80th Congress—which supplemented the 1938 Maryland act. Under the provisions of this act, the State of Maryland was authorized to construct a bridge across or a tunnel under the Chesapeake Bay from a point in Anne Arundel County to a point approximately opposite on Kent Island—the Chesapeake Bay Bridge—and also a bridge or a tunnel under the Patapsco River in the city of Baltimore—the Baltimore Harbor Tunnel. The act permitted the State to fix and charge tolls in accordance with the laws of the State and to unite or group for financing purposes either or both of the existing bridges with either or both of the new structures authorized by the bill.

Under the laws of the State of Maryland the revenues from the Potomac River Bridge, the Susquehanna River Bridge, the Chesapeake Bay Bridge, and the Baltimore Harbor Tunnel are grouped together for financing purposes. The Potomac River Bridge is an interstate bridge connecting Maryland with Virginia. The other three structures are all within the State of Maryland and are intrastate in character.

The Maryland law authorizing the commission to construct additional toll structures across the Chesapeake Bay and additional crossing of the Baltimore Harbor authorizes the grouping of the toll proceeds of all of the existing structures in connection with the financing of the proposed new structures. It is contemplated by the State roads commission, acting pursuant to an act of the Maryland legislature, that the toll revenues from the existing Potomac River Bridge will be grouped or combined with the revenues from the other bridges and tunnel in connection with and to make possible the financing of the new structures. Congressional approval, therefore, is necessary.

If it were not for the pooling or grouping of the revenues from the Potomac River Bridge, an interstate bridge, for financing purposes the State of Maryland would have the authority to construct all of the projects enumerated in H.R. 11627 under the authority of the General Bridge Act of 1946.

Let me conclude by reiterating the following points. This is basically a State matter. The need for the legislation today is purely technical in nature. There is no Federal cost involved.

I urge approval of the legislation.

Before closing my statement, I should like to answer the gentleman from Maryland [Mr. LONG]. He criticized the integrity of the Governor of Maryland, the highway director, and he also made certain charges against the Greiner Co., who would do the engineering on the bridge to be built under this bill and who did the engineering on the present bridge that is now serving traffic over the Chesapeake Bay. Further, as one package, they will do the preliminary engineering on all of these projects. The gentleman from Maryland [Mr. LONG] said that they were accused of certain malfea-

sance, or whatever he charged them with, in Pennsylvania in 1954.

I might say to the gentleman that the best vindication that could be given to this engineering firm is that they have supervised and engineered $150 million worth of work in the State of Pennsylvania since that time.

Also the gentleman accused the Greiner Co. of charging exorbitant fees with regard to a Florida contract here on the floor of the House. That same Greiner organization is still working in Florida under the same contracts.

I do not know what better vindication could be given to an engineering firm than that.

I might say in closing that neither I as chairman, our Committee on Public Works, nor even the Congress has ever told a State highway department where to locate a bridge, a tunnel, or a highway, even when we were paying 90 percent of the cost. So I do not believe the Congress should do so in this present instance.

I do not believe the Congress should amend the law of a State legislature until the State legislature and the Governor ask Congress. It is through a technicality that we have to pass this law. I do not believe we should attempt to change the laws passed by the legislature and signed by the Governor of that State.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, my remarks will be very brief, and then I want to yield to the principal sponsor of this legislation on our side, the gentleman from Maryland [Mr. MORTON], and also the gentleman from Maryland [Mr. GUDE] and the gentleman from Maryland [Mr. MATHIAS].

I briefly want to say I think everyone knows I am not a toll road proponent and never have been. This is a matter the State legislature acted upon, a legislature that was elected at the same time the bond issue, that was mentioned, was voted upon. That legislature, elected by the people of Maryland, as I understand it, voted, four-fifths of them, for the enabling legislation passed, with respect to which we are legislating at the present time.

This is a fight in Maryland and not a fight involving Florida, and this is why I want to say we outside of Maryland should not get Congress in the middle of it. As far as I am concerned, the best way to get Congress in the middle of it is to accept the amendment proposed by the gentleman from Maryland [Mr. LONG] to strike the parallel Chesapeake Bay Bridge from the bill. That would violate what the State legislature has acted upon.

I do not think Congress ought to be in the business of deciding what bridges the State can or cannot build to the exclusion of other bridges. This bill lets the State do what it see fit to do as to all the bridges or tunnels—all four of them—and the State decides the priorities; it is not Congress dictating to the State that it can decide on three but not on the fourth, when it is quite obvious on the record that the fourth, the parallel Chesapeake Bay Bridge, is the one needed the most.

As far as I am concerned, I do not intend to get into the problems of the Maryland delegation.

I know that all but one of the Maryland Congressmen support it. One Maryland Congressman does not support it because he wants it in his district. But I do not think Congress ought to get into that kind of fight when the legislature itself says we should let the State make the decision. That is what this bill does. There is no Federal money involved.

This bill permits the State to do what it sees fit as to all the bridges, based on priorities—that is, four bridges or tunnels in total. As far as I am concerned, the legislation has merit and should be supported. I think the best way for Congress to stay out of any problems relating to deciding priorities, which has always been a State determination, is to vote for this bill as it came out of the committee.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, if there is no Federal money invloved, then it is up to the people of the State of Maryland to finance this bridge. Is that not correct?

Mr. CRAMER. That is correct, through tolls—which is the proposal, and it is the proposal the Maryland Legislature has acted on.

Mr. GROSS. Through bond issues or tolls or however they want to finance it?

Mr. CRAMER. That is correct.

Mr. GROSS. Someone has spoken of a referendum. If the referendum was adverse to this bridge, then the Maryland Legislature has authority to take care of that situation by not providing the construction money.

Mr. CRAMER. The legislature acted subsequent to the referendum, which resulted in a four-fifths vote in support of the legislation that is presently before us. That is their responsibility.

Mr. LONG of Maryland. Will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. Mr. Chairman, the gentleman from Florida has said that Congress should not be in the middle of it, but, of course, Congress is in the middle of it.

Mr. CRAMER. The gentleman, in my opinion, is trying to put Congress in the middle of it, and as far as I am concerned, this bill keeps Congress out of an issue that should be decided by the State of Maryland.

Mr. LONG of Maryland. If the Congress is not in the middle of this, why is this bill before Congress?

Mr. CRAMER. Mr. Chairman, I am surprised that the gentleman does not appreciate this, of course.

Mr. LONG of Maryland. I believe I do appreciate it.

Mr. CRAMER. I will be glad to indicate it is necessary for this bill to be before Congress because of the inclusion of the Potomac River Bridge, an interstate bridge on U.S. 301, which was authorized by a 1938 act of Congress, in the "pooled" financing arrangement for four existing toll facilities and the four new toll facilities involved in this bill.

The gentleman is familiar with previous legislation that makes this bill necessary. That is why the bill is before us.

Mr. LONG of Maryland. If the gentleman will yield further, he pointed out that the Federal Government does not have to pay anything about the cost of these bridges. Would not the gentleman agree that a bridge like this is going to require a tremendous number of approach roads, which the Federal Government will be asked to pay for in future years, including the $60 million Arundel expressway?

Mr. CRAMER. The gentleman knows full well that if the bridge were built in his district it would require approaches as well. The gentleman likewise knows that if money is going to be spent for an approach, or if approaches are constructed, it will require 50 percent State participation. The State first will have to put up its own money. It makes the decision supposedly on the merits. I suggest to the gentleman, I do not want to see Congress get in the middle of a purely State controversy by following the gentleman's recommendation.

Mr. LONG of Maryland. If the gentleman will yield further, I am glad he said "supposedly on the merits."

I might point out that not only is the parallel bridge going to require tremendous numbers of subsidiary roads, for which the Federal Government will have to help pay, but the tunnel around the city is also going to raise a real question as to whether the Federal Government should be committed to an East-West expressway through the city, which will cost a great many scores of millions of dollars, when they propose to put a tunnel around the city.

The Federal Government is right in the middle of these projects, whether it likes it or not.

Mr. CRAMER. I say to the gentleman, I believe he has evidenced by his discussion some of the problems that now exist or will exist in the future into which the Federal Government would inject itself if it should say, "No, you cannot build the parallel Chesapeake Bay Parallel Bridge."

That is a decision for the State. I do not think the gentleman or any other Member of the House should suggest that Congress dictate to the State what should be done in this instance. This bill would let the State do as it sees fit, based upon its own determination of needs.

Mr. Chairman, I now yield to the distinguished gentleman from Maryland [Mr. MORTON], who is a cosponsor of the bill, 5 minutes.

Mr. MORTON. Mr. Chairman, I thank the gentleman for yielding.

First I should like to take this opportunity to thank the very distinguished chairman of the great Committee on Public Works, my colleague, the gentleman from Maryland [Mr. FALLON], for the work he has done on this legislation.

Here we have an argument going on, and it is in the wrong forum. The ques-

tion as to where Maryland should build its bridges and where it should build its highways and tunnels, and questions as to the pattern of the highway network of Maryland, certainly, are questions which should be determined and answered within the State itself. Therefore, it is with an apology I come before the House and my colleagues to discuss this matter.

I am not going to respond in any way to the allegation which has been put forth that there are inefficiencies, inequities, or even bad practices within the State agencies involved in the responsibility for highway planning, construction, and administration. Several administrations have been involved in this proposition. I am not here to criticize the administration in my own State, past or present, be it Democrat or Republican. I do that at home and I do it constructively.

I hope the Congress will pass this bill because it is necessary. Navigable waters are involved. Areas which concern our national defense are involved. Other legislation preceding this makes it necessary that we have permissive legislation to go about our business of selecting a site and building bridges to serve the public of Maryland.

Mr. FALLON. Mr. Chairman, I yield 5 minutes to my colleague from Maryland [Mr. GARMATZ].

Mr. GARMATZ. Mr. Chairman, this bill now being considered is of vital importance to the State of Maryland and the motorists from other States who travel through my State. This latter class includes millions every year.

The bill will authorize the State Roads Commission of Maryland to construct four additional toll structures.

One is the second crossing of the Baltimore Harbor; one is another crossing of the Chesapeake Bay parallel to the existing Chesapeake Bay Bridge; one is a northern crossing of the Chesapeake Bay; and the other is a southern crossing of the Chesapeake Bay connecting southern Maryland with the Eastern Shore of Maryland.

All of these crossings are entirely within the State of Maryland and none are on or directly connected with the Federal Interstate System of Highways.

Being a resident of the State of Maryland and living in Baltimore city, I personally know that a second crossing of the Baltimore Harbor is necessary and urgent. Traffic using the existing Baltimore Harbor Tunnel backs up and causes delays practically every weekend of the year.

I also know from personal knowledge that traffic delays occur every weekend during the summer months on the existing Chesapeake Bay Bridge.

These traffic jams cause hundreds of motorists to wait in line up to 2 hours in order to use the existing bridge.

On the eastern shore side of the existing bay bridge there are four traffic lanes to accommodate traffic and on the western shore side of the bridge there is also a four-lane highway.

The present bridge is only a 2-lane bridge and the proposed new bridge will be, in effect, an enlargement and improvement of the existing Chesapeake Bay Bridge.

Both the proposed northern and the proposed southern crossings of the Chesapeake Bay are included in the State roads commission's proposed highway program and will become necessary in the future.

This bill merely authorizes the State roads commission to finance and construct these crossings in conjunction with certain existing toll crossings already in use.

The General Assembly of Maryland, which has been reapportioned in accordance with the ruling of the Supreme Court, has passed legislation authorizing the construction of these four crossings.

This legislation was passed at the 1967 session of the general assembly by four-fifths or more of the members of both houses of the Maryland Legislature.

The Governor of Maryland is on record publicly supporting this bill.

The Maryland State Roads Commission unanimously endorsed this legislation and the chairman of that commission is on record by letter to the Public Works Committee of this House of Representatives endorsing this legislation.

The Board of Public Works of Maryland, which includes the Governor, the treasurer of the State of Maryland, and the comptroller of Maryland, has unanimously approved preliminary engineering contracts for certain of the projects included in this bill.

And, in addition, seven of the eight Members of Congress from Maryland joined in sponsoring this legislation now before this House.

It appears to me, Mr. Chairman, that for this Congress not to enact this legislation or to amend this legislation would have the effect of the Congress attempting to dictate the location and the construction priority of bridges and tunnels located entirely within the State of Maryland.

This, I submit, is not a proper function for the Congress.

In addition, I point out that if this bill now being considered becomes law, it will not cost 1 cent of Federal Government money.

Delays have already cost the motorists desiring to use these structures untold inconvenience and the delays have cost the State of Maryland millions of dollars in additional construction costs.

Mr. Chairman, I urge favorable consideration of the bill now pending, in order that the State of Maryland may proceed with the construction of these projects without further delay.

Mr. MORTON. Mr. Chairman, will the gentleman yield?

Mr. GARMATZ. I yield to the gentleman from Maryland.

Mr. MORTON. First I would like to express my appreciation to the gentleman in the well, my colleague from Maryland, for his help and support in this bill.

Mr. MACHEN. Mr. Chairman, will the gentleman yield?

Mr. GARMATZ. I am glad to yield to the distinguished gentleman from Maryland [Mr. MACHEN].

Mr. MACHEN. Mr. Chairman, I wish to compliment the gentleman from Maryland [Mr. GARMATZ] for his statement and to urge support of this legislation. Of course, I associate myself with the remarks which the gentleman has made.

Mr. Chairman, I am honored and pleased to be a cosponsor of H.R. 11627 with the distinguished chairman of the Public Works Committee and with five of my Maryland colleagues.

The legislation before you today is an authorization bill, the enactment of which is a prerequisite to the construction of additional crossings of the Chesapeake Bay and the Baltimore Harbor. This legislation is very farsighted because it would authorize a number of bay and harbor crossings, enough in my mind to meet our needs for decades. Enactment of this bill would allow the State of Maryland to proceed with construction of each additional bay and harbor crossing on a priority basis as the State sees fit without the necessity of coming back to the Congress for additional legislative authorization each time an additional project is needed.

As many of you are aware, there has been some controversy about which additional bay crossing should be constructed first. This legislation does not settle that controversy, nor is it intended to. But it will, if enacted, allow the State to assign and implement its construction priorities on each additional crossing without further congressional action.

Mr. Chairman, I strongly support this bill and urge its enactment, because additional bay and harbor crossings are badly needed to serve the people of our State and those who travel through it. Additional bay crossings in particular can mean closer economic and social ties within our State with a resultant strengthening of our economy and growth. We have already seen this to a significant degree as a result of the building of the first Chesapeake Bay Bridge. What followed on the Eastern Shore was nothing less than dramatic. We should, through enactment of this omnibus authorization bill, assist southern Maryland, the southern and northern portions of the Eastern Shore, in achieving similar economic growth.

Mr. Chairman, it is my understanding that this legislation does not provide for the expenditure of any Federal funds. It does not place any additional financial obligation on the Federal Government. It is merely congressional authorization for the State of Maryland to undertake the construction of these various additional crossings under its own priority system and under its own system of financing.

I strongly urge the Committee to pass this bill.

Mr. MICHEL. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Fifty-eight Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 332]

Anderson, Ill.	Arends	Barrett
Anderson, Tenn.	Ashley	Bell
	Aspinall	Blatnik

Boggs	Halpern	Pool
Broomfield	Hébert	Purcell
Brown, Calif.	Heckler, Mass.	Rarick
Carey	Herlong	Resnick
Celler	Horton	Ronan
Chamberlain	Howard	Rooney, Pa.
Clark	Jarman	Rostenkowski
Conyers	Jones, Mo.	Roush
Corman	Kluczynski	Roybal
Davis, Wis.	Kornegay	St. Onge
de la Garza	Kyl	Schadeberg
Dent	Laird	Scheuer
Derwinski	Long, La.	Schwengel
Diggs	McCulloch	Smith, N.Y.
Donohue	Macdonald, Mass.	Stephens
Dwyer	Mathias, Md.	Udall
Edwards, Calif.	Mosher	Utt
Farbstein	Multer	Williams, Miss.
Fountain	Nelsen	Willis
Frelinghuysen	Nix	Wright
Fulton, Tenn.	O'Hara, Mich.	Wydler
Gallagher	Philbin	Zablocki
Goodell	Pickle	
Halleck		

Accordingly the Committee rose; and the Speaker pro tempore (Mr. MILLS) having resumed the chair, Mr. JOELSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 11627, and finding itself without a quorum, he had directed the roll to be called, when 356 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. DON H. CLAUSEN].

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the requst of the gentleman from California?

There was no objection.

Mr. MATHIAS of Maryland. Mr. Chairman, the unique feature of the Federal highway program is that it is locally controlled. Local initiative determines a State's participation in the program. States define their highway needs, determine the location of highways and bridges, secure the land, and otherwise implement their plans for the achievement of their goals.

This is a fundamental principle—and the principle is the same whether it applies to California, New York, or Maryland. If we begin today to dictate at the Federal level where a bridge should or should not be built we violate that principle and interject Federal controls into an area where they do not belong.

Any parliamentary maneuver to defeat this principle of local initiative should itself be defeated.

Mr. DON H. CLAUSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. GUDE].

Mr. GUDE. Mr. Chairman, I should like to commend my colleague, the gentleman from Maryland [Mr. FALLON], for the work which he has done on this legislation and for making it possible to improve the transportation system in our State.

I strongly urge passage of H.R. 11627, which will authorize construction by the Maryland State Roads Commission of a parallel Chesapeake Bay Bridge, among other toll facilities of the State of Maryland.

Many Members of the House, I know, have had the opportunity to enjoy our Maryland and Delaware beaches and have had an opportunity to use this toll facility.

I hope they have not been too inconvenienced by the hardships that have been incurred on them by lack of a proper facility.

This is a positive step to relieve choking congestion which hampers the safety and comfort of Maryland citizens who travel between the eastern and western shores, whether on vacations or in commerce.

I have long been interested in developing solutions to problems of traffic congestion on the Chesapeake Bay Bridge. Thousands of residents of Montgomery, Howard, and Anne Arundel Counties, Md., as well as great numbers from other points in metropolitan areas of Washington and Baltimore, use this bridge to reach the recreational facilities offered by the Delmarva Peninsula. The two-lane span carrying this tourist volume as well as the growing commerce carried by highways U.S. 50 and 301 has achieved a point of intolerable congestion during much of the year.

During the year 1967 a condition known by traffic engineers as "choking congestion" existed on the bridge in excess of 300 hours. This is six times the amount of tolerate "choking congestion" for which bridges are normally designed.

The total stopping of traffic, during which traffic is held to one way, for periods of over an hour, occurred 70 times during this year.

During 1967, there were 30 days when this two-lane bridge carried between 25,000 and 30,000 vehicles, which doubled the average daily volume. The 1967 total volume of vehicle trips should exceed 4.6 million.

Two different, independent traffic studies conducted for the Maryland State Roads Commission during two different and successive administrations have produced convincing testimony for the need of this facility. Also a reapportioned legislature this year instructed the State roads commission to proceed with this program according to the priorities established by their studies.

Passage of H.R. 11627 is basic to the efficient development of a safe and adequate highway system for the State of Maryland, and I commend it to my colleagues.

Mr. FALLON. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. FRIEDEL].

Mr. FRIEDEL. Mr. Chairman, I rise in support of H.R. 11627.

I am going to be very brief in my remarks. This is a noncontroversial bill similar to one which passed the House in the last Congress by unanimous consent. This is a bill that should not take up too much of our valuable time today. The construction involved in this bill has been authorized by the State Legislature of Maryland, which told the Governor and the State roads commission to pick the best sites. This might be a site which my colleague, who is opposed to the bill, would approve himself. This could be any of three bridges or tunnels. I am not an expert on selections of sites. I leave it to the experts who will know where any bridges or tunnels should go. All this bill does is authorize the State of Maryland to construct, maintain, and operate the necessary bridges or tunnels.

It does not cost the Government a penny.

Only State money is involved.

I commend my colleague, the distinguished chairman of the Public Works Committee, for expediting action on this legislation, of which I am a cosponsor. I urge all my colleagues to support this bill and I certainly hope it passes so our State can get on with construction of these much-needed bridges and tunnels.

Mr. FALLON. Mr. Chairman, I yield 5 minutes to the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Chairman, I rise in support of H.R. 11627. I do so with the greatest of respect for the dissenting member of the Maryland delegation in the House who has appeared before our committee and testified against this bill. He appeared before the Committee on Rules and testified against the rule and now has brought to the floor of the House an argument which in my opinion the Committee on Public Works concluded was primarily an argument to be settled in the State of Maryland by the people of Maryland.

Now, Mr. Chairman, out of all the due respect in the world for our dissenting friend, the distinguished gentleman from Maryland [Mr. LONG], I cannot avoid the conclusion that this is a matter on which an overwhelming showing from the State of Maryland would appear to support the passage of this legislation.

For instance, if the Members of the Committee will take a look at this bill, they will see that the bill is not only sponsored in this House by the chairman of the Committee on Public Works, but also by six other members of the Maryland delegation in this House of Representatives. It is not a Democratic sponsorship exclusively or a Republican sponsorship. It is a bipartisan sponsorship.

Mr. Chairman, this bill has the support of the Governor of Maryland, who is a member of the Republican Party. It has the endorsement of the chairman of the State Highway Commission of the State of Maryland.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield to me at that point?

Mr. EDMONDSON. Not at this point. I shall be glad to yield to the gentleman in a moment.

Furthermore, I am impressed by the fact that the various departments of the Federal Government involved which have been asked to present their views with reference to this particular bill have not supplied to our committee nor to this House any solid reason for denying the State of Maryland the consent that has routinely been given to any other State which has requested this type of consent for the construction of a bridge over a navigable stream.

Mr. Chairman, in the absence of a di-

rect Federal contribution to the cost of this project—and this bill authorizes not one dime as a Federal contribution to the cost of these structures—and in the absence of any type of an adverse report from either the Department of Transportation or the Department of the Army, personally, I cannot see any solid reason for this House to enter into the question or the judgment decision as to where these bridges and as to where these tunnels should be built.

Mr. Chairman, it is my opinion that we have made a record which indicates to us that this is a matter that the State should handle and that should properly be left to the State, in this instance to the State of Maryland.

The overwhelming majority of the Maryland delegation supports the bill. It does have the support of the people who have the primary responsibility for roadbuilding in the State of Maryland.

With that type of showing and with that type of record, it seems to me it would be completely out of line with the precedents in this House for this body to vote against this bill which has been unanimously reported out of the Committee on Public Works.

Now, Mr. Chairman, if the distinguished gentleman from Maryland [Mr. LONG] wishes me to yield to him at this point I shall be glad to do so.

Mr. LONG of Maryland. The gentleman from Oklahoma said that the Governor of Maryland supports this bill. I wonder if the gentleman from Oklahoma realizes the fact that the Governor of Maryland owns land right next to the bridge in question, with six or eight other persons—business and political associates? I wonder further if the gentleman realizes that last year when this fact was disclosed, he in a public announcement said that he was going to sell the land and give the proceeds received therefor to charity? This has not been done. But, evidently, after prodding, he has agreed to do it. However, what profit he might make from the sale thereof, he still has an obligation to his six or eight other very close political associates who still own in conjunction with him the land in question. Therefore, in my opinion, there is a real conflict of interest on the part of the Governor of the State of Maryland. Further, I do not think that the Governor's recommendation should be taken in any authoritative sense.

Mr. EDMONDSON. Without passing in any way upon the merits of that point, it is my opinion that whether or not the Governor does have an interest in this particular construction project is a matter that apparently has not been persuasive with many of the colleagues of the gentleman from Maryland, and that includes members of both parties. It is also a matter of record that the people directly concerned with roadbuilding, including the legislature itself of the State of Maryland, have endorsed this project and have given it their support.

Mr. MORTON. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Maryland.

Mr. MORTON. Mr. Chairman, I appreciate the gentleman from Oklahoma yielding to me at this point. With reference to the question of real estate ownership, I think it is proper that I disclose the fact that I do live on the Eastern Shore, and that my house is located fairly near the end of the present Bay Bridge. I think my colleague the gentleman from Maryland [Mr. LONG], also has property which would be very close to the end of the bridge.

Mr. LONG of Maryland. I will be glad to bet the gentleman $5,000 if he can demonstrate that I own any land within 20 miles of any bridge location that is now proposed.

Mr. MORTON. My house is within 20 miles, and I feel that is pretty close.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FALLON. Mr. Chairman, I yield the gentleman from Oklahoma 1 additional minute.

Mr. EDMONDSON. I thank the gentleman for yielding.

Mr. GARMATZ. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Maryland.

Mr. GARMATZ. My friend, the gentleman from Maryland, to my left, I wish he would pay attention, if he would, please. The gentleman says he does not own any land near a bay bridge proposed location. It may be true that there is a little animosity going on between the gentleman from Maryland and the Governor of the State of Maryland. But may I ask the gentleman: Does he own any land near one of the military bases in his district where it is expected that they will be doing some building? And as a member of the Construction Subcommittee of the Committee on Armed Services, I would ask the gentleman from Maryland if that is correct or not?

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield on that?

Mr. EDMONDSON. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. I might point out that the Governor made this charge in desperation, and I would say that I have owned a farm which is completely on the opposite side of the city of Aberdeen, a good 3 miles. It is being used for farming. And I have a quotation which I am going to put into the CONGRESSIONAL RECORD from my opponent in the last election who said he had absolutely no ground on which to charge me with any conflict of interest in the ownership of my farm, and that was my opponent Paul McHenry in the last campaign.

Mr. GARMATZ. The gentleman has not answered my question.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. FALLON. Mr. Chairman, I yield 1 additional minute to the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. GARMATZ. I thank the gentleman for yielding.

The gentleman has not answered my question.

Mr. LONG of Maryland. What is the gentleman's question?

Mr. GARMATZ. About owning property near a military installation. The gentleman calls it a farm.

Mr. LONG of Maryland. I call it a farm, and it is far from being near any military reservation; it is separated by an entire city from the military reservation.

Mr. GARMATZ. What city is the gentleman referring to?

Mr. LONG of Maryland. The city of Aberdeen.

Mr. GARMATZ. That is a city of four gasoline stations.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FALLON. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland [Mr. LONG].

Mr. LONG of Maryland. I had originally been promised 5 minutes by the chairman, but I will try to make it in 3 minutes.

I have already pointed out that the voters rejected the parallel bay bridge project by an overwhelming vote in the last election; then the legislature repassed it.

I might point out also that our new Governor, who has a conflict of interest, has enormous patronage power. It is well known that a new Governor in Maryland can get just about anything he wants from the legislature if he wants to give out enough patronage for doing so. And this case is no exception. These are the facts of political life in my State of Maryland.

I have gone into a lot of the background on the experts who recommended the parallel bridge, and I have found out that Coverdale & Colpitts, the traffic consultants, has goofed on eight different projects in other States, representing nearly three-quarters of a billion dollars in projects that are in default of interest, are being paid out of borrowed money, or have had to raise tolls to escape default. Those are the qualifications of the experts. One-sixth of all of the projects of Coverdale & Colpitts, using the figures of the State roads commission, are in trouble throughout the country.

Why should we take the word of these experts when, by the overwhelming vote of the people of Maryland, the project was rejected? I believe the people of Maryland have a right to say that they do not want the parallel bridge. They said so decisively.

We are told that this vote here today is merely a technicality, but that is not what it means to the Baltimore area. In the Baltimore area, congressional approval means approval of this project. That is the thinking, as interpreted by the Governor and the head of the State roads commission.

While Federal money is not involved here, the Federal Government is involved in two ways.

In the first place, $70 or $100 million worth of toll money is going to be used up to pay for the parallel bridge. This will divert money away from projects which the people of Maryland might build with toll revenue and thereby reduce future demands on the Federal taxpayer and Federal road funds.

The indirect burden is thus very great. Furthermore, I might point out that this is a duplicative facility. Remember that all over this country we have a tre-

mendous need for roads and bridges. In this case, we are being asked to put a bridge right next to a bridge when in the whole expanse of the Chesapeake Bay of nearly 200 miles there is only one crossing. And then they will come to the Federal Government for the money for access roads.

Sixty million dollars is already being projected for an Arundel Expressway to lead to the bridge. They are also going to need money for a Kent Narrows Bridge which is going to take millions of dollars, and for a Choptank Bridge.

All this money is to go to feed into a bridge which is a wholly duplicative facility and which adds nothing to the economy of Maryland.

I think it is of vast concern to the Congress when money is being wasted anywhere and when sooner or later the Congress is going to be asked to pick up the tab.

Mr. FALLON. Mr. Chairman, a bill similar to the one that is before the House today was passed by unanimous consent some 3 or 4 years ago. It went over to the other body and they failed to act on it. It is similar to the bill which was passed by the House by unanimous consent.

As I said before, when it comes to the selection and location, when we are putting up 90 percent of the money, under the 1956 act, the State highway director selects the location whether it be a bridge or a highway. In this case not one dollar is being put up by the Federal Government and all that the State legislator and the Governor of the State of Maryland and the State highway director are asking for is for permissive legislation so that they may build these projects when and where they want to.

Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act of June 16, 1948 (62 Stat. 463, Public Law 654, Eightieth Congress) is amended by striking out "and (2)" and inserting in lieu thereof "(2)" and by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "(3) a bridge parallel to the existing Chesapeake Bay Bridge in the State of Maryland from a point in Anne Arundel County at or near Sandy Point to a point in Queen Annes County at or near Kent Island, and approaches, including connecting highways, thereto, (4) a bridge across or a tunnel under the Chesapeake Bay in the State of Maryland from a point in Baltimore County at or near Millers Island to a point in Kent County, or a combined bridge and tunnel at such location, and approaches, including connecting highways, thereto, (5) a bridge across or a tunnel under the Chesapeake Bay in the State of Maryland from a point in Calvert County to a point in Dorchester County, or a combined bridge and tunnel at such location, and approaches, including connecting highways, thereto, and (6) an additional tunnel under or a bridge across the Patapsco River from a point at or near Hawkins Point in the city of Baltimore to a point at or near Sparrows Point in Baltimore County, and approaches, including connecting highways, thereto."

SEC. 2. The first sentence of section 3 of such Act of June 16, 1948, is amended by striking out "either or both" at each of the two places where it appears and inserting in lieu thereof at each such place "any one or more".

Mr. CRAMER (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

AMENDMENT OFFERED BY MR. LONG OF MARYLAND

Mr. LONG of Maryland. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LONG of Maryland: On the first page strike out line 8 and all that follows down through and including "(4) a" on line 4 of page 2.

On page 2, line 9, strike out "(5)" and insert in lieu thereof "(4)".

On page 2, line 13, strike out "(6)" and insert in lieu thereof "(5)".

Mr. LONG of Maryland. Mr. Chairman, the purpose of this amendment is to strike out the parallel bridge portion of this three bridge-tunnel package.

As you probably know by now, this bill proposes to let the State of Maryland build three bridges. One of them would be parallel to the present bridge, would cost between $70 and $100 million, and would involve an annual interest and amortization cost of $4 or $5 million. It would also require more traffic to pay for it than is projected by the State roads commission through the rest of this century. That is the first item.

The second is a bridge in southern Maryland. The third is a bridge from Baltimore over to Kent County, which I have favored if a bridge is needed at all, about which there is considerable question and the fourth is a tunnel under the Baltimore Harbor which would be parallel to the present tunnel. I might point out that it probably will not be needed once the projected East-West Expressway gets through. But I am not proposing that at the present time. I am asking the Committee to throw out the parallel bridge from this bill. This was the bridge which was rejected by the voters of Maryland overwhelmingly in one of the largest voter turnouts we have had in the history of voter referendums in Maryland. The voters turned the proposal down in the district of the gentleman from Maryland [Mr. FRIEDEL] overwhelmingly, and in the district of the gentleman from Maryland [Mr. GARMATZ] overwhelmingly, and in the district of the gentleman from Maryland [Mr. FALLON] overwhelmingly, and, of course, in my district overwhelmingly.

I bring this amendment before the House because this bridge is not needed. It is congested for only a few summer weekends a year, and I do not believe you can ever build enough facilities in this country so that they will not be congested some of the time. What congestion there is could be relieved by building more toll booths and by manning some of the toll booths that are not open at busy times.

On Labor Day I went across the bridge and one of the toll booths was closed down because the toll collector was out to lunch. Traffic was limping across the bridge.

Mr. Chairman, I submit that the State roads commission wants congestion. They are doing everything they can to build a case to build this parallel bridge. That is the main reason that this bill has been brought before you. The other three projects, except possibly the harbor tunnel, were put in the State legislature's package bridge bill to get votes. This bill was gotten through the State legislature by the process of misrepresentation. The legislators were made to believe there was enough money for three bridges and a tunnel.

I say to you that there is not enough money for more than the parallel bridge and a harbor tunnel. These two projects together will bond the taxpayers of the State until the year 2000, and there will never be any chance in the rest of this century to build a bridge in northern or southern Maryland.

The parallel bridge and the harbor tunnel are both duplicative facilities. These facilities together will also require the Federal Government sooner or later to dig into its pocket to build all sorts of other roads. This is very much a practical matter before you because, as I have maintained, when you waste money on a project of this sort, you create a demand that the Federal taxpayer solve the problems you have created. The proposed project will create great demands in the future for Federal roads to feed into this duplicative facility which will do nothing for the State of Maryland.

I hope very much that the Committee will support my amendment.

Mr. FRIEDEL. Mr. Chairman, will the gentleman yield?

Mr. LONG of Maryland. I yield to my colleague the gentleman from Maryland [Mr. FRIEDEL].

Mr. FRIEDEL. You mentioned that a parallel bay bridge would cost $70 million to build.

Mr. LONG of Maryland. That was the estimated cost 3 or 4 years ago, according to the State report. Now it would probably be much more than that. It might well go to $100 million.

Mr. FRIEDEL. Can the gentleman tell us what a bridge in the northern bay or a bridge in the southern bay would cost?

Mr. LONG of Maryland. I think a northern bridge would cost somewhat more than that amount, not a great deal more. What I maintain is that if any bridge is needed at all—and I am not sure that any is at the present time or in in some years to come—we should put it in another location. While another bridge in the northern part of the bay would cost more, it would do something for the people of the State. It would build up the economy of the State. It would give the people of the State another way of getting across the bay. The proposed parallel bridge would merely provide a duplicative facility which would help only a few people on a few weekends a year.

It is about as close to pure waste as anything you could imagine.

I might say also that these bridges are getting more expensive all the time. When the present bridge was built, the cost of borrowed money was 2.9 percent. They will probably have trouble getting the necessary money for the proposed bridge for interest rates approaching 6 percent.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. FALLON. Mr. Chairman, I oppose the amendment. The gentleman has taken a lot of time of the Congress today. The amendment he is offering does nothing more than amend a law of the State of Maryland. That is exactly what it does.

This bill was passed by the legislature overwhelmingly and signed by the Governor, which made it a law of the State. The gentleman is coming to the Congress and asking us to amend a law of the State legislature. I do not think we have any right to do it. I do not think we should do it, because we will get ourselves into a lot of trouble if we start this.

Mr. Chairman, I yield to the gentleman from Maryland [Mr. GARMATZ].

Mr. GARMATZ. Mr. Chairman, I believe what the gentleman from Maryland [Mr. LONG] is trying to tell other Members of this body is that everybody is out of step but him. Certain Members of Congress are out of step, the State legislature is out of step, the State senate is out of step, the Governor of Maryland is out of step, and the board of public works, which consists of the controller of the State of Maryland and the treasurer of the State of Maryland—everybody is out of step but the gentleman from Maryland [Mr. LONG].

Mr. MORTON. Mr. Chairman, will the gentleman yield?

Mr. FALLON. I yield to the gentleman from Maryland [Mr. MORTON].

Mr. MORTON. Mr. Chairman, I think, rather than belabor this, it is simply a question of whether this Legislature, this Congress, wants to tell the Legislature of the State of Maryland where to build its bridges. If we accept the amendment before the Congress, we are actually making a site selection for a bridge without any information, without figures, without traffic studies, without anything.

The bill is permissive and it has taken all the sites which are logical for the bridges across the bay and for the tunnel under the Baltimore Harbor. This problem then will have to be resolved through all the mechanisms that are available for such resolution, in the State organization, in its legislative and executive branches.

Therefore, I am opposed to the amendment. I hope it will be voted down.

Mr. FALLON. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland [Mr. LONG].

The amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. JOELSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 11627) to amend the act of June 16, 1948, to authorize the State of Maryland, by and through its State roads commission or the successors of said commission, to construct, maintain, and operate certain additional bridges and tunnels in the State of Maryland, pursuant to House Resolution 948, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

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

MOTION TO RECOMMIT

Mr. MICHEL. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. MICHEL. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. MICHEL moves to recommit the bill (H.R. 11627) to the Committee on Public Works.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. LONG of Maryland. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 344, nays 9, answered "present" 1, not voting 78, as follows:

[Roll No. 333]

YEAS—344

Abbitt	Bolton	Clark
Abernethy	Brademas	Clausen,
Adair	Brasco	Don H.
Adams	Bray	Clawson, Del
Addabbo	Brinkley	Cleveland
Albert	Brock	Cohelan
Andrews, Ala.	Brooks	Collier
Andrews,	Brotzman	Colmer
N. Dak.	Brown, Mich.	Conable
Annunzio	Brown, Ohio	Conte
Ashbrook	Broyhill, N.C.	Corbett
Ashmore	Broyhill, Va.	Cowger
Ayres	Buchanan	Cramer
Baring	Burke, Fla.	Culver
Bates	Burke, Mass.	Cunningham
Battin	Burleson	Curtis
Belcher	Burton, Calif.	Daniels
Bennett	Burton, Utah	Davis, Ga.
Berry	Bush	Dawson
Betts	Byrne, Pa.	de la Garza
Bevill	Byrnes, Wis.	Delaney
Biester	Cabell	Dellenback
Bingham	Cahill	Denney
Blackburn	Carter	Devine
Blanton	Casey	Dickinson
Boland	Cederberg	Dingell
Bolling	Clancy	Dole
Dorn	Karth	Reid, N.Y.
Dow	Kastenmeier	Reifel
Dowdy	Kazen	Reinecke
Downing	Kee	Reuss
Dulski	Keith	Rhodes, Ariz.
Duncan	Kelly	Rhodes, Pa.
Eckhardt	King, Calif.	Riegle
Edmondson	King, N.Y.	Rivers
Edwards, Ala.	Kirwan	Roberts
Edwards, La.	Kleppe	Robison
Eilberg	Kluczynski	Rodino
Erlenborn	Kupferman	Rogers, Colo.
Esch	Kuykendall	Rooney, N.Y.
Eshleman	Kyros	Rosenthal
Evans, Colo.	Landrum	Roth
Everett	Langen	Roudebush
Evins, Tenn.	Latta	Rumsfeld
Fallon	Leggett	St Germain
Fascell	Lennon	Sandman
Feighan	Lipscomb	Satterfield
Findley	Lloyd	Saylor
Fino	Lukens	Scherle
Fisher	McCarthy	Scheuer
Flood	McClory	Schneebeli
Flynt	McClure	Schweiker
Foley	McCulloch	Schwengel
Ford, Gerald R.	McDade	Scott
Ford,	McDonald,	Selden
William D.	Mich.	Shipley
Fraser	McEwen	Shriver
Friedel	McFall	Sikes
Fulton, Pa.	McMillan	Sisk
Fuqua	MacGregor	Skubitz
Galifianakis	Machen	Smith, Calif.
Gardner	Madden	Smith, Iowa
Garmatz	Mailliard	Smith, Okla.
Gathings	Marsh	Snyder
Gettys	Martin	Springer
Giaimo	Mathias, Calif.	Stafford
Gibbons	Matsunaga	Staggers
Gilbert	May	Stanton
Gonzalez	Mayne	Steed
Goodell	Meeds	Steiger, Ariz.
Goodling	Meskill	Steiger, Wis.
Gray	Miller, Ohio	Stratton
Green, Oreg.	Mills	Stubblefield
Green, Pa.	Minish	Stuckey
Griffiths	Mink	Sullivan
Gross	Minshall	Taft
Grover	Mize	Talcott
Gubser	Monagan	Taylor
Gude	Montgomery	Teague, Calif.
Gurney	Moore	Teague, Tex.
Hagan	Moorhead	Tenzer
Haley	Morgan	Thompson, Ga.
Hall	Morris, N. Mex.	Thompson, N.J.
Hamilton	Morse, Mass.	Thomson, Wis.
Hammer-	Morton	Tiernan
schmidt	Moss	Tuck
Hanley	Murphy, Ill.	Tunney
Hanna	Murphy, N.Y.	Ullman
Hansen, Idaho	Myers	Van Deerlin
Hansen, Wash.	Natcher	Vander Jagt
Hardy	Nedzi	Vanik
Harrison	Nichols	Waggonner
Harsha	O'Hara, Ill.	Waldie
Harvey	Olsen	Walker
Hathaway	O'Neill, Mass.	Wampler
Hechler, W. Va.	Passman	Watkins
Helstoski	Patman	Watts
Henderson	Patten	Whalen
Hicks	Pelly	Whalley
Holifield	Pepper	White
Holland	Perkins	Whitener
Hosmer	Pettis	Whitten
Howard	Pike	Widnall
Hull	Pirnie	Wiggins
Hungate	Poff	Williams, Pa.
Hunt	Pollock	Wilson, Bob
Hutchinson	Pool	Wilson,
Ichord	Price, Ill.	Charles H.
Irwin	Price, Tex.	Winn
Jacobs	Pryor	Wyatt
Joelson	Pucinski	Wylie
Johnson, Calif.	Quie	Wyman
Johnson, Pa.	Quillen	Yates
Jonas	Railsback	Young
Jones, Ala.	Randall	Zion
Jones, N.C.	Rees	Zwach
Karsten	Reid, Ill.	

NAYS—9

Hays	O'Konski	Ryan
Long, Md.	O'Neal, Ga.	Vigorito
Mahon	Ottinger	Wolff

ANSWERED "PRESENT"—1

Michel

NOT VOTING—78

Anderson, Ill.	Aspinall	Bow
Anderson,	Barrett	Broomfield
Tenn.	Bell	Brown, Calif.
Arends	Blatnik	Button
Ashley	Boggs	Carey

Celler	Herlong	Resnick
Chamberlain	Horton	Rogers, Fla.
Conyers	Jarman	Ronan
Corman	Jones, Mo.	Rooney, Pa.
Daddario	Kornegay	Rostenkowski
Davis, Wis.	Kyl	Roush
Dent	Laird	Roybal
Derwinski	Long, La.	Ruppe
Diggs	Macdonald,	St. Onge
Donohue	Mass.	Schadeberg
Dwyer	Mathias, Md.	Slack
Edwards, Calif.	Miller, Calif.	Smith, N.Y.
Farbstein	Mosher	Stephens
Fountain	Multer	Udall
Frelinghuysen	Nelsen	Utt
Fulton, Tenn.	Nix	Watson
Gallagher	O'Hara, Mich.	Williams, Miss.
Halleck	Philbin	Willis
Halpern	Pickle	Wright
Hawkins	Poage	Wydler
Hébert	Purcell	Zablocki
Heckler, Mass.	Rarick	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Mathias of Maryland for, with Mr. Michel against.

Until further notice:

Mr. St. Onge with Mr. Ruppe.
Mr. Hébert with Mr. Bell.
Mr. Boggs with Mr. Arends.
Mr. Aspinall with Mrs. Dwyer.
Mr. Kornegay with Mr. Davis of Wisconsin.
Mr. Blatnik with Mr. Chamberlain.
Mr. Daddario with Mr. Broomfield.
Mr. Multer with Mr. Nelsen.
Mr. Donohue with Mr. Bow.
Mr. Miller of California with Mr. Anderson of Illinois.
Mr. Celler with Mr. Laird.
Mr. Zablocki with Mr. Horton.
Mr. Gallagher with Mr. Utt.
Mr. Carey with Mr. Frelinghuysen.
Mr. Herlong with Mr. Halleck.
Mr. Rooney of Pennsylvania with Mr. Wydler.
Mr. Farbstein with Mr. Halpern.
Mr. Ronan with Mr. Derwinski.
Mr. Philbin with Mr. Mosher.
Mr. Macdonald of Massachusetts with Mr. Schadeberg.
Mr. Barrett with Mr. Smith of New York.
Mr. Corman with Mrs. Heckler of Massachusetts.
Mr. Dent with Mr. Kyl.
Mr. Fountain with Mr. Watson.
Mr. Rostenkowski with Mr. Button.
Mr. Edwards of California with Mr. Conyers.
Mr. Ashley with Mr. Hawkins.
Mr. O'Hara of Michigan with Mr. Willis.
Mr. Long of Louisiana with Mr. Williams of Mississippi.
Mr. Udall with Mr. Brown of California.
Mr. Jarman with Mr. Fulton of Tennessee.
Mr. Slack with Mr. Roush.
Mr. Roybal with Mr. Diggs.
Mr. Resnick with Mr. Nix.
Mr. Poage with Mr. Stephens.
Mr. Rarick with Mr. Pickle.
Mr. Purcell with Mr. Rogers of Florida.

Mr. MICHEL. Mr. Speaker, I have a live pair with the gentleman from Maryland [Mr. MATHIAS]. If he had been present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON PUBLIC WORKS TO FILE REPORT ON H.R. 12603, NATIONAL VISITORS CENTER ACT OF 1967

Mr. GRAY. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may have until midnight tonight to file a report on H.R. 12603, the National Visitors Center Act of 1967.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. CRAMER. Mr. Speaker, reserving the right to object—and I shall not object—I understand that the report is in the process of being prepared, and it is understood that the minority will have an opportunity to review it prior to its being filed.

Mr. GRAY. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Illinois.

Mr. GRAY. The gentleman is absolutely correct. We shall, as we have in the past, consult with the minority before the report is filed before midnight.

Mr. CRAMER. With that understanding, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

JEWISH UNIT SAYS TWO GROUPS SPREAD ARAB HATE

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, I call the attention of the Members of Congress to an article that appeared in this morning's edition—October 23, 1967—of the New York Times.

This news story clearly indicates how hate organizations become captives of and prey to propaganda designed to build up ill will, opposition, and hate against individuals, nationalities, and nations. This is accomplished by simply parroting reams of false and misleading charges that constantly bombard the public and the press.

The Anti-Defamation League of B'nai B'rith has effectively and persuasively exposed this activity. This organization and its national director of the league, Mr. Benjamin R. Epstein deserve the commendation of all fair minded people for performing this most useful service.

Mr. Speaker, under unanimous consent I place the article at this point in the RECORD.

JEWISH UNIT SAYS TWO GROUPS SPREAD ARAB HATE—ANTI-DEFAMATION BODY ASSERTS SNCC AND STATES RIGHTS PARTY ARE BOTH RACIST

(By Irving Spiege)

HOUSTON, October 22.—The Anti-Defamation League of B'nai B'rith today accused two racist groups, one antiwhite and the other antinegro, of disseminating Arab-sponsored, "gutter level propaganda" in this country aganst Jews and Israel.

Benjamin R. Epstein, national director of the league, who made public a study containing the charges, named the Student Nonviolent Coordinating Committee and the National States Rights party as the groups in question.

Mr. Epstein described the student committee as a "black racist and left-wing revolutionary organization" and its "polar opposite, N.S.R.P.," as "neo-Nazi white racist."

The study declared that the two groups were circulating propaganda materials produced by the Palestine Liberation Organization and the Palestine Arab Delegation.

The Arab groups, the league said, are registered with the United States Government as agents for foreign powers, under regulations of the Foreign Agents Registration Act.

THREE-DAY MEETING ENDS

The report highlighted the closing session at the Warwick Hotel of a three-day meeting of the league's national executive committee, the policy-making body of the organization. The league seeks to safeguard the civil and religious rights of Jews here and abroad, and also plays a strong role in the civil rights movement.

Mr. Epstein charged that the S.N.C.C. newsletter and the states rights party's publication, Thunderbolt, showed almost "word-for-word dependence" on Arab propaganda material against Jews, Zionism and the State of Israel.

He said that S.N.C.C.'s newsletter "parroted whole sections of a 1966 Palestine liberation organization diatribe produced in Beirut, Lebanon," while the Thunderbolt reproduced whole paragraphs from a Palestine Arab delegation polemic issued last July 14.

Mr. Epstein exhibited pages of printed material that both American groups had culled from Arab propaganda publications.

For instance, the Palestine Liberation organization asserted that "the Jewish state [Israel] was planted at the point of intersection of Asia and Africa without the free approval of any Middle Eastern, Asian or African country, except the Union of South Africa, itself ruled by an alien minority."

SAME SENTENCE USED

In the S.N.C.C. newsletter, the same sentence appears.

The Thunderbolt quoted almost verbatim from the Palestine Arab pamphlet, which charged Jews with war crimes and genocide.

The league study described the Palestine liberation organization as a "notorious and extremist Arab propaganda apparatus, masterminded by Ahmed Shukairy, a long-time Arab spokesman who has engaged in anti-Jewish tirades on the floor of the United Nations and elsewhere."

The Palestine delegation, the league said, is the group headed by Haj Amin El-Husseini, the former grand mufti in Jerusalem who supported Hitler during World War II.

The study said that the Palestine liberation organization had offices in New York City and operated "on a million-dollar-a-year budget provided by the Arab League."

The study said the group was under the direction of Izzat Tannous, a Palestinian Arab who has acted as a spokesman for Arab refugees at the United Nations.

Mr. Epstein said that the use of Arab materials placed S.N.C.C. "at the disposal of Arab propagandists as an overeager handmaiden."

He also charged that the National States Rights Party was a "notorious, anti-Jewish and anti-Negro group."

Mr. Epstein said that the party was organized in Knoxville, Tenn., in 1958 and now operated out of Savannah, Ga. Its philosophy, he said, is "neo-Nazi."

REPORT ON ANTI-VIETNAM WAR DEMONSTRATION AT PENTAGON

Mr. MONTGOMERY. 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 Mississippi?

There was no objection.

Mr. MONTGOMERY. Mr. Speaker, on Saturday, October 21, for a period of approximately 3 hours, I observed firsthand the antiwar demonstrators at the Pentagon. Because of your interest in this demonstration, I would like to relay to you my observations.

At about 3:45 p.m. the crowds began to build up and were pushing toward the line of military police. Members of the 503d MP Battalion plus U.S. marshals were holding the crowd back. At 4:15 p.m. several demonstrators broke through military police and confronted several marshals who properly and quickly used their nightsticks to control the demonstrators. The U.S. marshals handled themselves very well: However, they seemed rougher than the soldiers. Around 5 p.m. a platoon marched out of the Mall entrance of the Pentagon as reinforcements. The show of new strength caused the crowd to yell and holler. I noticed that no soldier had his weapon loaded but did have ammunition available on his belt. Considering the crowd and demonstrators involved, this, in my opinion, was the proper procedure of handling the ammunition. I would estimate about 40,000 people present at the most: possible 5,000 were actually hardcore antiwar demonstrators, another 5,000 were lukewarm protestors, and the other 30,000 were there for entertainment. Some had even brought a football and were playing touch football during the lull.

Around 5:30 p.m., possibly 70 or 80 demonstrators broke through a line of U.S. marshals and did enter the building but were quickly thrown out by marshals and soldiers. Between 5:30 and 6 about 2,000 demonstrators started walking toward the Pentagon. A platoon of the 503d MP Battalion was brought out of the building and moved toward the crowd. The platoon had to crawl through manmade rope fences and became somewhat disorganized after going through the fences. One squad of the platoon was as much as 75 yards in front of the rest and were quickly surrounded by the demonstrators.

The protesters pushed and shoved these MP's and then for some unknown reason the squad leader marched the squad back past the platoon and into another group of demonstrators rather than back into platoon position. There heavy scuffling started. On two different occasions the peaceniks had a soldier on the ground and were beating them. The demonstrators were pulled off by other soldiers and other protesters. In all fairness, this was not a vicious crowd, or they could have possibly stomped some of the MP's to death if they had wanted to. On the overall operation, the military and marshals did a splendid job, and I noticed especially the individual bravery of the soldiers in the trapped platoon. But, in, my opinion, more riot training is needed by this unit.

The thoughts that were going through my mind during the 3 hours I observed the demonstration were what effect this would have on our gallant soldiers now fighting in Vietnam, what kind of image this would help to create in the eyes of the rest of the world, and what the cost to the taxpayers would be for all the elaborate preparations made at the Pentagon to repel the demonstration.

I hope that our Government will not permit this cheap show to come to town again.

USE OF SOVIET SURFACE-TO-SURFACE GUIDED MISSILE TO SINK ISRAEL SHIP

Mr. BOB WILSON. 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 California?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, there are very serious implications for the United States in the use of a Soviet surface-to-surface guided missile to sink an Israel ship. This is the first time in history that a Russian radar-controlled missile has been used to sink a ship of any flag. If the Soviets are prepared to equip and assist the Egyptians to blow up an Israel destroyer in international waters during a United Nations cease-fire agreement, for which Soviet Russia voted, may we not consider that similar naval missiles will be provided to North Vietnam for use against the ships of the U.S. Navy?

It will be too late to issue warnings if a Soviet-built "Komar" or "Ossa" missile boat appears off Haiphong or the DMZ and sinks a U.S. aircraft carrier with thousands of American sailors. This would be intolerable. The issue would no longer rest on whether or not Soviet Red naval personnel actually pushed the button.

Admiral Moorer, the U.S. Navy Chief of Operations, has stated that it was obvious that Soviet sophisticated weaponry was used in the sinking of the Israel destroyer *Elath*.

The attack took place almost simultaneously with the arrival in Cairo of the Soviet Deputy Minister of Defense and a large military delegation from Moscow including naval, air force, and army officers. An estimated 8,000 Soviet military advisers and technicians were already in Egypt. Among them were Red navy personnel advising the Egyptian crews on board the Soviet naval ships and submarines provided to the Nasser regime.

The Israel Government seems to have suffered even more provocation than the North Vietnamese naval attack on our destroyers in the summer of 1964 that led to our Gulf of Tonkin resolution Here we have the case of an extreme escalation in which the Soviet Union has provided and possibly actually fired a surface-to-surface naval missile to sink a ship. It was an attack involving the highest degree of electronic and missile skills as well as a very new and sophisticated Soviet missile.

Moscow may well be testing to determine the U.S. attitude toward use by Soviet satellites of naval missiles. They chose the Arab-Israel area to make this test because of a belief that the United States would seek to avoid a confrontation because of the administration's ambiguous and vague commitments to Israel. Moscow knows that our policymakers are eager to restore relations with the Arabs. The Communists know that they have been able to resupply the Arabs with even more modern weapons than those lost in the June war—without the United States keeping its commitment to sell a limited number of military jets to Israel.

The lack of American firmness in the Middle East may cause that region to erupt again into a war less easy to stop than the 6-day conflict. The presence of Russian men and ships could cause the conflict to escalate in a manner disadvantageous to both Israel and the United States.

The Port Said base in Egypt, now used by the Russians, was the source of the guided missile attack on the Israel ship.

It seems as if the Russians are going to make Port Said into a second Haiphong for a test case to see whether they can establish a privileged sanctuary in the Mediterranean. If they win this show of strength, the lesson will not be lost on the Arabs and the Mediterranean peoples.

Mr. Speaker, I submit that the Soviet Union is taking advantage of our preoccupation in Vietnam and rifts in NATO to make a long end run into the eastern Mediterranean aimed at that region in addition to the Persian Gulf and Indian Ocean. The strategic factors are obvious. More than oil is at stake.

We must immediately make known to the Russians that they should not miscalculate on our intentions. Last spring the Russians ordered the U.S. 6th Fleet to leave the Mediterranean. They then incited and armed the Arabs, to use the Arab states as a proxy force, to turn the Mediterranean into a virtual Russian lake. Thanks to the Israeli military victory, the Russians suffered a setback.

Moscow immediately embarked on a propaganda campaign at the United Nations and a massive military training and resupply operation in the Arab world. The administration's response was confined to a belief that only Vietnam and China were a real threat to our security.

Before it is too late, we must serve notice on the Russians that there are limits to their manipulations and escalations in the Middle East. The very least we must do is to supply the Israelis with effective weapons to counter the new Soviet-Arab offensive buildup.

SECOND HEADQUARTERS LABORATORY FOR FOOD AND DRUG ADMINISTRATION

Mr. MACHEN. 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 Maryland?

There was no objection.

Mr. MACHEN. Mr. Speaker, I wish to call the attention of my colleagues to House Report No. 801 which was filed on Friday after being reported out by the

House Committee on Government Operations.

This report deals specifically with the procedures, or lack of them, of the Food and Drug Administration in selecting an alternate site for construction of its second headquarters laboratory. While contending that it wanted to build on property it owns and adjacent to existing facilities in Beltsville, Md., the FDA buckled and said if it could not build in Beltsville, Md., it would build the proposed $17 million laboratory in Madison, Wis. This decision was made despite the fact that an FDA study in 1966 for the House Appropriations Committee showed that it would cost the taxpayers $5.4 million more to build in the Midwest.

Contrary to a report last Friday, October 20, 1967, in the Washington Daily News, the Maryland and Virginia Congressmen were not out to lunch when the House approved a rider that would force the laboratory to be built in Madison, Wis. At the time that the appropriation bill for the FDA was being considered, I offered an amendment to strike the rider that would force construction of the laboratory to a site outside a 50-mile radius of Washington, D.C. This is the rider that was proposed in committee by the ranking minority member of the Labor-HEW Appropriations Subcommittee, a man whose reputation for economy is well known in this body.

However, this reputation does not transcend public works projects such as the second headquarters laboratory for the FDA. The 50-mile rider which was left in the bill after my amendment to delete it was defeated could cost the taxpayers approximately $135,000 a word, as I pointed out during the deabte on my amendment. If this is a demonstration of the type of economy that our colleagues on the other side of the aisle are sponsoring then I fear we will need a 25-percent tax surcharge to make up the deficit in the budget that they would have us incur.

It is typical of the Republican Party, as so clearly demonstrated with the 50-mile rider for the added $5.4 million in cost to the taxpayers, that economy and efficiency in government are fine as long as it does not cost them anything, such as this laboratory.

I wish to commend my colleague, the gentleman from North Carolina [Mr. FOUNTAIN], the chairman of the Subcommittee on Intergovernmental Relations, for his thorough public hearing, research and report on the way the alternative site for this laboratory was selected. Congressman FOUNTAIN has performed a real public service in this exposure of bureaucratic bumbling and I believe very deeply that his report vindicates the position I have taken, the position that Senator TYDINGS and Senator BREWSTER have taken and the position of my Washington-area colleagues, the gentleman from Virginia [Mr. BROYHILL], the gentleman from Maryland [Mr. GUDE], and the gentleman from Virginia [Mr. SCOTT] in opposition to this 50-mile rider in behalf of the taxpayers.

The Fountain report on the site selection for this laboratory also points out that the contention of the appropriations subcommittee that decentralization is a factor in recommending this laboratory be built outside of the Washington area is simply not valid. Indeed, it is obvious that had the decentralization policy, as stated in section 3(a) of the Bureau of the Budget, Circular A-60 of July 18, 1963, been applied to this project, it undoubtedly would have been funded for Beltsville, Md., not Madison, Wis.

There is little doubt that the next step to take is that recommended by the Fountain report. That is that the Department of Health, Education, and Welfare require the FDA to conduct a "thorough, objective, and careful study to select the most desirable site for Headquarters Laboratory No. 2. The Department should take appropriate steps to insure that the study is carried out in strict compliance with HEW regulations and with due regard for economy and efficiency."

I do believe that such a study will show that the most economic and efficient location for the laboratory is in Beltsville. Perhaps then, those of the other side of the aisle who preach economy but practice "I'm for me first" public spending will realize that at one time or another someone, either the public or a congressional committee, will see through their fallacy and do the right thing.

THE SHAMEFUL DEMONSTRATIONS PROVE UGLINESS OF THE SELF-STYLED MILITANTS

Mr. PUCINSKI. 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 Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, one of the most shameful chapters of American history was written here in Washington over the weekend. It demonstrated the full ugliness of the self-styled militants against our position in Vietnam and it showed their full contempt for the principles of human dignity which our soldiers in Vietnam are defending today.

Scotty Reston and Jimmy Breslin and some of the other reporters around the country said this morning in their analyses that no one won in this exercise over the weekend. I do not agree, I think that the Nation had an opportunity to see firsthand how an irresponsible group of so-called militants, gathered, I am sure, by those who want to destroy our effort to win in Vietnam, could bring shame and disgrace on the whole country. I do not know anything that was more shameful than to see these people spitting in the faces of our American soldiers.

Mr. Speaker, I say it is to the everlasting glory of our American troops that they were able to retain their self-control. I think this fanatic demonstration over the weekend by those who oppose Vietnam shows that our boys are really winning this battle in Vietnam. The Communists are doing everything they can all over the world to try to disrupt our efforts there. They cannot win in Vietnam because of the overwhelming effort of our American troops so they are trying to score victories in Washington and other capitals of the world.

Mr. Speaker, I say this demonstration was misdirected. If these people are really sincere in trying to bring this war to a halt, they should have marched on the Soviet embassy in Washington, because that is where the blame lies. This great President of ours, President Johnson, had tried and tried and tried to bring this whole conflict before the United Nations. Our great Ambassador to the United Nations, Arthur Goldberg, has used every resource at his command to bring this conflict to the United Nations. It has been the Soviet Union with its veto that has blocked every effort to resolve this conflict in an orderly way.

So, Mr. Speaker, I say this weekend has taught us much. It gave the American people a chance to see the full ugliness of the self-styled militants who tear up everything that is sacred and decent in this country.

I have asked the selective service people to look at every one of these people who have been arrested and find out what their selective service status is and how many of these people are enjoying the privilege of not serving in the service because they are going on to higher education. They have a right to come here and protest against their Government, but they do not have a right to stay out of military service. That is a privilege bestowed on them by their local selective service boards. I think the time has come when we ought to take a look at these militants. What are they learning? What are they teaching them, when they come over here and spit in the face of an American soldier?

So, Mr. Speaker, I say that this has been a shameful demonstration. I think that the American people see who is behind it. But most of all, Mr. Speaker, it should serve as a compelling disgrace on those who participated to learn that Hanoi has stated Saturday's demonstration gives the Communists new courage to continue killing our American soldiers. I say the demonstration on Saturday was an act of treason against our Nation. It made a mockery of our constitutional right to dissent and weakened the most sacred institutions of our Republic.

WE NEED TO MAKE THE MARITIME ADMINISTRATION AN INDEPENDENT AGENCY

Mr. WALDIE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WALDIE. Mr. Speaker, I, along with more than 100 other Members of the House, have joined in sponsoring the legislation recently adopted by the House aimed at establishing maritime independence. My own concern for this leg-

islation is based on two important premises:

First. I know that the maritime industry, both shipping and shipbuilding, contributes significantly to our domestic economy, and to helping to correct the balance of payments.

Second. I know that the maritime industry has an important role to play as the Nation's fourth arm of defense—backstopping our military forces in times of crisis, as it is doing today in carrying 98 percent of the war materiel and two-thirds of the fighting men who are manning freedom's frontier in Vietnam.

For far too many years, administration after administration has been timid when it should have been bold in its approach to our maritime problems. The Federal Government has been parsimonious in its financing of ship construction and operation, even though these Federal funds are vital if our shipping and shipbuilding industries are to compete in the world market with their low-wage foreign competition.

While we have been reluctant to move as a nation, other countries have lavishly underwritten their maritime programs with public funds. The result is that we have fallen from our position of predominance—fallen from first to sixth in terms of shipping, and fallen from first to 15th among the major maritime powers in terms of shipbuilding. Even tiny Finland is now ahead of us in ship construction. Today, although our economy and our defense posture demand that we have as large, as fast, and as modern a fleet as possible, we can scarcely call ourselves a maritime power.

Secretary of Transportation Alan S. Boyd has suggested that the provision of the Merchant Marine Act of 1936 which requires American construction of all U.S.-flag vessels be repealed, and that we embark on a program of obtaining a significant share of our new ships abroad.

This poses a serious economic threat to America. It will endanger the jobs, not only of skilled craftsmen in American shipyards, but also of the people in scores of different occupations who contribute the products that go into American-built ships.

This also poses another threat. In time of crisis, we may not be able to depend on the shipyards of other nations to produce the vessels we need in abundance—as we needed whole fleets of vessels when we entered into World Wars I and II. If we have in the meantime bled our own shipyards white in terms of skilled technicians, we will be faced with a crisis of major proportions.

Many of us in Congress have been working for some time to effect a long-range program for the growth of our merchant fleet, so that we can carry the commercial and defense cargoes of our Nation efficiently and effectively.

This recent action—to reconstitute the Maritime Administration as an independent agency—is an important part of these endeavors. This agency can be responsive to the needs of our merchant fleet only if it is free of the artificial restraints under which it now operates as a ward of a Cabinet-level department.

PROFILE IN COURAGE

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROOKS. Mr. Speaker, it is apparent in our country that those individuals who have the responsibility of providing affirmative, constructive action are invariably subjected to criticism. It is also a truism that the more difficult the decision and the more responsible that executive might be, the wilder and more irresponsible the attacks become. President Johnson is no exception to these attacks by self-appointed experts.

A realistic, lifetime politician, like President Johnson, is well aware of the difficulties that he will face whenever he determines a course of action. In spite of the hue and cry that is raised by some, he can be certain that he has the confidence and approval of the American public. While many of the decisions that he must make daily are difficult, only time can decide how wisely and judiciously he has performed his duties. I am confident that our present Chief Executive will fare well when the history books are written.

As we have just this past weekend witnessed a comglomeration of those poorly informed but highly vocal and irresponsible critics here in Washington, I think my colleagues might be interested in the views stated in a newsletter put out by the M. E. Green Co., Inc., a commodity brokerage firm. The comments entitled "Profile in Courage" follow.

PROFILE IN COURAGE

Every day appears to be a good day to criticize the man in the White House. Recently, even a leading magazine took time out to participate in the contest of disparaging epithets directed against the 36th President of the United States. We do not propose today to take a stand for or against the issues so vividly and irresponsibly discussed by so many, but we will try to analyze Lyndon Baines Johnson's motives for action.

Usually good actors are poor playwrights, and good playwrights do not perform well on the stage. John F. Kennedy was an excellent actor, his personal appearances were inspiring, his press conferences were literary events, and the brilliancy of his on-stage performance made up for the mistakes of judgment. A tragic event left the promise of youth unfulfilled, created a myth and put the subsequent President at a disadvantage. This problem was compounded when the intellectuals who played first violin in the JFK Orchestra, unwilling to play second violin in the LBJ Band, decided apparently in unisono to unload their frustration on the new conductor. The Schlesingers, Goodwins & Company must be forgetting that the greatness of America lies in its unsophistication, not in intellectual snobism. American democracy is horizontal, unlike Western Europe's, where it is vertical, and where political power, money and education are represented usually by a single person or combined in one family or club.

The man from Texas, who replaced the man from Boston and Hyannis Port, and who does not have the same aura of "savoir-faire" and "savoir-vivre" as his predecessor, recently stated what every thinking American should have known all along, i.e., that if he were concerned only with his own popularity, he would not have been going about things the way he has and would not suggest higher taxes or more war or similar unpopular actions. And that is the crux of the matter: LBJ is putting his own political future in jeopardy for the sake of his belief that he is doing the right thing for the United States.

We all know that even Johnson's enemies do not consider him incapable, not smart, or a political amateur; obviously, he has the opposite qualities and certainly weighs carefully the pros and cons of all his decisions, particularly those that concern the future of America and/or his own. The record shows that in this context he always chose America. Now whether or not President Johnson's judgment is right, only history will tell. But one thing is sure, that in pursuing his policy in a most unselfish way he has proven to be a better American than his critics. LBJ has stuck to his guns even at the cost of alienating large segments of the U.S. population; few political figures would do it. This courage and self-denial—not egotism as others claim—have brought the President nothing but abuse. Another "despised" man, in a letter to his sister written 200 years ago, made timeless and pertinent remarks about such slanderous assaults:

"As to the abuses I meet with . . . I number them among my honours. One cannot behave so as to obtain the esteem of the wise and good, without drawing on one's self at the same time the envy and malice of the foolish and wicked, and the latter is a testimony of the former. The best men have always had their share of this treatment, and the more of it is in proportion to their different and greater degrees of merit. A man has therefore some reason to be ashamed of himself when he meets with none of it. And the world is not to be condemned in the lump because some bad people live in it. . . ."

Not only adults—senators, teachers, taxi drivers, barmen and the like—abuse the presidency, but so do teenagers and college students, and there appears to be some sort of a race going on in the United States for the No. 1 spot in irresponsibility, blindness and vulgarity. American political life has always been full of it, yet reason ultimately prevailed in spite of the fact that those who had the least to say always yelled the loudest, as, for instance, students of some American universities who have an excellent record of wrong political judgment. In 1946, when an honorary degree was bestowed by Columbia University on one of the greatest men of this century, the then students demonstrated violently against him.

The "despised" man who 200 years ago wrote the letter quoted above was Benjamin Franklin; the man abused in New York 21 years ago was Winston Churchill. To the loneliest man in the nation, Lyndon Baines Johnson, today's target of vicious irresponsible attacks, our sympathy and respect.

INDUSTRIAL BOOM IN ZAMBIA

Mr. O'HARA of Illinois. 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 Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, it always is a matter of prideful satisfaction to me, who is firm in my faith in the future of the new nations of Africa, to announce achievements in the forward economic drive in Africa. Things indeed

are happening in Zambia, as the following article from the Zambia Mail of September 29 indicates:

INDECO BRINGS IN NEW PROJECTS WORTH £68M

(By John Leech)

Industrial projects with a total value exceeding £68,000,000 are being established in Zambia as a result of the efforts of the Industrial Development Corporation which is spearheading the country's drive to set up income-producing enterprises as part of the four-year national development plan. Another £22,000,000 worth is now under consideration.

The rate of private foreign capital investment in Zambia has taken an upward swing in the first six months of this year and is now regarded as "encouraging".

The more such capital that is attracted, the more employment there will be, the more skills Zambians will learn and the more the economy will expand and be diversified away from its present almost total reliance on copper.

Up to now, Indeco has concentrated on bringing to Zambia, with government participation, basic infrastructural industries designed to meet Zambia's fundamental raw material needs which had hitherto been imported. These include oil, cement, tyres, steel products, textiles, explosives and fertilisers.

NEW PHASE

It is now moving into the second phase of its long-term operational objective, to introduce industries with an export potential making use of the country's own natural resources such as timber, fish and grain as well as copper, the present mainstay of the economy.

A progress report on projects which Indeco already has under way makes impressive reading.

Zarn-Tan Road Services, the £5,000,000 road freight operation between the Copperbelt and Dar es Salaam operated in conjunction with intersomer and the Tanzanian Government, is expected to announce shortly that it completed its first year with a profit.

The exact amount will depend to some extent on the method of depreciation favoured by the company's auditors, but however small it may turn out to be, it will exceed initial expectations.

The company's fleet reached its projected peak of 430 heavy duty Fiat trucks before the end of the first year instead of after four years as planned.

And although turn-around times are not yet anywhere near up to expectations, the company is now carrying between 15 and 20 per cent of the country's copper exports and bringing in large quantities of general goods as well as all the heavy furnace oil for the Mufulira smelter. En route depots are now under construction.

The Tazama pipeline, being built by Snam Progetti for the company formed by the Zambian and Tanzanian Governments and Italy's ENI, is ahead of schedule despite a late start due to the Suez crisis and may well finish before the due date of September next year.

Some 105 miles have already been completed and tested and another 239 miles are well under construction. Unexpectedly, welding operations have far outstripped digging, which has been held up to some extent by mechanical breakdowns.

Chilanga Cement's third kiln was fired at Lusaka last month and the new factory at Ndola is up to schedule despite delays in material supply due to the Suez closure. When it is completed in late 1968 or early 1969 Zambia will be completely self-sufficient in cement which now has to be imported to supplement local supplies.

STATE'S PLANS

Zambia Sugar Company, a subsidiary of Tate and Lyle, recently opened its first major irrigation scheme at the Nakambala site in Southern Province. This project will supply all Zambia's sugar needs by next year with an annual estimated output of £1,700,000.

At Kafue, ten miles south of Lusaka, three of the biggest State-participating enterprise will be sited. The Greek firm, Doxiades and Co., who drew up the master-plan for development of this small town for an influx of 20,000 workers and their families, will go out to tender before the year's end for the £6,000,000 development needed for the first stage including 1,100 houses. They have been engaged by Indeco as consulting engineers for the scheme. The work is being done for Kafue Estates, Ltd., a wholly-owned Indeco subsidiary.

Zambia Steel and Building Supplies, another wholly-owned Indeco subsidiary, is now doing £1,000,000 worth of business a year and is expanding with two new depots in Ndola and Lusaka. This organisation will be a major factor in providing assistance to small Zambian contractors who are being encouraged.

The Zambia Wholesale Corporation, designed to provide the only country-wide wholesaling organisation for consumer goods, is now trading briskly. Its main warehouse is in Lusaka but it is having problems recruiting managerial staff for the eight rural depots planned. Its prices are described as "competitive", which they must remain if it is to carry out its primary function of improving business in the rural areas.

FERTILISERS

Another major project which will shortly go out to tender is the construction of the £7,000,000 fertiliser plant for which the contract has now been signed with Kobe Steel of Japan. This, like the £3,700,000 textile plant and the projected iron and steel industry, will be sited at Kafue. The construction of the textile plant is now going ahead and machinery is being shipped (£2,250,000 worth) from Platts of Manchester.

A complete survey of the iron deposits at Sanje near Lusaka has now been completed by the Yugoslav firm of Geozavod. A British firm of consultants has now been engaged to re-examine this £12,000,000 project in light of revelations that deposits are phosphoric and for the use of Siankandobo coal which is of better quality than Nkandabwe which had originally been projected for use.

The iron deposits are said to be sufficient for 30 to 40 years at 55–60 per cent iron content but there is unlikely to be any question of Zambian exports of this commodity.

Covenant Industries of Britain, a subsidiary of ICI, have now been brought into the £3,000,000 Kafironda Explosives plant project. Indeco will hold one third of the shares in this, with Covenant taking 44 per cent and African Explosives and Chemical Industries the remaining 22 per cent.

RANCHING

The £3,000,000 Dunlop tyre factory for Ndola is due to go out to tender very shortly.

Meanwhile, Indeco is making its first tentative investigations into agricultural projects.

A suggestion that an Agricultural Development Corporation should be formed to foster the long-term large enterprises now in the Ministry of Agriculture has, however, not entirely found favour.

As a result, Indeco has been asked to take more interest in some of them. A World Bank organisation, the Agricultural Development Service, which is also doing work in East Africa, is now investigating Zambia's 12 state cattle and dairy ranch plans with a view to them being run on commercial lines. Indeco is also looking at a major Virginia tobacco scheme north-east of Broken Hill.

Indeco's issued capital has now been increased to £6,500,000 (£3,800,000 at the end of 1966) and if the graph of utilisation of funds published in the last annual report were now extended it would go right off the page.

GUILTY VERDICT IN MISSISSIPPI

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, it is important to take note of the action of an all-white jury in the State of Mississippi in convicting seven white men for the Federal crime of conspiracy to deprive three courageous young Americans—James Chaney, Andrew Goodman, and Michael Schwerner—of their civil rights by cold-blooded murder. The jurors were brave in reaching their verdict. They refused to accept the shameful double standard of justice which emboldened the perpetrators of this dastardly crime. Let us hope that these convictions will serve as a deterrent to future racial violence in Mississippi.

In July 1964, after a firsthand visit to Philadelphia, Neshoba County, Miss., where I looked into the murders of my constituent, Andrew Goodman, and James Chaney and Michael Schwerner, I reported that Mississippi was in a state of lawlessness where white vigilantes did as they pleased and the police not only did not enforce the law, but were involved in its violation. At that time I advised the President and the Attorney General that I was convinced that local law enforcement officers were involved in the murders, and I urged a relentless effort by the Department of Justice to ascertain the facts.

The Department of Justice is to be commended for the thoroughness with which the case has been handled. Assistant Attorney General John Doar, who prepared and argued the Government's case with skill and precision, is especially to be congratulated.

No doubt the case received extensive publicity because two of the victims were white. Neverthless, it is important that the world know that attitudes may be changing in the South.

Until now the State of Mississippi has refused to indict anyone for the murders. It remains to be seen if the State will now prosecute for murder and signal the beginning of the end of the reign of Klan terror. This again illustrates the need for a Federal antiracial violence statute, which is long overdue.

Mr. Speaker, my heart goes out to the families of the three young civil rights workers who have lived constantly with this horrible crime ever since June 21, 1964. They instilled in their sons a sense of values and a belief in an America where true equality of opportunity should exist. Having sacrificed their lives so others could enjoy freedom, their sons belong to an honor roll of martyrs in the cause of liberty. Now the parents may see a glimmer of hope that the sacrifice was not in vain.

I include at this point in the RECORD an editorial from the New York Times of October 22, an editorial from the

Washington Post of October 22, an article by Val Adams from the New York Times of October 21, and an article from the New York Post of October 21:

[From the New York Times, Oct. 22, 1967]

GUILTY VERDICT IN MISSISSIPPI

The conviction of seven white men by an all-white jury in Mississippi for conspiring to murder three young civil rights workers would have been unthinkable when the crime was committed three years ago. The jury's verdict was a measure of the quiet revolution that is taking place in Southern attitudes—a slow, still faltering but inexorable conversion to the concept that a single standard of justice must cover whites and Negroes alike.

It would be an exaggeration to pretend that acceptance of this concept is approaching universality in either South or North, but the finding of guilt in Meridian suggests that Mississippi's citizens may be in advance of its politicians in their willingness to face the realities of the nation's commitment to the equal application of law. The state would do honor to itself if it now moved in its own courts to press murder charges against those whom evidence links to the killing of the three youths.

The Federal conspiracy statute that provided the legal foundation for the present decision is no adequate safeguard against racial barbarism of the kind these slayings so starkly reflected. Until the authorities in Mississippi and other Southern states demonstrates that they will not default on their duty to prosecute such murders, there will be a need for the bill recommended by President Johnson and already passed by the House under which the murderers could be tried in the Federal courts for the crime they actually committed.

[From the Washington Post, Oct. 22, 1967]

MISSISSIPPI JUSTICE

The entire Nation can be proud of the verdict returned Friday in the Federal District Court in Meridian, Miss. A jury of 12 white Mississippians found seven other white Mississippians guilty of conspiring to deprive three civil rights workers of their civil rights by the simple expedient of killing them. But more important than the verdict is the message the action of the jury carries. For the believers in violence in that Deep South state, as well as for the rest of America which has held Mississippi justice in contempt, the message is clear: Law-abiding citizens there will tolerate a great deal of nonsense and criminal activity directed toward civil rights workers and Negroes, but they will not tolerate murder.

This may seem like a mini-step forward to those who believe that the color of a man's skin makes no difference to the law or to God and should make no difference to other men. But it is a major step for Mississippi to take. The conduct of Mississippi judges and juries in the past had led the thugs and wild men there to believe that any action to preserve segregation would go unpunished. The first jury to warn otherwise was the one in Jackson that refused to acquit Byron de la Beckwith of the murder of Medgar Evers. This jury in Meridian has made the warning crystal clear.

But the verdict should not delude those who believe in civil rights into thinking that Mississippians have changed their views on segregation. This was a Federal Court, where the charge had to be conspiracy to deprive men of their constitutional rights, and not a state court, where the proper charge of murder could have been brought. Judge Cox, who apparently presided over this trial with fairness and sternness, is no less a segregationist now than he was a year ago. But he, and this jury, have demonstrated that they believe no one should be deprived of his life because of his belief in civil rights. We trust that in pronouncing sentence, Judge Cox will remember the horror of the crime—a deliberate and carefully executed plot to kill three men and to bury their bodies in a dam, conceived by the Ku Klux Klan and carried out with the help of a man sworn to uphold justice and the law.

Besides the 12 brave men and women who served on this jury, the Federal Bureau of Investigation and Assistant Attorney General John Doar deserve the Nation's thanks. Their painstaking investigation and careful prosecution now enables the country to raise its shoulders a bit from the yoke of shame placed there on that terrible night in 1964 in Neshoba County.

[From the New York Times, Oct. 21, 1967]

VERDICT PLEASES A VICTIM'S FAMILY—PARENTS OF GOODMAN REJOICE AT LANDMARK DECISION

(By Val Adams)

"A landmark decision. This reflects the changes that have occurred in the South."

The words were spoken here yesterday by Mrs. Robert W. Goodman soon after she and her husband learned that a jury in Meridian, Miss., had convicted seven defendants for conspiracy in the slaying of three young civil rights workers in 1964. Andrew Goodman, their son, was among those killed.

In meeting with reporters in their apartment at 161 West 86th Street, both parents agreed that the Mississippi verdict was a turning point in bringing about equal justice for all.

"We both feel that this decision and conviction on the part of the jury is of historical significance for the whole country," Mr. Goodman said. "The South is moving away from its hardened position and like all things in history, there will be a matter of time before all vestiges are eliminated."

Mr. Goodman, an engineer who is president of Grow Construction Company, 313 West 53d Street, said it was encouraging that "people in the South, in a civil rights case, sat in judgment of their own actions and decided they would not tolerate violation of law and order."

Both parents also commended the Justice Department for pressing the case and praised the court for insisting on a fair trial without farce.

When asked about the jury decision, Mrs. Fannie Lee Chaney, mother of James E. Chaney, another of the civil rights workers killed, said:

"They did better than I thought they would."

Mrs. Chaney, formerly of Mississippi, moved here in 1965 and now works as a nurse's aide in a nursing home.

Nathan H. Schwerner of Pelham, N.Y., father of Michael H. Schwerner, the other murder victim, said he was "grateful to the members of the jury for doing their duty as Americans despite fears of Klan reprisals."

"It remains to be seen," Mr. Schwerner added, "whether the state of Mississippi, the only organism which can prosecute for murder, will bring murder charges against the proven killers and their associates."

The National Association for the Advancement of Colored People called the jury verdict "a history-making development" in Mississippi.

The American Jewish Congress said Americans of "all races and religions" would welcome the verdict.

[From the New York Post, Oct. 21, 1967]

THE MAN BEHIND THE VERDICT IN MISSISSIPPI

MERIDIAN, MISS.—As John Michael Doar, a boyish-looking government attorney from Wisconsin, argued the Neshoba lynching case to an all-white Mississippi jury, a friend of one of the defendants whispered, "He's winning his case with his argument."

No one can really say how much the lawyer's argument influenced the verdict, but many observers here believe that Doar's quiet, logical argument against lynch law loomed large in the guilty verdicts returned against seven Klansmen.

He began his summation almost apologetically, telling the jurors he hoped they would understand that he came from Washington to prosecute the case only because of "your national government's concern for local law enforcement."

PREVENTED RIOT

He first gained national attention on June 15, 1963, in Jackson when he single-handedly prevented violence between police and a crowd of Negroes who paraded after the funeral of slain civil rights leader Medgar Evers.

With the afternoon temperature soaring to 103 degrees, a crowd of 500 Negroes filled a narrow Jackson street and began throwing rocks and bottles at police. It was unprecedented for Mississippi Negroes, and officers, one of them vowing to "wipe them out," began preparing to open fire.

Doar, shortsleeves rolled up, coat in hand, calmly walked toward the Negroes as missiles sailed overhead.

"You can't win in the streets," he shouted. "You can't win with bricks and bottles." The Negroes finally dispersed.

President Kennedy personally congratulated Doar for preventing a riot.

WENT TO PRINCETON

Doar, born in 1921, in Minneapolis, grew up in New Richmond. He was graduated from Princeton and after service in the Air Force as a lieutenant earned a law degree at the University of California.

He practiced law with his father in New Richmond for 10 years. A Republican, he gave up the lucrative law practice to join the Justice Dept.'s Civil Rights Division toward the end of the Eisenhower administration.

Doar, No. 2 man under Civil Rights Division director Burke Marshall during the Kennedy administration was appointed head of the division by President Johnson on Dec. 18, 1964, after Marshall resigned.

Even after the appointment, Doar refused to remain deskbound in Washington, preferring instead to work in the field, preparing cases to end Klan terrorism, encouraging Negroes to exercise their civil rights, and moving to punish segregationists who violated their rights.

ACCUSING FINGER

He calmly and deliberately recided the evidence of an elaborate Klan lynching plot, dramatically pointed an accusing finger at the chief conspirators, and told the jury acquittals for the defendants would "declare the law of Neshoba County the law of the state of Mississippi."

Doar, 46, was castigated by defense attorneys who told the jury he was an "outsider" and an integrationist, who had come to Mississippi to force the federal government's will on the state.

But his bitterest enemies would be hardpressed to criticize Doar's courage and determination.

In 1963, he and two other Justice Dept. officials led James Meredith, the first known Negro to enter the University of Mississippi, through a boisterous mob that later turned the campus into a bloody riot area.

In 1965, after a state jury in Hayneville, Ala., acquitted three Klansmen who killed Viola Liuzzo following the Selma-to-Montgomery march, Doar doggedly accumulated a conspiracy case similar to the one he prosecuted here. An all-white federal jury in Montgomery convicted the Klansmen and they were given maximum 10-year sentences.

HERO'S LAST LETTER CAPTURES TRUE GREATNESS OF AMERICA

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent to extend my

remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. JONES of Alabama. Mr. Speaker, the war in Vietnam is a source of much frustration to all of us. Our Nation is engaged in a different kind of war and we face a different kind of enemy. At times we experience situations for which our past experience has left us unprepared and our sense of futility seems almost overpowering.

Those of us who know first hand of the carnage and destruction of previous wars can imagine how much more difficult is the lot of those brave men who now face the enemy. Death is a daily companion as they search out an evasive enemy in the mud and mire of the steamy jungles of Southeast Asia.

One such courageous man, 1st Lt. William B. Kiser, a native of Sheffield, Ala., in the district I represent, has provided an inspiring insight into our Nation's actions there.

In a few short paragraphs of a letter to his mother, this brave young man has provided us with the very essence of the greatness which is America. His words are so touching, I must share them with you.

This will be the last letter Lieutenant Kiser will ever write his mother. He was killed in action 3 days after it was written.

Although his words were in answer to a concerned mother's question, Lieutenant Kiser's straightforward comments have a message for us all. After mentioning his anticipation of an approaching rest trip, Lieutenant Kiser turned to his mother's question and wrote:

You wanted to know how it is over here. Well, we have definitely made progress and we are definitely winning the war. For instance, just the year I've been here, there are places you couldn't go to at all without getting into a fight, now in the same areas there isn't a Vietcong in sight. The success of the election proved we are swinging the people onto our side. The bad thing is there are still so many Vietnamese that are completely indifferent to the war.

And then at times when you see Americans killed it all seems so futile. For instance we received a letter tonight from the father of a Sgt. who was killed about three weeks ago. He isn't raising hell about the war, what he wants to know is how his son was killed and if he was a good soldier. He gave his son a military funeral.

In my opinion if the U.S. pulls out of Vietnam without gaining a victory then this Sgt.'s life and 30 or 40 others that I have personally seen die and thousands like them will have all given their lives for nothing. It will all have been a big waste.

I get quite disturbed when I read about the protesters and draft dodgers. But then I think about it and I realize this is what makes our country great. We are fighting and our men are giving their lives protecting the right of these people to protest. I don't like it over here, very few people do, but not one of them will say he is sorry he is here. I am proud to be able to say "I fought in Vietnam." I just hope America does not give up before victory is assured. I guess that is enough of that.

Only 58 days until I'll be on the big bird home. Be good and write when you can.

Love,

BILL.

Many will never know the great personal loss suffered by the family of Lieutenant Kiser. But in a significant sense his death was a severe loss to the future of the entire Nation.

He was the very epitome of all that is right and good in our land. He lived an active and eager life. He had been an officer in the Order of DeMolay in Phoenix, Ariz., where his family moved when he was 7 years old.

He earned his way through 3½ years at Arizona State University by working as a brakeman for the Southern Pacific Railroad.

He enlisted in the Army in 1964 and was sent to officer candidate school.

Shortly after arriving in Vietnam he was decorated with the Bronze Star Medal for heroism. The citation stated:

For heroism in action performed against a hostile force in the Republic of Vietnam: Second Lieutenant Kiser distinguished himself by valorous actions when he came to the rescue of a friendly force under heavy attack near Rach Kien, Vietnam, on 18 February 1967. When notified that an infantry unit had been pinned down by hostile fire, he immediately ran several hundred meters in order to render his assistance. Leaving the protection of an adjacent treeline, Lieutenant Kiser moved through a waist-deep rice paddy in order to join forward elements of the beleagured unit. The completely exposed terrain offered no cover, but Lieutenant Kiser continued to advance, disregarding the hail of insurgent fire. When he reached the forward element, he began to receive vocal instructions from a fellow officer, and then immediately called them in to a 106 millimeter recoilless rifle crew. Nearly 50 rounds were called in upon the enemy position, breaking the Viet Cong attack and preventing further casualties among the infantry unit. Second Lieutenant Kiser's courage under fire and devotion to duty are in keeping with the highest traditions of the military service and reflect great credit upon himself, the 9th Infantry Division, and the United States Army.

Beyond his wonderful record his last letter is a monument to that which should survive. His clear thinking and beautiful understanding of what makes our country great are qualities which could be imitated by many others to the true enhancement of our country's future.

Lieutenant Kiser's earlier citation for heroism indicated his "courage under fire and devotion to duty" are in keeping with the highest traditions of the military service and reflect great credit upon himself, the 9th Infantry Division, and the U.S. Army.

I would enlarge upon that citation.

Lieutenant Kiser exhibited patriotism and love for his country to a degree exceeded by no man. He gave his very life that others might enjoy the greatness that is America. He did so without regard for the merits of those who stay behind or their appreciation of his sacrifice. He did so not by choice but because he saw his duty.

For Lieutenant Kiser and thousands like him who have given their all, we must carry on so that they have not died in vain.

As he concluded his last letter to his mother: "I just hope America does not give up before victory is assured."

"MAYOR": A CASE OF FALSE PACKAGING

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, I recently commented on the fact that Mr. Walter Washington, Commissioner of the District, is not the "mayor" of Washington. I also remarked that attempts to name the position "mayor" had political overtones which emanated from the White House.

Within days after I commented on use of the title "Mayor," the Washington Evening Star contained an editorial which attempted to justify this title from various angles, I was pleased that the editorial, "Mr. Mayor," contained these sentences, to which I alluded in the earlier remarks:

There is no mystery about how it started, or why. The President began using the term, rather pointedly, at Washington's oath of office ceremony three weeks ago. He has taken every opportunity to use it since. He obviously wants it to take hold.

I believe it is also obvious that the President wants to totally replace the concept of "Commissioner" with the concept of "mayor." It would doubtless be immeasurably helpful when he asks Congress to legally change the position, which he is sure to do. If Mr. Washington, or a successor, were "mayor" in name, it would merely be a slight technicality, to estimate the words of the President, for Congress to make him this in fact.

I usually appreciate the Star for its editorial positions but in this instance I must take exception. The Star points out a flaw in the use of the term. I quote:

"Mayor" makes the District sound more like other cities. It implies that through the Johnson reorganization plan the new District head has been vested with powers which would be quite impossible if he were merely a "commissioner."

None of which is really true, and no one, of course, should be taken in by this political ploy. So why are we being taken in?

The Star, then lists these reasons: Mr. Washington fits the dictionary definition, "chief executive officer of a municipal corporation."

I must say that the implication that the District or the position of Commissioner is parallel to others across the Nation is strong; but the District is unique, there is no place like it, even if the President does want to "make it sound more like other cities."

The Star adds that in some cities mayors are appointed. Fine, but in the District the Commissioner is appointed, the law does not mention "mayor" and one must assume that in "other cities" appointed mayors are persons serving offices created by law containing the word "mayor."

The Star's personal reasons for using "mayor" total up to convenience. It is easier to fit "mayor" into a headline. Not

accurate, but easier. As an editor and publisher myself, I can sympathize, but not much.

Also the Star says that Mr. Washington "needs all the prestige just now that he can muster by any means." I can say that things must be in bad shape if the President, Mr. Washington, and the District as a whole need the prestige mustered by false packaging.

But, anyway, the Star asks:

So long as no one is deceived, what's the harm?

This is by now rather obvious. But what is not obvious to the Star is that the President must not believe that no one is deceived or he would stop publicly calling Mr. Washington by the wrong title.

I agree with the Star that this is a political ploy and the long-range value of it should be evident to anyone who has ever learned anything by repetition. Unfortunately, the fourth estate has taken the easy way out.

Here is the full text of the editorial:

MR. MAYOR

In a letter the other day one of our readers asked a good question: Why, all of a sudden, is everyone going along with this business of calling Walter Washington the new mayor when his real title is District Commissioner?

There is no mystery about how it started, or why. The President began using the term, rather pointedly, at Washington's oath of office ceremony three weeks ago. He has taken every opportunity to use it since. He obviously wants it to take hold. And the reason is that "mayor" makes the District sound more like other cities. It implies that through the Johnson reorganization plan the new District head has been vested with powers which would be quite impossible if he were merely a "commissioner."

None of which is really true, and no one, of course, should be taken in by this political ploy. So why are we being taken in?

Well, we might, weaving and dodging, note that Webster does define "mayor" as the "chief executive officer of a municipal corporation," which Walter Washington certainly is. Or that mayors, in some cities, are in fact appointed rather than elected. Or even that Walter Washington, after all, needs all the prestige just now that he can muster by any means.

But the simple truth is that we are persuaded by a consideration of purely personal convenience: The word "commissioner," to put it bluntly, just doesn't fit in headlines. "Mayor" fits fine.

It used to be that we got around this dilemma by using names such as Tobriner, Duncan or Mathe. But "Washington," let's face it, counts nearly as long in the copy book as "commissioner." Besides, the person is apt to be confused with the city. And we've never been one of those that calls people FDR or LBJ—so WW is out.

Mayor, it is. Our copy readers are overjoyed. You should get better headlines. And so long as no one is deceived, what's the harm?

CENTENNIAL OF WESTERN MARYLAND COLLEGE

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MATHIAS of Maryland. Mr. Speaker, on October 21 it was my privilege to take part in the centennial convocation marking the 100th anniversary of Western Maryland College, one of the indispensable, independent liberal arts colleges in the Nation. On this occasion, the administrators, faculty, students, alumni, and friends of this fine institution paused to look back over the college's proud history, and forward to a second century of growth and accomplishment.

Established in 1867, Western Maryland was the first coeducational college south of the Mason-Dixon Line. The college was the dream of Fayette R. Buell, who operated a private school in beautiful Westminster, Md., and started constructing the first college building in 1866 on a hill at the western end of Westminster which had been used at times for public meetings and as a Federal artillery emplacement during the Civil War. Chartered in 1868 by the former Methodist Protestant Church, Western Maryland is now a church-related college of the Methodist church.

Since the administration of its first president, Dr. J. T. Ward, Western Maryland has been led by four succeeding presidents to its present position as an effective, highly esteemed institution. Its leaders have built the college from a 6-acre campus with one building to a complex of more than 160 acres with facilities valued at $10 million. The student body has grown from the 70 enrolled that first year to over 800 today. As part of its centennial celebration, the college is engaged in a vigorous expansion program which will provide sufficient facilities for an enlarged student body of 1,200.

The theme for the college's year-long celebration is "The Liberal Arts College: Continuity and Change." In taking a keen, constructive look at the role of liberal arts colleges in education today, Western Maryland is both analyzing her own role and future, and providing leadership for other independent liberal arts institutions in our changing educational structure.

The president of Western Maryland College, Dr. Lowell S. Ensor, the officers and members of the board of trustees, the college's entire administrative staff and faculty, and its alumni and students deserve our warm congratulations for their achievements to date and the soundly based confidence with which they face the future. The record of Western Maryland College in her first century has been one of great accomplishment, written in the contributions of the institution's many distinguished graduates, in the growth and prominence which the college has brought to the community of Westminster, to Carroll County, and to Maryland, and in the leadership which Western Maryland has exerted in the cause of quality education. I have every confidence that the school's record during the next 100 years years will be equally proud.

For the information of my colleagues, I insert in the RECORD at this point the following summary of the college's history and objectives:

WESTERN MARYLAND COLLEGE

BACKGROUND

The dream of one man the selfless labor of another account for the beginnings of Western Maryland College. Fayette R. Buell, operator of a Westminster private school, had a dream which he followed until construction actually started in 1866 on the first College building. The late J. T. Ward, who became associated with Mr. Buell while his plan was being formulated, went on to see the College through a difficult beginning period, serving as its president for 19 years.

Western Maryland opened in 1867 and was chartered in 1868 under the auspices of the former Methodist Protestant Church. It is now one of the church-related colleges of the Methodist Church. The College is coeducational; in fact it was the first institution south of the Mason and Dixon line to open its doors to both young men and young women.

At the retirement of J. T. Ward from the presidency of the College, Thomas Hamilton Lewis became Western Maryland's second president. During his administration, the College developed financial stability and intellectual firmness. Promotion of its physical growth and a vision for the future were the College's inheritance from the presidency of Albert Norman Ward. President Fred G. Holloway brought Western Maryland safely through the depression and the difficult times of World War II. Under the present incumbent, Lowell S. Ensor, the College has become an up-to-date and outstandingly effective institution.

That first building, started by Mr. Buell with borrowed money, was located at the western end of Westminster on a hill which had been used at times for public meetings and as a federal artillery emplacement during the Civil War. There were just six acres and one building in the original campus. Since that time the College has acquired surrounding farm lands and other properties to achieve a campus of more than 130 acres with facilities valued at 9½ million dollars. There were 70 students enrolled when the College began; now enrollment tops 800. The curricular approach has broadened, also, from a narrow classicism to the full scope of liberal arts.

In those early days, Western Maryland, one College historian has remarked, had both "the ultra-Victorian provincialism of the environment and the conservative influence of denominational sponsorship"—this, despite its radical adoption of coeducation. Both the nation's and the College's approach to higher education have progressed from that era.

EDUCATIONAL PROGRAM

As a liberal arts college, Western Maryland presents an educational program which equips graduates with qualities of leadership and a sense of responsibility for personal development and the advancement of society.

Students at a liberal arts college receive an education which enables them to meet the vagaries of life with discrimination, understanding, and a fund of useful knowledge. Students can acquire a comprehension of humanity in terms of social environment and natural law. They are taught to search for the basic issues of any specific problem or conflict and discover what human values are involved. Liberal education attempts to inspire that range of interest, depth of appreciation, and facility of thought and action needed for effective living in a democratic society.

Western Maryland, along with many distinguished undergraduate institutions, is interested in a well-stocked and well-disciplined mind, but educates for more: insight, which goes beyond facts and skills. The pro-

gram at Western Maryland is aimed at fostering an enlightened and responsible citizen—enlightened in the sense of understanding rather than merely possessing a fund of facts, and responsible to the degree of being involved personally in what engages the mind. At the same time, the College encourages students to develop a sense of aesthetic and spiritual values and to feel inspired to create. Such interests are not merely supplementary to the business of life; by adding value to leisure hours, they make it full. Western Maryland also realizes that professional proficiency is essential. Certain career choices require special abilities which the student is helped to acquire. The College provides an education which is basic to nearly all professions as well as specialization in some areas. Typical of this chance to specialize is the opportunity for French students to take their third year of study in France.

Western Maryland is accredited by the Middle States Association of Colleges and Secondary Schools and by the University Senate of the Methodist Church. It holds membership in the American Association of Colleges for Teacher Education and the National Association of Schools of Music and has the approval of that Association for a Bachelor of Arts degree in applied music and in music history and literature. The College is on the approved list of the American Association of University Women.

Education is self-enrichment. The liberal arts philosophy concentrates on informed individualism, and Western Maryland offers a program which enhances development toward individual breadth and maturity.

"THE GREAT DOLLAR THROWAWAY"—NEW PROOF OF NEED FOR FEDERAL REFORMS

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MATHIAS of Maryland. Mr. Speaker, our current debates over Federal expenditures and immediate spending cuts have reemphasized the need for long range, thorough reforms in Federal operations to hold costs to manageable levels and insure that American taxpayers receive a dollar's worth of services for every tax dollar.

Dramatic new evidence of the problems which have developed in the executive branch is being published this week by the Baltimore News-American in a provocative series "The Great Dollar Throwaway," by News-American reporter Jerry Cartledge. Mr. Cartledge's thoughtful articles are based on more than 3 months of study and investigation, review of countless massive Federal documents, and interviews with many individuals in the Congress, in the executive branch, and in non-Federal agencies which utilize Federal assistance. Interest in my bill—H.R. 69—to establish a new Hoover-type commission to review and reform Federal operations attracted Mr. Cartledge's attention and his work promises to alert countless Americans to the importance of beginning such an effort without further delay.

I feel that Mr. Cartledge's articles will be of immense interest to the Congress, and may point out some problem areas which individual Members have not had the opportunity to explore. I would therefore like to place his first two articles, from October 22 and 23, in the RECORD today, and will include the rest of the series as it is published:

THE GREAT DOLLAR THROWAWAY

(By Jerry Cartledge)

The federal government expects to spend a minimum of $169.2 billion this year—at least $135 billion in the executive branch bureaucracy—to conduct its business. The President says that if Congress will impose an immediate 10 percent surcharge on all personal and corporate income taxes, the 1968 fiscal spending binge will amount to only $14 to $18 billion more than the government can expect to take in from taxes and other sources this year.

On Aug. 3, when President Johnson sent his special tax request to the Congress, he warned that if he did not get his 10 percent tax boost, deficit spending would spiral to more than $28 billion.

According to statistics given to the House of Representatives prior to the President's tax increase plan, the average American will work —— hours and 25 minutes of every working day of the year to earn the money he will need to pay his 1967 federal taxes. The estimate, which by many is considered extremely modest by many experts and was made by the Tax Foundation Inc.

According to statistics given to the Congress by Rep. Theodore R. Kupferman of New York, "it costs $4.481 to run the federal government every second of every day in the year."

A large portion of the spending stampede has resulted from the agencies, departments, bureaus, offices, etc., which have been created since the last bipartisan and public review of executive branch spending and policy which was completed by the Second Hoover Commission 12 years ago.

In an attempt to restore some sanity to government spending, a Maryland congressman, Charles McC. Mathias Jr., has been trying for the past three years to establish a public watchdog group, comprised of federal and state leaders and experts from private enterprise, to find out exactly what is happening to American taxpayer dollars and to make wise suggestions to the Congress on how we can cut spending, or at least get a dollar's worth for a dollar spent.

Today, the federal government plans to spend $36.9 billion more than in 1966 and about $15.6 billion more than it spent last year.

A large portion of this money will be spent to pay the salaries of Congressmen and their staffs and the more than 3 million people on the payroll in the Executive Branch of government.

Most of the remainder will be spent to carry out the programs of a spiderweb of departments, bureaus, agencies, boards, commissions, offices, independent establishments and instrumentalities of the executive branch.

A total of $76 billion in the 1968 budget is earmarked for "major military programs," with the present war in Vietnam making ever greater demands for money.

The President early this year asked for a green light from Congress to increase deficit spending up to $8 billion dollars to finance the cost of our military activities in Vietnam. Congress reluctantly agreed to $7 billion.

Budget analysts have allocated $16.7 billion for "grants-in-aid to state and local governments." But this is by no means the limit of taxpayer dollars that will be spent on domestic programs that are increasing at what many federal legislators term "an alarming rate."

Following the laws of inertia, programs once set in motion tend to remain in motion. Defying the laws, programs at rest do not tend to remain at rest. By their very nature, federal programs—particularly those dealing with domestic problems—have built into them the capacity for continuation, reproduction, expansion and proliferation.

Today there are more than 220 separate programs through which the federal government assists states and localities financially. These programs require at least 20 different agencies with more than 400 regional offices and 150 Washington offices to administer, by a most conservative estimate.

However, Maryland Congressman Charles McC. Mathias Jr. says the figures are much higher.

"The Department of Health, Education and Welfare alone," Mathias says, "participates in 175 to 180 programs costing about $8 billion. There are about 57 vocational education programs, and 33 agencies engaged in 296 consumer protection activities."

Paperwork alone cost $9.5 billion, or 7 percent of the 1967 budget, and the figure will rise again this year.

The number of federal employees in the Washington area needed to cope with mammoth government increases by 6,000 each year. There is no accurate estimate of the increased payrolls at the government's regional establishments across the nation.

Actually, when things get down to the regional and local levels, they often get lost, statistically and otherwise.

In a special study, the Library of Congress has stated that, "The federal government now spends nearly $4 billion annually on research and development in its own laboratories, but it does not know exactly how many laboratories it has, where they are, what kinds of people work in them or what they are doing."

What duplication, overlapping, completion and general inefficiency exist in the giant multiplicity of programs conducted by the federal government at the local level can only be guessed at.

But some indication may be gotten from testimony of Labor Secretary W. Willard Wirtz before Congress when he noted that: "There are 15 to 30 separate manpower programs administered by public and private agencies, all supported by federal funds, in each major U.S. metropolitan area."

To add to the confusion, Connecticut's Democratic Sen. Abraham Ribicoff recently told the Senate: "Manpower programs alone have increased eightfold since 1961, but they are administered by 10 separate organizational units in three independent departments."

Some of the foregoing examples and many of those to follow might seem mildly humorous to the average person—until he stops to realize that he is paying and will continue to pay for it at a shocking rate.

Hardly anyone speaks of economists in this capital city of the greatest nation ever known to civilization. Members of Congress know that the word "economy" is a dirty word in Washington, and those who still remember pledges of economy to the people back home realizes that the only way to broach the subject is to speak of "efficiency."

A smart Congressman does not question the wisdom or economy of a particular program of the federal government. Rather, he respectfully inquires as to whether the program involved is being administered efficiently. Via this route, he can sometimes find out whether a program is actually accomplishing anything "tangible."

"Art for art's sake" might well be the slogan of many of the federal government's program architects, especially those dealing with research. The program is often the only excuse for its own existence, and anyone who tries to measure the value of the program expenditure in terms of dollars and cents,

improved living standards or service rendered is left dismayed.

For instance, Uncle Sam, through the National Foundation on Arts and Humanities, is spending $5,000 for studies aimed at finding out who has written what that happens to be critical of the writings of Edgar Allen Poe. Among other things, the federal government is also using taxpayers' money for a $12,650 study entitled "Literary Investigation of American Popular Culture," and $18,000 to find out whether Edmund Burke actually wrote "18th Century Journal."

At a time when the nation is erupting with racial violence and Negro leaders are either demanding or pleading for more economic assistance from the federal government to alleviate the disastrous conditions of urban ghetto life, it is a bitter fact that, through some flaw in research, the U.S. has wasted $3.5 million to create a modern ghost town in Brazil.

The money was spent by the U.S. to provide 19,000 homes for the impoverished people of the shantytowns and ghettos outside Rio de Janeiro. Only, one or more of our programmers goofed, and the homes were built 30 miles away from the city of Rio where the shantytown dwellers must find work. In order to live in these bright new homes, the workers would have to spend almost a third of their near-starvation wages to commute to and from work.

New York's Republican Congressman Charles Goodell made an inspection tour of Brazil and recently reported to the Congress that the Rio workers are still living in their favelas (shantytowns).

"When it is understood what $3.5 million could have accomplished in developing resource-backed community action within the favelas themselves, the enormity of this kind of waste is galling," he noted.

Goodell also got a good look at U.S.-financed school construction in Brazil, another glaring example of fairy godmother programming, botched planning and hasty spending.

Many of the schools were poorly constructed, Goodell reported, and there was immediate danger that some of the roofs or walls were collapsing. Contracts had been awarded to unregistered firms on a non-competitive basis, with later changes permitting contractors to double the award price. Additionally, the schools were deteriorating because there had been no provision made for upkeep.

But wasteful spending abroad is only a small portion of an ever-growing problem which has caused many members of Congress to take a long, hard second look at the program bonanza and spending spree that has become the order of the day in the sprawling Washington bureaucracy.

Several members of both houses of Congress have introduced legislation aimed at reorganization of the Executive Branch in an effort to curb runaway government handouts. All target inefficiency, duplication, overlapping procedures and resulting administrative costs of "over-kill proportions."

In the Senate, Ribicoff has called for a partisan commission of nine persons from government and private life, appointed by the President, to help find some solutions to the problem. The preamble to his bill (S. 2116) states:

"The Congress finds that there are more than 150 departments, agencies, boards, commissions, bureaus and other organizations in the Executive Branch engaged in performing the functions of government; that such a proliferation of governmental units tends to produce a lack of coordination between them and overlapping, conflict and duplication of effort among them; that the President and Congress need additional tools and procedures to exercise better supervision and direction . . . and that improved organizational structure and managerial techniques would permit the President to carry out more effectively the Constitutional mandate that he coordinate and manage the Executive Branch in accordance with the laws enacted by Congress."

Members of the Ribicoff Commission appointed from private life would receive $100 per day, plus expenses, for their planned 18 months of study.

Another Senate measure, by Kansas Republican James B. Pearson, calls for 10-member bi-partisan commission . . . with two appointed by the President, four by the president of the Senate (two Senators and two private citizens), and four by the Speaker of the House (two Representatives and two private citizens).

Private citizens would be paid $75 per day, plus expenses, during the two-year life of the Pearson Commission.

Both bills gives the commission power to issue subpoenas for witnesses and documents and to hire "consultants and experts" for $75 per day under the Ribicoff proposal and $50 a day under Pearson's plan. Both bills provide for open-end salaries for commission staffs.

In the House of Representatives there have been several bills submitted by members interested in "streamlining government operations," for much the same reasons as those expressed in the Senate.

But the most comprehensive measure to date, and one which has won the most support, is the bill calling for the establishment of another "Hoover Commission" by Maryland's Congressman Mathias.

The bill (H.R. 69) would establish a commission along the same lines as the two others which accomplished so much to put government back on the tracks after years of unbridled spending during World War II.

The new study group would be officially titled "The Commission on the Organization of the Executive Branch of the Government," as were its two predecessors, but probably would be commonly called the Third Hoover Commission.

Mathias' bill calls for a commission of 14 bi-partisan members as follows:

Six appointed by the President, two from the Executive Branch, two from among the 50 U.S. governors and two from private life.

Four appointed by the President of the Senate, two Senators and two from private life.

Four appointed by the Speaker of the House, two Representatives and two from private life.

Private-citizen members of the two-year commission would receive $75 per day, plus expenses, and could hire "temporary and intermittent services . . . at rates not to exceed $50 a day for individuals." The commission would have the power to "apppoint and fix the compensation of such personnel as it deems necessary."

While the pay for commission members seems attractive, the duties involved are staggering enough to assure that only those with a dedication to public service will be willing to tackle the job.

The Mathias bill stresses the obligation of the commission to "promote economy, efficiency and improved service" in the government by:

Defining responsibilities of officials, and functions, services and activities of departments, bureaus, agencies, boards, commissions, offices, independent establishments and instrumentalities of the Executive Branch . . .

Recommending methods and procedures for reducing expenditures to the lowest amount consistent with the efficient performance of essential services, activities, and functions . . .

Eliminating duplication and overlapping of services, activities and functions . . .

Consolidating services, activities and functions of a similar nature . . .

Abolishing services, activities and functions not necessary to the efficient conduct of government . . .

Recommending means . . . to expedite coordination of programs and policies in areas such as, but not limited to, urban affairs, natural resources and transportation . . .

Recommending means to increase and improve liaison and communication, including the sharing of information, within the Executive Branch, between the executive and legislative branches of the federal government, and between the federal government and appropriate state and local governments and public entities.

Under the Mathias proposal, the commission would have subpoena powers to probe into every nook and cranny of the federal bureaucracy.

The members would have the tools to cut through any amount of red tape or peer into the highest ivory towers of entrenched political favoritism and protection.

HOOVER COMMISSIONS SAVED BILLIONS

(By Jerry Cartledge)

Twenty years ago, in the immediate aftermath of World War II, when the Federal government was still at the apex of an unbridled spending spree and a bureaucracy spreading like cancer, a Senate committee on expenditures in the Executive Departments reported:

"The time is ripe for a general overhauling, for going through the government with a fine-tooth comb and for casting some light into all the many dark places."

As a result of this committee and others within a deeply concerned and worried Congress, the first Hoover Commission, was born officially created by the stroke of President Truman's pen on July 7, 1947.

According to Maryland Congressmen Charles McC. Mathias Jr., who is leading a legislative drive for a similar commission, the 1947 body was created at a time of rapid change, when the Federal government had become unwieldly, inefficient and obviously unable to respond to new conditions and new responsibilities.

The first commission, formed to conduct a systematic, objective review of Federal operations, ultimately made more than 100 major recommendations which when implemented, shaped the government into a far more effective instrument public service.

The cost of operating the commission for its 18 months duration was about $2 million. A survey by the Library of Congress, completed early in 1960, showed that the commission had resulted in savings "of at least $7 billion . . . based on the official reports of the Federal agencies themselves."

In its final report, in 1949, the commission described the magnitude of the problems it had faced by noting that in less than 20 years civil employes of the government had increased from 570,000 to more than 2 million . . . bureaus, sections and units increased four-fold to more than 1,800, and that annual expenditures had spiraled from $3 billion to more than $39 billion for administrative purposes alone.

The commission concluded, "Such rapid growth could not take place without creating serious problems of organization and management. Methods, procedures and controls effective two decades ago cannot cope with the management needs of today."

Echoing the above statement, Mathias recently noted that over the last 20 years the federal budget for administrative purposes alone has grown from $33.7 billion in fiscal 1948 to $135 billion in fiscal 1968, which started July 1.

During that same 20 years, Mathias said, the non-defense budget increased from $22 billion to $59.5 billion, a jump of 170 percent.

Mathias told the House of Representatives last June: "We now have more than 220 major federal grant-in-aid programs and innumerable minor ones, contained in more than 400 separate authorizations, and ad-

ministered by at least 21 federal agencies with more than 150 major bureaus and offices in Washington and more than 400 regional and area offices in the field."

For the above reasons, and a volume more that have been enumerated by congressmen from all parts of the nation in support of the Maryland congressman's bill (H.R. 69), Mathias is imploring Congress to act now to begin another sweeping review of big government, aimed at cutting waste and increasing efficiency, savings and services.

In this light, it is important to review the accomplishments of the first Hoover Commission, and its successor, which served in 1953–55 under the administration of President Eisenhower.

One of the key recommendations of the first commission led to the Reorganization Act of 1949, under which the President may submit reorganization plans to Congress, and the plans become law unless rejected within 60 days by a majority of either House or Senate. This permits the President to control the purse strings and coordinate or eliminate activities within the agencies with which he is most vitally concerned.

In addition to the Reorganization Act which, incidentally, is currently being used by President Johnson to seek a compromise solution to the problem of home rule in the District of Columbia, the most significant results of the first Hoover Commission's report were eight in number:

1—The Military Unification Act of 1949. Even though this left our defense establishment far short of complete unification, it was an enormous stride toward that goal. Fortunately, it came just in time to produce unprecedented teamwork among the Armed Services in the critical early days of the Korean War.

2—Creation of the General Services Agency (GSA), by combining four previous agencies for more efficient government housekeeping—through modernized purchasing, inventory control, storage, and records management in the civilian agencies.

3—Complete reorganization of the State Department to clarify responsibilities, expedite communications and eliminate artificial staff barriers.

4—Consolidation of a multiplicity of functions within a Labor Department of full Cabinet stature.

5—The end of political appointments in the corrupation-ridden Bureau of Internal Revenue, which now operates under the merit system.

6—Reclassification and regrouping of welfare activities and the creation of the Department of Health, Education, and Welfare. While this agency currently is the object of much criticism in Congress because of its proliferation of programs and varying policies, its creation eliminated an unbelievable fragmentation of public services which were almost impossible to evaluate.

7—Elimination of much delay, waste and duplication in the Post Office. Many of the recommendations in this regard were to be taken up by the next Hoover Commission, with extremely successful results in savings and service.

8—Separation of "hidden subsidies" from payments by the federal government for the transportation of airline mail.

A Citizens Committee which evaluated the commission's work reported the resulting savings of "at least $7 billion," but carefully noted that the complete, overall savings from these and other measures "became hard to trace in the budget upsurge created by the Korean War."

The second Hoover Commission report scored major accomplishments in the areas of national safety and government cost, and resulted in five basic changes in government functions and several particularized improvements.

1—Defense Unification, now Public Law 599, strongly reinforced the constitutional principle of civilian control of the military.

The authority of the Secretary of Defense was greatly clarified concerning transfer, reassignment, consolidation and abolition of functions. The effectiveness of the Joint Chiefs of Staff as a planning unit was strengthened. The number of Assistant Secretaries was sharply reduced and many of the resulting causes of inter-service bickering and delay were eliminated or, at least, diminished.

Bearing virtually on the safety of the nation and the lives of its people, the measure provided for unified combat commands.

A citizens Committee concerned with this aspect of the commission's work found that "frightening evidence of confusion and dissention in the frontal sectors of our defense bastions were brought out" by both Hoover Commissions and by expert witnesses called to the hearings on the subsequent unification bill.

An amendment to the unification measure, to correct what the commission termed "one of the most grievous cases of waste in the whole far-flung defense establishment," authorized the unified procurement and management—under civilian control—of common-use defense supplies such as food, clothing and fuel.

While this section of the law was "permissive" rather than "mandatory," it gave the Defense Secretary a chance to effect enormous economies.

Modernized Budgeting System, adopted via Public Law 759, was the result of a commission finding that the government was operating under an obsolete system. Prior to the new law, Congress made lump sum appropriations for long-term projects and rarely got a second look at the expenditures in succeeding years.

Huge carryovers in unexpended funds, estimated by the commission at near $70 billion in 1955, "were flowing over the dam beyond further congressional review."

As a result, the Congress finally adopted "annual accrued expenditures budgeting," which means that the government pays, in a given year, only for the goods and services received in that year.

However, recent investigation reveals that this measure is being ignored to varying degrees by deferred spending in government agencies, particularly the military.

A poignant example of the inefficiency and apparent waste involved in certain aspects of deferred spending was turned up this year by Maryland Democratic Congressman Clarence D. Long.

It seems that the Navy in 1964 requested $1.2 million to build new barracks for the WAVEs stationed at Bainbridge, Md. The appropriation was subsequently approved, but the barracks were not built until this year—long after the women had been shipped to a new permanent station in Orlando, Fla.

3—Reduction of government competition with private business, a key recommendation of the commission, has been to a varying degree accomplished by several minor laws and direct action by the Executive Branch.

For example, in 1955 the commission found some 2,500 business-type government establishments "engaged in useless and costly competition with nearby private businesses, usually small businesses, in the Defense Department alone."

These included bakeries, laundries, and factories making paint, rope, ice cream and scores of other civilian products. By 1960, about 700 had been closed or were in the process of being shut down or curtailed.

4—An improved federal career service, recommended by the commission, has come into being, more through executive action then legislation. The commission placed heavy emphasis on the need for attracting and holding competent administrative, managerial and scientific personnel in federal service.

A Career Executive Board has since been set up along the lines suggested by the commission.

5—Recommended coordination and expedition of federal research—an area of crying neglect today—was to some degree achieved by the defense unification law. The law, based on a fundamental commission proposal, amounts to a congressional mandate to the Defense Department to eliminate duplication and delay in overlapping and confused research programs.

The law also established a Departmental Director of Defense Research and Engineering, with broad powers not only to centralize and coordinate Armed Services research projects, but to initiate research programs on his own wherever he sees a gap or lag.

The Citizens Committee reviewing this action emphasized, "The importance of this development can hardly be overstated. Recent studies (in 1958) have shown alarming contrasts in the time required for U.S. missile and other projects to move from the 'idea' stage to the drawing board and then into production, as compared with the record of the Russians."

Other accomplishments of the second Hoover Commission were:

Liquidation of the Reconstruction Finance Corp. This not only put an end to government loans to snake farms and juke box operators, it returned $474 million in capital funds to the Treasury.

Improved and simplified government paperwork. The commission in 1955 found that paperwork cost the government $4 billion a year, almost equal to the entire federal budget of 1930. (Last year, government paperwork cost $9.5 billion, but this resulted from many factors—such as population explosion and inefficiency produced in an ever-growing bureaucracy.)

The government-wide system of better records management and simplification suggested by the Hoover Commission did have some tangible effect however. As an example, the 1,040 largest Post Offices in the nation now use 600 standardized forms in place of 22,000 local forms, prior to 1960.

Coordination of military hospitals, with one branch of the service handling medical care for all military personnel in a given region . . . rejecting the costly theory that soldiers must go to Army hospitals and Sailors to Navy hospitals, even though it meant overfilled hospitals in some areas and half-full hospitals in others.

Not all of the commission's recommendations were followed, however, and certain of them might well be implemented today with many beneficial results.

Some of the suggestions forgotten by subsequent administrations and Congresses include establishment of a coordinating Federal Advisory Council and Health . . . reorganization of federal legal services . . . establishment of a joint committee on intelligence matters . . . improving the efficiency of government lending agencies and making them self-supporting . . . reorganization of federal water resources and power facilities, and restriction of federal activity in areas where private industry cannot operate.

The second Hoover Commission was given $2,848,543 by Congress for its 18 months of work. It spent $2,768,562 and returned $83,527 to the Treasury. A commission task force estimated savings in federal expenditures as a result of its recommendations of more than $8.5 billion.

RUSSIAN VEGETABLE OIL TO DOCK AT NEW ORLEANS

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his

remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FINDLEY. Mr. Speaker, last Saturday I sent this telegram to Hunt-Wesson Foods:

Customs officials have notified me that the Norwegian merchant ship *Prometheus* is expected to dock any day now at New Orleans bringing ashore 20 million pounds of vegetable oil your firm has purchased from the Soviet Union. Texas Transport & Terminal in New Orleans is U.S. agent for the ship.

This of course is part of the 40 million pound purchase you are making from Moscow and which constitutes the first import of vegetable oil from the Soviet Union in at least a 25 year period.

Because I am deeply concerned for the safety of our men who daily face Soviet weapons and for soybean and cotton farmers who are gripped in the worst cost-price squeeze in years. I resent this unprecedented import.

Under these regrettable circumstances I consider it only fair to acquaint you in advance with the course of action I will take once this third and largest Soviet cargo is unloaded on American soil.

At that time, I will:

1. inform fully each of my colleagues in the Congress in regard to details of the import,

2. remind them of the depressed price levels which have prevailed in the U.S. vegetable oil market throughout the period during which the import occurred,

3. supply them with the text of your telegram to me dated September 12, 1967, in which you frankly admitted your firm bought from Moscow in order to keep U.S. prices down. To refresh your memory, here are your very words:

"To attempt to buy domestic cottonseed oil for export use in competition with our own, and other domestic consumer needs, could put an extreme inflationary pressure on the price of domestic vegetable oils."

4. remind them that the Soviet Union is supplying most of the sophisticated weapons which are causing such heavy U.S. casualties in Vietnam,

5. notify them that Wesson Oil purchased henceforth in U.S. stores may be made from Soviet vegetable oil.

6. inform them that Wesson is the only U.S. firm using Soviet vegetable oil, and finally,

7. urge each of them—especially those representing soybean and cotton growers—to pass this information on to all of their constituents.

If I receive the cooperation I anticipate, a substantial number of U.S. consumers will thus be forewarned about the origin of Wesson Oil and the callous indifference of the firm's management to the economic plight of farmers and the military plight of their sons in Vietnam. I am sure many of them will decide to join the Findleys in boycotting Wesson Oil.

I had hoped that your firm, out of respect for our men in Vietnam, would cancel this contemptible purchase. Today, with the docking of the *Prometheus* expected momentarily at New Orleans, my hopes have vanished.

THE 11TH ANNIVERSARY OF THE HUNGARIAN REVOLUTION

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentlewoman from Ohio [Mrs. BOLTON] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mrs. BOLTON. Mr. Speaker, October 23 marks the 11th anniversary of the beginning of the Hungarian Revolution of 1956.

What began as a peaceful student demonstration turned into a total uprising comprised of the workers, farmers, artisans, schoolteachers, and members of the Hungarian Armed Forces. Representatives of the entire Hungarian population, from teenagers to grandmothers, joined in the revolt against the tyranny of communism. These oppressed Hungarians disproved the claim that national communism can be a substitute for freedom. They disproved the claim by risking their families, homes, work, and future—all sacrificed to throw off the yoke of their oppressors and to establish a free new government.

The Hungarian freedom fighters believed it was better to struggle against oppression than to live a life of slavery. Their cry of defiance and of faith in the rights of man was heard everywhere in the world.

One of the darkest pages of history records the savagery of the Communists in suppressing this uprising. Hungary became a veritable bloodbath in which the Soviets waged a campaign without mercy, killing more than 24,000 fighters for freedom. Countless thousands were jailed or deported.

Hungary is still one of those nations under the domination of the Communists and we deeply sympathize with her serious plight. By marking this 11th anniversary of the Hungarian revolution we focus the attention of the world on the danger of Communist tyranny. That is the reason I speak on behalf of the brave Hungarian people, so that no one will ever forget what happens to a nation once it is so unfortunate as to be under the Red tyrant's heel.

The Hungarian freedom fighters are remembered in the hearts of every free man across this earth as the true embodiment of the spirit that keeps liberty the thriving and real force that it is. We mourn the dead, we pity the wounded and we embrace the imprisoned participants of that revolt 11 years ago. But most of all, we respect the deep and powerful commitment to freedom that is an integral part of the heritage of the Hungarian nation.

On this 11th anniversary of the 1956 uprising, we ardently hope and pray that soon a bright new day will dawn for Hungary when she will once again become a member of the family of free and independent nations.

THE 11TH ANNIVERSARY OF THE HUNGARIAN REVOLUTION

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, today is the 11th anniversary of the uprising of the Hungarian freedom fighters against the Soviet-imposed Hungarian Communist government.

This heroic effort to achieve freedom for the Hungarian people was put down in a ruthless fashion by the armed forces of the Soviet Union.

As years go by the great attempt by the Hungarian people to obtain independence is forgotten and the tyranny which exists by the Communists in Eastern Europe is tragically accepted as a political fact of life.

I do not believe that it should be accepted in this fashion. I believe that the spirit, dedication, and aspirations of the people of Hungary and other captives of communism will eventually result in supreme freedom and that Moscow imposed totalitarianism will ultimately be overcome.

We must note the historic fact that the turmoil in the Middle East, parts of Africa, and guerrilla warfare in Latin America, are all extenuations of Communist efforts to achieve world control.

The center of the stage at the moment is Vietnam, where our Armed Forces are in action repelling the Communist attack on the freedom of South Vietnam.

It is obvious that there will not be true peace and freedom in the world until such day as communism is totally vanquished or if, in an unforeseen development, the Communists abandon their efforts for world control.

The Hungarian freedom fighters remain a symbol of man's legitimate desire for independence. We today respect the heroic episode that they wrote on the pages of history, and encourage Hungarians and other peoples whose native lands are controlled by communism to persevere in their faith and to continue their efforts so that legitimate government and true freedom can be restored to their homeland.

TURNPIKE: TREMENDOUS IMPACT ON BOULDER

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. BROTZMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, I represent a district in which the spirit of independence and initiative which won the West still is very much alive. My constituents are people who would rather not sit back and wait for the Government to decide what they need and when they need it—particularly when nonpublic resources could do it sooner and more efficiently.

Last month a ceremony held near Broomfield, Colo., marked the ending of toll-road status of the 17.3-mile-long Boulder-Denver Turnpike—and it was the final chapter of a story which, I believe, typifies this spirit of independence and initiative.

There had been those who predicted that the turnpike would not pay for it-

self—and, in fact, there were provisions in the enabling legislation for State assumption of part of the costs of retiring the 30-year bond issue which financed the project. Remarkably, the turnpike not only cost the general taxpaying public in Colorado nothing, but it even produced so much revenue that the four-lane, high-speed route became part of the State public highway system nearly 15 years ahead of schedule.

That was what the ceremony at Broomfield was all about. Excerpts from a special section of an outstanding newspaper in my district, the Boulder Daily Camera, telling some of the high points of this remarkable success story, follow:

TURNPIKE: TREMENDOUS IMPACT ON BOULDER

(By Dick Walberg)

"This Boulder toll road proposition is nothing in the world but a special interest deal to make more soft jobs at the expense of the hard working taxpayers."

So wrote a business consultant and announced gubernatorial candidate of the turnpike in 1949 before legislation was passed making the four-lane, limited-access highway possible.

His remarks were representative of the emotional antagonism aroused by the Boulder-inspired proposal to build a thoroughfare linking Boulder directly with the state capital. Because those were tax-lean years, the proposal called for the construction to be financed by bond to be retired with tolls collected from the users. To make the bond issue attractive to big lenders, a clause in the enabling legislation provided the State Highway Department, if tolls were insufficient, would pay up to 30 per cent of the annual cost of retiring the bonds.

It was this clause that made the far-sighted dream of Prof. Roderick Downing, "father of the turnpike," a reality and it was this clause that gave license to opponents to open a broadside attack against the proposition. But now, 18 years later, the ironic fact is that the Boulder-Denver turnpike is the only major traffic facility in the state built at no cost to the general taxpaying public.

Since it was opened on Jan. 19, 1952, the entire cost of the turnpike has been paid by the dimes and quarters of motorists using the highway. Over the years more than 44 million vehicles have plied the 17.3-mile high-speed highway and the clink of silver has totaled more than $10.5 million.

Thursday marks an end to the tolls.

An 11 a.m. ceremony will commemorate the turnpike's unique new status of being the nation's only toll road that is a part of a public roads system to be paid off and become toll-free.

The occasion will bring Charles Brady, head of the American Auto Association, from his Washington office. James F. Ellis, chairman of the State Highway Commission, will serve as head of the celebration. Members of the 35th and 37th General Assemblies will be invited, with special recognition to be accorded William L. Paddock and Leslie R. Steele, the Boulder representatives, and Frank L. Gill, Hillrose senator, who sponsored the turnpike legislation back in 1947 and 1949.

For two Boulder Chamber of Commerce officials, leaders in the fight for the turnpike from the start, the commemoration will be especially rewarding. One is Frank Henderson, chairman of the chamber's highway advisory committee, and the other, Francis W. Reich, the chamber's veteran manager.

These men, together with A. A. Paddock and Frank Jamison and a handful of others, campaigned tirelessly for the proposed traffic facility. Theirs was the hard sell, pitched like today's TV commercial for a laundry detergent.

Their claims:

Boulder would receive $44 million in benefits from the turnpike during the anticipated 30 years of tolls believed required to pay off the construction bonds.

The facility would be a boon to all segments of the Boulder economy and would revolutionize Boulder's way of life.

Travel between Boulder and Denver would increase 30 per cent.

200 lives would be saved in 30 years by driving "Tomorrow's Highway — Today" rather than the narrow, hazardous U.S. 87–287 north out of Denver and State Highway 7 west into Boulder.

Motorists using the superhighway would actually save money because the turnpike would cut off 7 miles on the trip to Denver, and at a nickel a mile for operating a car the net saving would be 15 cents.

These were some of the more brash claims; now nearly two decades later, how do they stack up?

Assessable property in Boulder has jumped from $14 million in 1950 to $101 million, better than a seven-fold increase. County property assessments increased five-fold to $240 million.

City building permit valuations rose from $3½ million to $20 million. Retail sales climbed from $22 million to $135 million. Bank resources from $20 million to $100 million. Population went up from 20,000 to 56,000.

Travel on the turnpike the first year more than doubled the projected average daily count of 2,200 and by last year had reached 13,774.

31 fatalities have occurred on the turnpike since it opened or about 3.9 per 100 million miles of travel. The national average for traffic fatalities is 5.67 per 100 million miles.

And, while the toll has remained unchanged at a dime and a quarter, the cost of operating a motor vehicle has more than doubled so that the net saving per trip is even greater than projected.

Actually no yardstick can measure the impact of the turnpike on Boulder, for who can isolate its effect on the community from the welter of other influences? But there is no denying the impact has been tremendous. Reich, who has had his thumb on the pulse of Boulder for 31 years as manager of the chamber, weighs the turnpike along with the University as the two things most influential in shaping Boulder.

"Without the turnpike," he said, "we simply would not have the facilities and development we now have. Before it was constructed Boulder was at the stub end of a side road; the advent of the highway gave Boulder direct access to Denver's suppliers, transportation terminals and other facilities needed to attract desirable industries to the area.

JIM EVANS, PATRIOTIC BROADCASTER

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. KUYKENDALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. KUYKENDALL. Mr. Speaker, while a few thousand malcontents did their best to disrupt the Nation's Capital and the Pentagon on Saturday, there was one courageous voice speaking out for America. Jim Evans, whose program is broadcast over radio station WMAL from 10 to 2 every day, used the time on Saturday to remind Americans of the glories of this great country of ours and of the rich heritage which has been bought for this generation by the sacrifices of our fearless and dedicated forefathers.

While those gathered at the Lincoln Memorial and the Pentagon displayed the enemy flags of the Vietcong and called for the defeat of our troops who are fighting aggression and tyranny, Evans played some of the stirring patriotic melodies which lift up the hearts of those who sincerely believe in freedom and justice.

I just want to take this moment to pay tribute to Jim Evans and applaud the many fine statements he made Saturday in support of the American dream. His effort was a far greater contribution toward world peace and justice for all men than the hate-filled slogans chanted by those anti-Americans taking part in the disgraceful display at the Pentagon.

EGYPTIAN ATTACK ON ISRAEL DESTROYER

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, the outrageous attack upon, and the sinking of the Israel destroyer *Elath* by Egypt is the most flagrant violation of the cease-fire in the Middle East. The Israeli ship was 13½ miles out in international waters. As Israel Foreign Minister Abba Eban said, Egypt should be condemned by world public opinion.

This incident illustrates more clearly than ever the need for true peace in the Middle East which must be achieved through direct negotiations.

As long as there is only a cease-fire or a temporary armistice, there are likely to be other incidents with further tragic losses. The way to prevent recurrences is to have a final peace settlement in the Middle East arrived at by the nations involved through direct negotiations on all issues.

The United States, other peace-loving nations, and the United Nations must make every effort to secure such a peace settlement as soon as possible.

Mr. Speaker, the sinking was accomplished by the use of sea-to-sea missiles supplied by the Soviet Union and fired from one of Egypt's 15 PT-type boats. The accuracy was such that it raises a serious question as to whether Soviet experts were overseeing and supervising the actual operations.

The Soviet Union's role in providing armaments to Egypt since the end of the war is a most dangerous one. The introduction of increasingly sophisticated weapons by the Soviet Union into the explosive Middle East only compounds the difficulty of achieving a peace settlement and increases the risk of nuclear warfare.

Mr. DORN. Mr. Speaker, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from South Carolina.

Mr. DORN. Mr. Speaker, I commend

my distinguished and able colleague from New York for an able and timely statement to the House.

Mr. RYAN. I appreciate the gentleman's expression of support.

THE UNDECLARED WAR ON J. P. STEVENS & CO.

The SPEAKER. Under a previous order of the House, the gentleman from Texas [Mr. FISHER] is recognized for 30 minutes.

Mr. FISHER. Mr. Speaker, a few days ago I received, as I assume other Members did, a copy of a statement by Mr. Robert T. Stevens, delivered before a subcommittee of the Education and Labor Committee. I read it. The testimony given by the president of J. P. Stevens & Co. contained some shocking revelations. It revealed a 4-year undeclared war that has been waged against the Stevens Co. by the Textile Workers Union of America, aided and abetted by the Industrial Union Department of the AFL–CIO. By documentation the statement leaves no doubt that the National Labor Relations Board has, without reason, thrown its weight against the textile firm. This presents a formidable array of power against one employer.

A few days earlier I received, as I am sure others did, a copy of a pamphlet entitled "The Hollow Promise," which apparently was designed to give the union's side in the war I have referred to. I also read it. Unfortunately it contains many generalities and emotional appeals, and is quite lacking in factual data to support charges and assumptions that it contains. It depicts much thunder but little lightning.

The war against the Stevens Co. began in 1963. Since then the news media have carried many stories about the persistent efforts to unionize the plants. Scores of insertions have appeared in the CONGRESSIONAL RECORD regarding various aspects of the struggle. In addition, one committee hearing has been conducted.

Mr. Speaker, since the attempt to unionize Stevens is unique in many respects, characterized by some rather unbelievable techniques, I have undertaken to examine all the evidence available on the subject and have attempted to compose an objective report on the case. The impact of the ultimate outcome of this effort to unionize employees of the Stevens Co. will be felt by both workers and employers throughout the country.

To begin with, the right of collective bargaining is basic. It is a cherished privilege that is accorded to workers and employers, and the right must be properly observed and protected. But collective bargaining is inherently a voluntary privilege, not a mandate in any sense of the word. It has been said, and correctly so, that when workers voluntarily join a labor union the workers control the union; but if their joining is compulsory, then the union controls the workers.

STEVENS WORKERS OPPOSE BEING UNIONIZED

The J. P. Stevens Co. operates 71 plants and employs some 44,000 workers. It is an old, well-established, and efficiently operated concern, which has provided a market for natural fibers and employment for a vast number of people in the manufacture of textiles. It appears that a larger majority of the workers do not want to join the union. In fact, the union's effort to organize them in some 25 plants has been defeated in elections held at every plant selected by the union for tests. Yet, despite this repeated expression on the part of the workers, the union continues to demand unionization, and in pursuing this course has resorted to some highly questionable tactics.

This effort by the Textile Workers Union of America has been underway since 1963. Four cases charging unfair labor practices have been filed against the company. In each instance, the NLRB found the company guilty. Moreover, the second circuit court of appeals not long ago upheld the verdict against the company in the first case, initiated in 1964.

UNFAIR PUBLICITY

As a result of the suits and the verdicts against it, the Stevens Co. has received much unfavorable publicity. The ruling of each trial examiner has been widely reported. So were the NLRB rulings and the decision by the second circuit. The company has really taken some heavy punches.

In addition, the Stevens firm appears to have been roundly assailed during hearings before a congressional committee. Even the special counsel of the committee, Prof. Dan Pollitt, of the University of North Carolina, has gone far beyond the call of duty to publicly take Stevens to task.

In many letters received by Members of Congress, and in the news media, union members have also denounced Stevens. William Pollock, President of the Textile Workers Union, in his testimony before the committee, pulled out all the stoppers in a castigation of the company and for good measure gratuitously included almost the entire southern textile industry because the majority of the southern textile workers are not organized. Pollock made it quite clear that was what he was mad about. Indeed the union leader blamed most of the economic ills of the South—going back to the Civil War period—on the nonunion status of the textile industry and other southern industries. He made it quite clear that he does not believe in voluntary unionism.

The company has been smeared and must have been injured, along with the entire southern textile industry, few of whose workers have chosen to join unions. An objective observer would, I believe, conclude that it has been a ruthless and rather vicious war that has been waged against this concern.

TEXTILE INDUSTRY HARD PRESSED

Staying in business and making a success in the textile business has certainly been no bed of roses in recent years. Many have not survived. Much of this trouble has been due to excessive imports. The textile business is a major industry and employs nearly a million people, but seems a stepchild insofar as the Federal Government is concerned. A rather large number of us in the Congress, representing districts where mills are located and where the natural fibers are grown, have been quite active in recent years in efforts to keep this industry from going under. We have encountered formidable resistance in the State Department. The so-called Kennedy round of trade agreements lowered textile duties, and did harm to the stability of our domestic industry. And on top of all this, labor problems have been aggravated by Government agencies which have actively helped the unions in their efforts to unionize textile workers even when they do not want to be organized.

It naturally follows that Stevens officials have been forced to take much of their valuable time, at great expense, to deal with these attempts. And Government activities have added to this burden. Federal power can be awesome, and when combined with the union powerhouse the struggle becomes very unfair and lopsided.

In meeting this combination the Stevens Co. has shown remarkable courage. It has tenaciously stood by its employees. The firm is reported to have told its employees that they had a right to join a union if they wished to, but also told them it did not believe they would be benefited if they did join. This was in keeping with the finest traditions of industry-employee relationship in a free society. But, amazingly, in the eyes of the union officials and of the NLRB, such expressions constitute a major sin.

STEVENS WORKERS ARE HAPPY AND SATISFIED

It should be pointed out that Stevens enjoys a reputation as a progressive company. It commands the respect and gratitude of its employees. Since 1963 the workers at eight plants have voted down the union. One rerun election was held, with the same result.

When one takes into account the circumstances under which the elections were held, the results become very significant. The union had the choice of locations; that is, it could select the plants where there seemed to be the best prospects for victory. The Textile Workers Union has at its command major resources, and can draw upon the tremendous wealth and other resources of the AFL–CIO. The press reported that George Meany, president of AFL–CIO, went to the White House to urge the President to take punitive action against Stevens by canceling all the company's Government contracts. So determined is the union that it would resort to measures designed to weaken the company economically, and jeopardize the jobs of thousands of workers, in order to gain a victory to the liking of the union leaders. And it must be kept in mind that throughout this entire struggle the union has had the benefit of a powerful agency, the NLRB, in efforts to unionize.

NLRB EXAMINERS BIASED

Let us take a look at what the NLRB has done in this war. I have said that all three NLRB trial examiners ruled against Stevens after hearing many witnesses and after lengthy deliberation. Despite the time employed, the examiners reached their conclusions by a fantastic process of reasoning which made a farce of what was supposed to be a deliberate and objective proceeding. What did the trial examiners come up with? Believe it or not, they decided that the company witnesses were lying and that the union witnesses were telling the truth.

A sizable majority of the 450 witnesses

heard by the trial examiners were company witnesses. As was admitted by one of the trial examiners, Boyd Leedom, former Chairman of the NLRB, the company witnesses, on the whole, were honorable men with good reputations. Yet it was no problem for the examiner to find that virtually all of those witnesses had falsified. I have examined his explanation, a masterpiece of obfuscation and circumlocution. In brief, what he said is that the finding that the witnesses for the company were to lie under oath was made by Stevens officials. A search of the record reveals no evidence whatever to sustain this amazing conclusion.

Obviously, a decision which would persuade more than 250 witnesses to falsify unblushingly is most extraordinary and requires a lot of explanation. And Mr. Leedom's explanation is indeed extraordinary. What a fertile imagination the examiner is possessed of. He said that opposition to unionization, in the Stevens case, became in the nature of a crusade, in which the company witnesses were freed of a sense of individual guilt. Listen to his rationalizing:

> And so either believing or rationalizing that their position is just, they (the witnesses) engage in the common error of fighting real or pretended "evil" with evil. A dual standard of conduct—that is, one standard for the individual and another for an organized effort—has been recognized and applied throughout the history of mankind. War, out of which national heroes are born and are greatly honored by us all, is the prime example.

Mr. Speaker, I have seen a lot of tortured reasoning in my time, but this one takes the cake. Just imagine a paid Government official indulging in such fantastic thinking as a basis for a ruling deeply affecting the legal rights of a taxpaying enterprise. Boiled down, it simply serves to reveal his emotional bias against the company. It furnishes a good example of the extent to which he and other NLRB officials will go in their role of helping organize employees, and trying to force them to join unions. In my considered judgment, it is a deliberate insult to intelligence to conclude that the Stevens Co., or any other employer, could persuade more than 250 reputable persons to falsify under oath.

The simple fact is that neither Mr. Leedom, nor the other trial examiners, nor the members of the NLRB, believe for one moment that the witnesses conspired to perjure themselves. Otherwise the NLRB would have charged the Stevens' witnesses with perjury, as was its duty, and would have sought the punishment such perjury deserves.

There is indeed much more evidence to sustain the charge that the Textile Workers Union and the NLRB conspired to build a case against Stevens than there is that the company entered into a conspiracy with its witnesses. For example, over 2 years elapsed in the first Stevens case between the first alleged law violation and the examiner's decision. This served to allow an accumulation of other alleged violations and the results were used to sustain the Board's conclusion that Stevens has been guilty of "massive and deliberate" unfair labor practices. Overall, the workers fired, according to the union, for alleged antiunion activity, constituted only a tiny fraction of the entire labor turnover. Moreover, invoking the Leedom method of arriving at conclusions, the decision could be reached that the employees involved in the unfair labor practice charges deliberately conducted themselves in such a way that they would be fired. By doing so the union could build a case, and it was hard pressed for any semblance of a case.

I make no charge that there was any conspiracy between the union, the NLRB and certain prounion workers. Yet, there is circumstantial evidence to bolster such a conclusion.

As I have said, there is not one single bit of evidence to support the Leedom fictional theory that the Stevens Co. conspired with more than 250 witnesses so that the latter would lie under oath in order to forestall unionization. Yet, the NLRB accepts without question this ridiculous theory. Moreover, the findings that all the company witnesses lied, and that the union witnesses told the truth, has been accepted by one Federal court and probably will be accepted by others. The Federal courts do not go behind the NLRB findings of fact if the latter are supported by substantial evidence. In practice, this means that NLRB findings as to credibility are not reviewed.

EVIDENCE OF BIAS BY COURT

It is interesting to note that the second circuit court of appeals must have had some qualms about the finding that the company witnesses gave false testimony. A considerable portion of the opinion by Justice Feinberg discusses some of the discharges involved and decided that they substantiated the finding that the company witnesses perjured themselves, while the testimony by the union witnesses constituted the soul of truth. But it becomes quite apparent that Justice Feinberg carefully selected the discharges to be mentioned and picked out only those which tended to support his conclusions. The judge, for example, did not mention the case of one Jack Ross, who was fired, according to the company, after several written reprimands about his work. Nor did Justice Feinberg choose to go into the case of Garvis Powers who, his employer said, quit after he was discharged for operating a lottery in the warehouse. And he ignored other discharges where, it seems to me, the company witnesses made out a superior case.

Mr. Speaker, it is most unfortunate that the Congress tolerates this sort of travesty—that of having a worker engage in misconduct which would require any responsible employer to take drastic action, and have that incident used as an excuse for the filing of an unfair labor practice. The Congress should correct this inexcusable loophole. It perpetuates a travesty and condones a racket.

There is in the Stevens case evidence of manipulation by union lawyers in order to get a more friendly court to hear them. The first of the Stevens cases in 1964 was transferred, at the request of the union, from the fourth circuit of appeals. I understand it is well known among lawyers that the second circuit is regarded as more liberal than the fourth circuit—that is, more inclined to go along with the union point of view.

That attitude is not unusual, however, for Federal Judges these days. And it is well known in legal history that a liberal judge will in nearly every instance lean over backward to favor a labor union. Indeed the Supreme Court, now stacked heavily with liberals, is notorious for being prounion.

ALLIS-CHALMERS CASE

Here is an example of what I mean: In NLRB against Allis-Chalmers Manufacturing Co., et al., the high court in a 5-to-4 decision upheld a NLRB ruling that it was not an unfair labor practice for a union to fine a member who continues to work during a strike called by that union. In a devastating dissent Mr. Justice Black very properly pointed out that the decision placed the right of a union to control its members ahead of the statutory protection of the rights of individual workers in all cases.

Even the liberal Washington Post could not stomach his travesty by the Supreme Court. Commenting on the case, the Post editorial said:

> The answer of the dissenters . . . is pointed and severe: "The real reason for the Court's decision is its policy judgment that unions, especially weak ones, need the power to impose fines on strikebreakers and to enforce these fines in court." The dissenters go on to say that the Court has written this "new proviso" into the law despite a strong and clear purpose of Congress "to leave workers wholly free to determine in what concerted labor activities they will engage or decline to engage."

SUPREME COURT LIBERALS

Thus we find a senior Justice on that tribunal citing the fact that the five majority members had in effect written a "new proviso" into the law. Such outlandish decisions can be expected from the extreme liberals who are appointed by Presidents to serve on the Supreme Court. And incidentally, the last two appointments on that Court—one appointed this year and one last year—are well known as liberals. Yet, with no right of appeal or review of an action by that tribunal, the American people find themselves in a straitjacket—victims of virtual dictatorship.

Now, the Congress can, of course do something about this. It can correct the blooper committed by the Court in the Allis-Chalmers case, and it can limit the High Court's jurisdiction. It can also submit amendments to the Constitution—which, however, requires two-thirds vote of both the House and the Senate. But unfortunately those of us who feel that way simply do not have the votes to make the courts conform with the written law and the Constitution. And, even so, there is always the danger of the veto in case of changes in the law.

Mr. Speaker, I have mentioned the courts in order to further confirm the difficulties confronted by the Stevens Co. and hundreds of others in their struggle for fair play and survival. Their first obstacle is, of course, the NLRB, which has been described as an adjunct of the AFL–CIO. That agency's trial examiners had to strain themselves to the extreme in order to find Stevens guilty of conspiring to violate labor laws.

I spoke of Mr. Leedom's dream which he ingeniously converted into a legal premise. But he at least did try to tell why he believed the union witnesses and disbelieved those for Stevens. One examiner, Thomas Ricci, frankly said there had been no evidence given him to support the union's contentions. This did not faze him. He simply said Stevens had been found guilty of violation in the past, therefore it must be guilty in the case which he was hearing—a veritable masterpiece of logic.

JUDGE ROY BEAN—LAW WEST OF THE PECOS

Mr. Speaker, on the walls in my office there is an enlargement from an actual photograph of a court scene presided over by one Roy Bean. A trial of some horse thieves was in progress, and the scene is on the front porch of a ramshackle frontier building, with the judge hearing witnesses. Signs on the structure read: "Judge Roy Bean, Notary Public," "Law West of the Pecos," and "Justice of the Peace."

That old building remains today, just west of the Pecos on the Rio Grande, located at Langtry, Tex., in the district I represent. It is preserved and maintained as a sort of landmark by the State highway department. In frontier days before the turn of the century, when few counties in the area had been organized, Bean assumed authority, and served as judge, jury, and prosecutor simultaneously. He was often so firm and positive in the exercise of his authority that for years no one undertook to question his right to operate as he did. He performed marriages, granted divorces, and assumed jurisdiction over any case from murder to malicious mischief. I have personally talked with people who knew him and saw him in action.

Now, today we may poke fun at Roy Bean's operation. We may ridicule his arrogance and his distortion of justice. But in reality the "Law West of the Pecos" is being reenacted today, only more dressed up, more prestigious, and more sophisticated.

Some of the judge's maneuvering could be cited proudly as precedent today in decisions of the NLRB and some of its trial examiners. And by the Supreme Court as well. Roy Bean assumed authority he did not have as a matter of law; so does the NLRB and its examiners. And so does the Supreme Court. Judge Bean made laws and made policy, without regard to legislative direction; so does the NLRB and its examiners. And so does the Supreme Court. Judge Roy Bean's decisions rankled with bias and prejudice, irrespective of propriety and merit; so it is with the NLRB and its examiners. And so goes the U.S. Supreme Court.

Judge Roy Bean was ahead of his time.

STRANGE NLRB ORDER

But as was typical of Judge Roy Bean's practice, absence of law or precedent was of no concern to the NLRB in the Stevens case. And, as might be expected, the Second Circuit Court of Appeals went supinely along with the Board. Although admitting that the Board "went beyond the conventional," the court was content to treat the orders as a way to deal with "a major campaign of illegal antiunion activity, spearheaded by retaliatory discharges."

Accordingly, the court upheld the NLRB orders that the company post the decision against it in all 43 of the North and South Carolina plants. The requirement that the company assemble its employees during working hours and have someone read the decision to them was slightly modified. The court decided the orders were to be read only at the 20 plants where unfair labor practices were found and that Board officials, instead of Stevens employees, might read them.

Stevens, of course, had no option but to appeal to the Supreme Court and take its medicine, whatever it may be. Still another case, in which the decision is directly opposite to that of the second circuit, is reported to be on its way to the Supreme Court.

In this instance the NLRB ordered that the employees of a company, Scotts, Inc., of Holland, Mich., be assembled to hear an order against Scotts read. The Court of Appeals for the District of Columbia reversed the order. Justice Tamm hit the nail on the head when he said:

> The ignominy of a forced public reading, and a "confession of sins" by any employer, any employee, or any union representative makes such a remedy incompatible with the democratic principles of the dignity of man.

If the Roy Bean-type orders by the NLRB in the Stevens case are finally upheld, these would apply in other instances where companies balk at helping organize their workers. In another Stevens case, the NLRB ordered the company to furnish the union the names and addresses of all its employees in the Carolinas. Clearly, this was designed to help the union in its work of organization. Yet the NLRB was created by the Congress to be strictly a neutral agency, beholden to neither management or labor.

Within recent years the courts have shown keen awareness of individual rights, and in that respect have on occasions gone to the extreme in the case of hardened criminals. Many confessions have been thrown out because the courts said they were made under duress. Now, in disposing of the Stevens appeal it will be interesting to see if the Supreme Court applies a double standard in that respect, where a company has been ordered by the NLRB to confess its guilt.

FREEDOM OF SPEECH

There is one other aspect of the Stevens case I should like to mention. It relates to freedom of speech. Stevens posted a notice giving the company's views about the organizing drive. Among other comments one stated:

> (1) This matter is, of course, one of concern to the Company. It is also, however, a matter of serious concern to you and our sincere belief is that if this Union were to get in here it would not work to your benefit, but, in the long run, would itself operate to your serious harm.

The company went on to advise that it would not be necessary for any employee to join a union in order to work, that union membership would grant no preferred treatment by the company, and concluded:

> (2) If anybody causes you any trouble at your work or put you under any sort of pressure to join the Union, you should let the Company know, and we will undertake to see that this is stopped.
>
> (3) No person will be allowed to carry on Union organizing activities on the job. Anybody who does so and who thereby neglects his own work or interferes with the work of others will be subject to discharge.

Now, Mr. Speaker, in this land of free speech, what is wrong with that advice? Has our system of government degenerated to the point where an employer—those who invest and risk capital and create jobs and pay taxes—cannot communicate their honest views to those whom they employ, with respect to what they deem advantageous to those workers? Yet, the NLRB said the notice constituted a violation of the law and was upheld by the second circuit. The court upheld the Board's conclusion that the prediction of "serious harm," to the workers from unionization constituted coercion.

It is well known that the advantages or disadvantages of unionization in plants are the subject of honest disagreement. In some cases unionization works well; in others it creates far more problems than it solves, generates internal conflicts, loss of work from strikes, and so forth. In fact, there are today 18 States which prohibit compulsory union membership in order to work. This serves to confirm a widespread viewpoint that unionization is not necessarily desirable. In other words, honest people entertain honest views both for and against the question of advantage of unionization. Some honestly think that in a particular situation "serious harm" may result from this—and admittedly they may be right; while others disagree.

In its petition to the Supreme Court for review of the second circuit decision, the Stevens Co., raises the following question:

> May the Board prohibit the employer from expressing to his employees his "sincere belief" that the Union would not work out to their "benefit", but "in the long run would itself operate" to their "serious harm"?

For many years agitators have gone up and down the land, preaching lawlessness, race hatred, race war, and violence and destruction. Yet, in most instances the authorities have stood by and the Justice Department insists nothing can be done to interfere with the constitutional right of free speech. But when a company tells its workers, to whom it owes an obligation by virtue of the employer-employee relationship, that in its considered judgment unionization would harm their interests, the NLRB and a Federal Court rules that this constitutes an unfair labor practice. Are we in this country operating under a double standard with respect to the exercise of freedom of speech?

MORE PROUNION NLRB ACTIVITY

An amazing development during the war against Stevens has been the demand by the union that Government contracts with Stevens be canceled because of the trumped up unfair labor practices upheld by the NLRB. The Comptroller General ruled last year that this does not warrant cancellation of such contracts. Yet, the union persists in its demand, and certain

irresponsible politicians join in the clamor.

This tirade against Stevens has, however, paid off for the union. The Labor Department did cancel a contract with Stevens for training employees on the job. This occurred on May 1, 1967. The $50,000 contract was summarily canceled at the behest of Mr. Pollock, head of the Textile Workers Union and the Department of Labor has revealed no reasons for its action. Who suffers from this cancellation? Only the workers affected?

Mr. Speaker, I am personally deeply concerned about the NLRB's conduct in the area of labor-management relations. Its repeated abuse and misuse of power has been documented in scores of cases. Only recently I have cited and documented several instances of this kind, and have put them in the CONGRESSIONAL RECORD. I cited, for example, the cases in my own district of the Patio Foods, Inc., of San Antonio; the B. & W. Engineering Co. of San Angelo, Tex., Stevens Sash & Door Co.; and the Lone Star Textiles, Inc. In each of those cases there is not even the shadow of doubt as to the extremely prounion bias employed by agents of the NLRB.

The Stevens case illustrates the desperation of the unions and the NLRB over the state of the union movement, which lags far behind the growth in the work force. It bespeaks a growing lack of labor statesmanship in the labor movement. Resort to subterfuges, compulsion, and even violence in order to add dues payers to union rolls, have become a common practice in the past of mercenary and power-hungry union leaders. The exposing rays of the midday sun should be focused on these practices. And the NLRB has become particeps criminis to this tragic development.

NLRB HITS STEVENS AGAIN

Throughout the proceedings against Stevens runs the concern of the NLRB and union officials that ordinary remedies which the Board applies in the average unfair labor practice case will not force the company to capitulate. Unusual remedies were employed. Saying that the firm had engaged in "massive and deliberate" unfair labor practices, the Board ordered Stevens to—

First. Mail copies of the required notices to all employees of the J. P. Stevens plants in North and South Carolina.

Second. Grant the union, for 1 year, reasonable access to bulletin boards and all places where notices to employees are customarily posted.

Third. Convene, during working hours, all employees and read the contents of the notice.

Under the circumstances these remedies were novel and went far beyond the recommendations of the trial examiner. It is known that in many cases where many more employees were found by the NLRB to have been wrongfully terminated, the Board issued no such orders. Then why Stevens?

Quite obviously the Board was determined to put the Stevens Co. in a bad light in the eyes of its employees. The company complained that the notice the NLRB ordered Stevens to sign and post and mail and read was nothing short of a confession of guilt. The NLRB's notice spoke repeatedly of the company's "discrimination" against employees in terminating them and of Stevens' "discriminatorily" withholding work from them.

This very procedure drummed up by the NLRB is an undisguised confession of guilt by that Board—guilt of its prounion bias and its anti-Stevens prejudice. It was an unvarnished Roy Bean concoction because there is nothing in our labor laws which authorizes the three extraordinary steps trumped up by the Board.

NLRB MUST BE REPLACED

Most of the eminent authorities on this subject agree with me. Let me cite one. Kenneth C. McGuiness, former general counsel of the NLRB and now a Washington attorney specializing in labor law, summed up the attitude of that agency in a book. He had this to say:

> Irrespective of one's philosophy or predilections, and regardless of the objectivity of any analysis, the new Board's divided opinions provide an impressive basis for the conclusion that the Kennedy majority is undermining the purpose of the statute, frustrating the intent of Congress, and demoralizing major areas of labor-management relations. These are strong words but, once more, the cases speak for themselves.

He added:

> The new Board has persistently undercut employee freedom of choice and protection whenever in conflict with the growth of labor unions. The organizations whose rights are derivative have been favored over the source of those rights.

Frankly, I am afraid that agency is beyond reform, so deeply imbedded as it is with prounion bias. A study of the war on Stevens will confirm that fact, when viewed objectively. And scores and scores of other cases could be cited. We have reached the point where a change in the system is simply imperative. Accordingly, I have introduced a bill to replace the NLRB with a labor court, geared to the times, with built-in protection against willful miscarriage of justice as applied to the employer and the employee alike.

In conclusion, let me repeat: In the Stevens case the union's effort to organize in some 25 plants has been defeated in free elections held at every plant selected by the union for tests. Despite the fact that the vast majority of the Stevens workers do not want to join the union, a war of major proportions has for 4 long years been unleashed against this employer, aided and abetted by the NLRB.

The conduct of the Stevens Co., at great expense in time and money, in resisting this arrogant attempt to rule or ruin, should serve as an inspiration to all Americans who adhere to the practice of freedom and fair play within the framework of our cherished free enterprise system.

The Roy Bean system of justice should be laid to rest.

THE RECENT HURRICANE IN TEXAS

The SPEAKER. Under a previous order of the House, the gentleman from Texas [Mr. DE LA GARZA], is recognized for 60 minutes.

Mr. DE LA GARZA. Mr. Speaker, Members of the House, approximately 1 month ago, one of the most devastating hurricanes in the history of the United States hit my congressional district in my area of south Texas with great devastation. I would like to make a report to the Members of the House concerning this hurricane and the work that was done by the people of my area, by the State agencies, and by the Federal agencies, concerned in affording relief to the people of the stricken area.

Even before the hurricane struck, Mr. Speaker, I was constantly kept advised here in Washington by the Weather Bureau of the path of the storm. I can never offer enough commendation for the wonderful work the people of the Weather Bureau did from their New Orleans office and from their base, also, in Brownsville, Tex. They maintained constant track of the storm throughout the path it took to come to our area. I was being informed hourly of its progress as it was heading toward our area in south Texas.

As Members of the House know, the Weather Bureau now has a great scientific hurricane hunting setup, in which they use planes and radar and satellites, which help them track a storm. This was of great benefit to the people of our area, because all the necessary precautions were taken to see that there was no loss of life.

To the credit of the people of the area who performed the work, Mr. Speaker, and thanks to the advance warning which the U.S. Weather Bureau gave, there was no loss of life whatsoever during the devastating winds and the flood afterward. Also, I commend the MARS system—that is the Military Affiliate Radio System—which cooperated with me throughout the day and the night of the hurricane. As the winds were hitting our areas, telephone wires and electrical wires were coming down as the fury of the winds increased.

Mr. Speaker, here in Washington, I had no way to keep in touch with my people in the area except through the MARS system, in which they use what we commonly call the "ham" operators. These operators were able, sitting here in Washington, to speak by radio to a ham operator somewhere in my district, who would attach his instrument to a telephone and let me speak to the different officials throughout the area of concern during the fury of the hurricane. I cannot commend these operators enough for allowing me to stay in touch with my constituents.

I might just give an example of how the operation works, and the wonderful job that these civilian ham volunteer operators do. Mr. Speaker, at one time during the night I was trying to get in touch with the disaster center at the department of public safety in Austin, Tex., which was coordinating all of the information from the stricken area.

We were able to make a contact by radio with a lady in Tyler, Tex., who from Tyler, Tex., placed a long distance telephone call to the center at Austin, Tex. Therefore, even though we were not able to directly communicate by telephone or even by radio at that precise moment into my area, we were able to get through to the Texas Department of Public Safety at Austin, where they did

have radio contact with their units in the south Texas area. In that way we were able to keep in constant communication.

Just over a month ago, immediately after the hurricane subsided, Mr. Speaker, I left here, not knowing that the great floods which were to follow were on the way. I might say that in trying to fly into the area, I finally got as far as San Antonio, Tex., when all flights into the area were canceled. The roads were flooded, and there was no way to get in, other than for the valiant determination of one unknown man, because I yet do not know his name, a Trailways bus driver who took a group of people in, myself included. It was the last bus to get into my area in those few days. This was the way I was finally able to arrive in the area.

Upon getting to the area, Mr. Speaker, of course I found there was great devastation from the winds. Really, I do not wish for any of my colleagues in the House to have to go through the ordeal of having to see a virtual paradise, such as we claim the lower area of south Texas is, in such devastation as I saw there.

To the great commendation of the people of that area, of the Federal and State governments and the local governments, they were already in the process of coming back from the blow that had been struck them.

I saw the Red Cross set up refugee centers there. In the final analysis, Mr. Speaker, they took care of some 400,000 to 500,000 people. They afforded them shelter from the winds. After the winds subsided, they afforded them shelter from the floods. They fed them. They got clothing for them. They got medicine for them. They got volunteer workers to cooperate with the Red Cross in affording to the people the relief which they needed at that time.

Also, Mr. Speaker, in this time of great turmoil throughout the world, in which we see countries divided by barbed wire, such as in Europe and the Middle East, and in which we see neighbors fighting other neighbors, in this day of strife and turmoil in our area there was no border between the United States and Mexico. By declaration of both Presidents there were no formalities for crossing the border. Each one was to go as he saw fit on either side of the Rio Grande, to receive whatever aid or help he needed.

In an area of Mexico close to one of their dams which was at the time being flooded there were some 15,000 people, whose only high ground to go to was on the American side of the river. They came into the small town of Rio Grande City, and Roma, Tex., where they were received. They were housed in the churches, in school gymnasiums, and in private homes. No question was asked, "Where do you come from? What is your nationality? What is the responsibility of your government?"

Our Government, our volunteer agencies, and all the people in the area opened their hearts and their homes, and shared their food, water, and clothing with all those people.

This should be an example to the other peoples of the world, Mr. Speaker, of two great neighbors doing what they can in the hour of need by helping each other as best the situation would allow.

The Governor of the State of Texas, Gov. John Connally, arrived in our area shortly after I did. I had the privilege of inspecting the area with him, from one end to the other. It was a very gratifying situation to be able to go into the refugee centers, not knowing whether those people were U.S. citizens or Mexican citizens, but having the Governor of our great State of Texas come in and ask, "Are you being fed? Are you being taken care of? What can we do to make your life a little bit easier under the circumstances?"

I might add that not much later the President of the United States, Lyndon B. Johnson, also came to our area. I had the honor and the privilege of escorting him through the stricken area. He also had the same concerns, namely, are these people being fed and do they have sufficient clothing. He went so far as in a few words of Spanish to ask a woman from Mexico how many children she had and were they getting enough milk. This shows the concern of our Government, Mr. Speaker.

I know we have difficulties and we have fiscal problems, and I know we have many more important things to do in achieving leadership in the world, but when the President of the United States and when the Governor of one of our sovereign States takes the time to come and visit a stricken area to see that the lowliest person is receiving all of the aid possible, it makes you feel proud of your country and of its leadership.

I could not commend more sincerely the President of the United States and the Governor of the State who came there in their position of leadership.

Mr. Speaker, in the legislative field I might also add that both Senators from Texas, JOHN TOWER and RALPH YARBOROUGH, came into our area on their own, and then again when the President came down there. From our side of the Capital, a subcommittee of the Committee on Public Works came at my invitation to inspect the area. Mr. Speaker, let me digress just a moment because I have spoken of the Red Cross here. There was a magnificent job done by the Salvation Army. I think I will never pass one of the ladies with the tambourines of the Salvation Army without feeling greater respect and admiration for this organization because they came as volunteers, as did the people of the Red Cross, from throughout the United States. They brought gifts and fed the people in the refugee shelters and in the schools and in the streets, and they brought all of the aid that was available to them. I felt good in knowing that these private agencies were there.

As to the Federal agencies, which we have more direct dealing with, Mr. Speaker, beginning with the U.S. Department of Agriculture, they provided food for the Salvation Army and for the Red Cross to distribute. They provided staples for all of the refugee shelters, and they were down there shortly before the storm hit, stayed throughout the storm and afterwards, providing all of the surplus commodities and everything else that was at their disposal.

Then, of course, comes the time for reconstruction. After the presidential declaration of a disaster area, the Office of Emergency Planning came in. Of course, they were already there in preparation for this, knowing that the declaration would come forthwith after the disaster. They were there, and they are still there cooperating with our cities and counties and providing that help which Public Law 875 allows in this type of a declaration of a disaster area.

The Small Business Administration is there, also, facilitating loans to all those who might need them.

I would like to state that the first application for a loan from the SBA immediately after the storm on September 22 was granted. On October 2 the first checks were distributed to some of the borrowers in Brownsville, Tex.

The Farmers' Home Administration was also there offering aid to those in the agricultural field.

I might add here, Mr. Speaker, that, of course, there is very little experience in this type of disaster. And, there is very little precedence for the things that needed to be done. So many of the requirements of the area could not be met at that particular time by these agencies. However, they have been most cooperative with me in the days after in trying to solve the specific requirements of our area.

Mr. Speaker, daily, the Small Business Administration or the Farmers Home Administration makes a further declaration of policy that is available to our area but which was not immediately available when they first went down there. Loans to the farmers whose crops were destroyed, loans to the citrus growers whose citrus products were virtually blown off the trees—and instances in which most of the crop was lost, help and assistance was extended to them as well as to the shippers who sell or package these products after they are harvested.

So, Mr. Speaker, they are cooperating with us. Slowly, as I run into an area where there is no precedent or regulation, we are continuously striving to meet this requirement or the requirements as they arise in the area.

Also, I would like to add here, Mr. Speaker, the fact about the great help that was performed and extended to our people by the military. This in my estimation was aside from the international commitment of our armed services. This was the greatest cooperative effort of the armed services in peacetime about which I have ever known.

Mr. Speaker, the Civil Air Patrol, an organization about which all of us know, was already on the ground setting up a communications network and flying as spotters for marooned people in the flood areas.

Mr. Speaker, the first group to come in was the Coast Guard with helicopters. Immediately after that the Army organized a task force known as "Bravo." They came in with helicopters, they came in with mobile kitchens, they came in with medical supplies, they brought in various elements of the Air Force which were needed to evacuate people, they brought in staples forwarded to the area by the Department of Agriculture in Air Force transports. They performed one of

the most beautiful jobs that the military could possibly perform in peacetime. The helicopter pilots, Mr. Speaker—and I flew with a great number of them—took no rest for the greater part of the days during which they were there. They had very little food. It seemed as if they were thinking that "these are my people and this is my home," because they assisted in trying to bring out everyone from the tiniest baby that needed to be flown from a refuge shelter to a hospital. They took the largest load of which they were capable of transporting in one of those big Chinook helicopters.

Mr. Speaker, these people of the helicopter service came in there and took no time for rest. I might add that the machines gave out before the fliers did. The general in command told me that he practically had to force the pilots to take a rest but that the machines just can perform for so many hours they have to be checked and before they require inspection. The Corps of Engineers deserves special recognition for their participation also.

Mr. Speaker, it is with great pride in the armed services of the United States that we should note the fact that the mechanical equipment gave out before the men did, and of this I am very proud and very thankful that these men should extend themselves to this point in this great crisis.

Mr. Speaker, in many instances this service was performed at great danger to the people involved who came in to help the people of our area. All of the other Federal agencies, Mr. Speaker, including the Interstate Commerce Commission, the Public Health Service, General Services Administration, the Department of Labor, HEW, the Immigration and Customs Services, the Food and Drug Administration, and even the Internal Revenue Service, have come into the area and have held seminars informing the people as to where they may claim a tax deduction for some of the losses which the people sustained during this most severe hurricane. We had people from all of the areas of the United States coming in attempting to be of service to us.

Then, we had our local people themselves. The National Guard was activated and served with a most distinguished manner in our area. I know that the National Guard was a great stabilizing effect in holding the situation down and in preventing any type of mass law violations. Of course, we have the type of people who are not known for their violence. I might add that some of the representatives of the news media kept asking the question, "What about looting?"

What about looting? In the areas where there was devastation and great destruction there was no single instance of looting that I know of throughout the area except one that they mentioned, and I dare say he might have been in need of it, someone had broken into a liquor store and taken one bottle. Otherwise there was no looting that I knew of, or that anyone was aware of.

Mr. MONTGOMERY. Mr. Speaker, will the gentleman yield at that point?

Mr. DE LA GARZA. Yes, I am happy to yield to the gentleman from Mississippi.

Mr. MONTGOMERY. I want to commend the gentleman on this very timely subject in relating his experiences in connection with the terrible hurricane in his district. I have also had some experience, having been in the National Guard back in the 1940's in Mississippi, and I was down on the Gulf Coast when there was a major disaster caused by a hurricane at that time. I was comparing my experiences with what the gentleman has said, particularly in regard to the number of various agencies and organizations that come to the aid of people when they are in trouble.

However, one thing has amazed me that the gentleman mentioned, and that is the lack of looting in Texas and in Mexico, that occurred during this disaster. It has been my experience all over the country, and also through participation in these disasters, that there is a fair amount of looting. People will come from all over the country to see if they can pick up goods of value from stores, and even going into the homes of the people, and I am really surprised to hear the gentleman say that there was really very little looting that took place.

Mr. DE LA GARZA. I thank the gentleman for his contribution, and I say very proudly that so far as I know there was only the mention of one case of looting, and I do not know if that one was verified.

Of course, as the gentleman has mentioned, there are people who will come from the outside to take advantage of a situation like this, and who do come in and possibly do loot, but not the local people of the area, because I cannot see how anyone who has gone through the terrible dangers of a hurricane, and who has experienced the flooding that occurs afterwards, would have the time or even the inclination to take something from his neighbor who has suffered along with him.

Mr. MONTGOMERY. Will the gentleman yield further?

Mr. DE LA GARZA. Yes, I yield further to the gentleman from Mississippi.

Mr. MONTGOMERY. I would also like to commend the gentleman for going down into Texas when he knew a hurricane was developing, and one that possibly could strike in his district. I also might say that I saw the gentleman on national television, so I certainly know the gentleman was in his district.

Mr. DE LA GARZA. I thank the gentleman for his statement. There always is, in a situation such as this, the question of whether one should go or not go, and I had to resolve that question in favor of going because I have been taught since I was a very young child that when your neighbor is in need, even if they are such as me, that one should go and say "Here I am for whatever I can do, and for whatever little contribution I might make." I felt it was ncessary to let my neighbors know that I was there in their hour of need. And really they are not my neighbors, they are my people, and I am one of them, and that is why the decision was made that I should go and be there with them.

Then, Mr. Speaker, after I had gone there and thought the worst was over, it was yet to come because of the terrific rains.

We have an internal floodway system which discharges water from the Rio Grande, and from there into the Gulf of Mexico. The International Boundary and Water Commission has jurisdiction of this internal floodway. I might add that under the circumstances the floodway contained as much water as was possible. I actually understand it was designed to carry some 140,000 cubic feet of water per second, and at one time it was carrying almost 200,000 cubic feet of water per second, so you can see that the floodway system was taking a much greater burden of water than was planned for it, but it did contain most of the flooding.

Had we not had the floodway system, my area would be no more. I can say that our International Water Boundary Commission did a beautiful job under the circumstances in providing the needed equipment to fix the levees where they might have breaks.

Afterward we had flooding in the city of Harlingen, and the city of McAllen, and several of the other cities and rural areas, either from the river or from the lack of adequate drainage in some areas, or just because of low ground.

Mr. Speaker, I will not take all of my time except to say that I am speaking without notes and that if I missed naming any one, it is not because they did not participate but because I could not think of them at this time. But everyone who was asked to, did cooperate and everyone came and everyone helped with their resources and helped beyond the limit and availability of their resources. They came and they helped unselfishly.

I cannot say any more. There is no beginning and there is no end of those who helped. Let me talk about the young people. You talk about the younger generation. You talk about the young people in high schools and in colleges and you see how they are publicized in what they are doing. But you should have seen the young people in my district. They were filling sandbags. They were helping in the refuge shelters. They were acting as interpreters when there were people from Mexico. They were acting as runners for the civil defense organization and for the volunteer agencies such as the Red Cross and the Salvation Army. I do not have any question about the future of those young people in my district. Oh, they might publicize someone who gets out of line now and then. But I think if we all look back, we were out of line now and then. I cannot do anything but commend the young people of that area because really I think we learned a lot from them. They brought the whole high school football teams and the coaches and teachers and worked as a team on the football field. That is how they filled the sandbags—when one more sandbag meant the difference between whether a city would be under water or not.

The young people were there—the Boy Scouts and the football teams and the bands and every organized unit in our

high schools and colleges in that area were there.

So I think they publicize too much what the young people may do that is wrong. I am here to say that I saw what they did there and what they did was right and, by golly, they did a lot of things that were right.

There is no beginning and no end to the number of civic clubs, the churches and the teachers. I think this would be of interest, Mr. Speaker. When a school was opened up for the refugees to come in, the teachers who taught in that school would work in the school or the center and would help with the problems of the refugees. A nurse in that school became the nurse in that refuge. The principal became the organizer. I think the schools and the administration of the schools and the schoolteachers did a fabulous job in this respect throughout the area.

The churches opened their halls and their meeting centers. In the city of Rio Grande the Catholic church itself was opened for the refugees to come in. It was a great thing to see the priests and the nuns and in the other churches to see the preachers and ministers and the lay leaders of the churches working to see that the people were fed and to see that they had a dry place to stay.

I must also offer great commendation to the private sector. All of us know that communications is very, very important. The telephone companies that, of course, are private industry, brought in people from throughout the South to open up lines of communication as rapidly as possible.

The people in the electric industry, the private sector that provides electricity, brought in people from throughout the area. They pooled their resources.

The different telephone companies and the different power companies pooled their resources and brought in people immediately into the area and even before the winds had subsided they were there setting up powerlines and setting up telephone systems.

The REA in our area, the electrical and telephone systems, also did fabulous work. They cooperated all together. Those who did not have trouble in the outer area sent their work crews to work in our area.

So, Mr. Speaker, in conclusion I would like, in behalf of the people of the 15th Congressional District of the State of Texas thank all of the agencies of the Federal Government who cooperated and helped us and who participated with us and who are now participating in this good work.

I commend all State agencies that participated during the crisis and that are now participating. I commend all the private sector, industry and citizens alike. I commend all of those from the outside who came to our aid in our hour of need.

Mr. Speaker, there is an old hymn that, if I remember correctly, has a chorus that goes something like this:

Oh, Beulah Land, sweet Beulah Land,
Upon its highest mount I stand
And look away across the sea
Where mansions are prepared for me.
Praise God I am living
On a mountain
In Beulah Land.

There was no mountain in the Texas gulf coast area where Hurricane Beulah struck in the third week of September 1967. But south Texans have built their own mountain—a mountain of faith and determination—and with the help of the good Lord and of their government and of their own determination in this time of dire need, they will bring their land back to a position of enduring economic strength. I know they will and for this I am proud of them, terribly proud, for these are my people.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12474) entitled "An act making appropriations for the National Aeronautics and Space Administration for the fiscal year ending June 30, 1968, and for other purposes."

The message also announced that the Senate disagrees to the amendment of the House to Senate amendment No. 1; further insists on its amendment No. 2, disagreed to by the House; and requests a further conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. ELLENDER, Mr. RUSSELL, Mr. HOLLAND, Mr. PASTORE, Mr. ANDERSON, Mr. ALLOTT, Mrs. SMITH, and Mr. HRUSKA as conferees on the part of the Senate.

PRESIDENT JOHNSON PUTS VIETNAM IN PROPER PERSPECTIVE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. PUCINSKI] is recognized for 30 minutes.

Mr. PUCINSKI. Mr. Speaker, today President Johnson delivered an historic speech when he vowed that the United States would continue to fight for its goals in Vietnam and would not be swayed by frustration, impatience, or willingness to stay the course.

United Press reported his speech as saying:

Peace and stability will come to Asia only when the aggressors know that they cannot take other people's land by force.

Speaking at a convention of the International Federation of Commercial, Clerical, and Technical Employees at the Shoreham Hotel, President Johnson said further:

In every way we can, we search for peace in Vietnam. But we appear to be searching alone. Those who began the war are not willing to explore ways to end it. They cling stubbornly to the belief that their aggressions will be rewarded by our frustrations, our impatience, and our unwillingness to stay the course.

It will not be so.

The Asian allies fighting with the United States shared this position.

President Johnson perhaps put the finger on the whole basis of the war in Vietnam when he quoted a leading public figure in a free Asian country who, recently talking with the President about the United States, said:

This is perhaps the first time in history that a world power has consciously used its strength and wealth to promote the interests of weak and poor nations.

The President said:

I believe that tribute is well deserved.

President Johnson expressed a conviction that out of the present conflict "a concept of world order is quietly emerging which offers the world its best chance for a constructive change."

He described this concept as a "new concept of community."

The logic of this idea first became evident in Europe, the President said, adding "the European Common Market was the result of this thinking."

The President went on to say:

In Latin America economic integration is clearly seen as the key which can unlock strength dreamed of for centuries.

In Asia the same idea has now begun—for the first time—to persuade separate nations of their common purpose.

"Africa, too, is feeling the stirrings of a regional spirit," he added.

President Johnson said that only in the Middle East "ancient rivalries and frustrations" seem to inhibit the prospect of cooperation.

And the President added:

But in our search for new solutions to old challenges, there is hope even here that men will look together at problems they share.

Mr. Speaker, I believe the President's speech is a historic speech.

I hope it will be widely reported and widely reprinted, because indeed in the one statement of his speech, President Johnson, has put this whole conflict in Vietnam in proper focus, when he quoted the Asian as saying:

This is perhaps the first time in history that a world power has consciously used its strength and wealth to promote the interests of weak and poor nations.

I am convinced, Mr. Speaker, if we stand with the President in this firm belief, when Vietnam returns to peace—as it shall—we will see a long, long era of peace.

The President placed in proper perspective the overall hopes and long-range aspirations of the United States in driving for victory in Vietnam. These hopes get lost in the day-to-day reports of casualties and debate on Vietnam.

The fact of the matter is that this country is in Vietnam today in a continuing effort to help small nations in distress against Communist aggression. What we are witnessing in Vietnam today really started 20 years ago in 1947, in Greece, when America came to the aid of Greece—beleaguered by the Communists' frightful drive to destroy Greece; take her over and then have clear sailing through the Mediterranean into Africa and the Middle East and Southeast Asia. What we are witnessing in Vietnam today is a continuation of a vast struggle against communism.

I submit what we are seeing in Vietnam today may very well be the showdown between the aggressive designs for

world conquest by international communism and the peaceful designs of the United States and her allies.

I say the President's emphasis on this point, that we are for the first time using our strength and wealth to promote the interests of the weak and poor nations, will have widespread ramifications as this historic speech penetrates the nations of the world.

The other day, Mr. Speaker, we observed United Nations Day. I think it is interesting to point out that when the United Nations was founded, it had 51 nations in its membership. Today it has 127. Most of these are small nations. Many of them are smaller than some of our large States in the United States, but each one of these newly emerged nations reflects the great revolution that has taken place in the last two decades—the revolution which gave living expression to man's historic yearning to be free, the revolution against colonialism and all other forms of subjugation.

I think the President's speech today is one of the most historic announcements that has come from the White House, because his speech today assures these small, newly emerged nations that the United States intends to establish an order of peaceful relations in this world and to renounce once and for all man's desire to resolve his conflicts on the battlefield. The President's assurances today are that this Nation is ready and willing to stand in defense of small nations that want to belong to the community of free nations.

This speech is important because it serves notice on those who would want to escalate this war, not to make the mistake of miscalculating our intentions. A study of man's conflicts shows that all of history's big wars have been started by miscalculation. The most colossal miscalculation in the history of civilization was perpetrated by Hilter, who believed, according to records we have since captured in Berlin, that the United States would not respond to his aggression. This was a colossal miscalculation which brought the world to World War II.

The President's firm statement today enunciating our principles and our determination, in my judgment, serves to clear the air and will avoid any miscalculation of our intentions.

I believe that in the day to day debate about Vietnam we lose track of the fact that we are winning this war in Vietnam. It is not a stalemate.

It is not the kind of stalemate that we witnessed in Korea 14 years ago, where to this day, week in and week out, our mission meets at Panmunjom trying to get the Communists to work out some sort of peace treaty there, so that we can release our troops now stationed in Korea. The Communists have violated every single point of the 1953 truce agreement in Korea. The Communists have turned North Korea into one of the most formidable military bastions in the world today, contrary to their pledge made in 1953 at the time of the truce.

We do not want another stalemate like Korea. What we are driving for now in Vietnam is victory.

I believe there are straws in the wind which clearly indicate that we are on the right track toward that victory. While I believe that war is much too important to arouse false hopes of early victory, and I believe the President has shown tremendous self control in resisting the temptation to mislead the American people, to have them believe that somehow this may be an easy victory, we should study the various straws in the wind which give us some hope for ending the conflict.

The President has leaned over backward. His own popularity has suffered deeply because of it, but he has wanted to be totally and completely honest with the American people. He would rather remain silent than to paint a rosy picture and have the people believe that somehow or other, tomorrow or the day after tomorrow, this war will come to an end.

But I do believe that within the framework of this very great caution on the part of the President, we should not overlook certain indications that are in the wind. I am in no position today to estimate their full value or their full impact, but I believe we should not overlook these facts: First, when we capture Vietcong prisoners of war, our best intelligence reports indicate there is developing a very serious ammunition shortage in South Vietnam. Certainly our soldiers have been destroying great stores of Communist ammunition. They have been cutting off their supply lines. They have been bombing their depots in North Vietnam. The results of this activity are now beginning to penetrate through to our intelligence sources, and we are told the Vietnamese will have difficulty retaliating.

I am sure we all received with great reassurance today reports from American intelligence sources that there is building up an ammunition shortage in South Vietnam.

Second, we know also from captured prisoners of war, who are questioned not by American troops but under contract by the Rand Corp., that these prisoners of war are telling our people who question them that their food supplies and medical supplies either are diminishing or are nonexistent. Some prisoners of war have stated they get a pocket full of rice to last them a whole week. Other prisoners of war have told our intelligence people, of the Rand Corp., that they are unable to get any kind of medical supplies, because the routes for medical supplies have been cut off.

This creates mounting difficulty for the Communists in South Vietnam.

Third, we also have reliable intelligence information that the Vietcong are experiencing greater and greater difficulty in replacing their losses in South Vietnam.

We have said here before on this floor that our best intelligence clearly indicates that a continuation of the bombing of North Vietnam has tied up 175,000 Communist troops of North Vietnam. These 175,000 are tied down manning the antiaircraft installations. Another 300,000 are supervising the repair of damage done by our bombers. We know that men, women, and children do the repairs, but they are not capable of managing the repairs of the damage we have inflicted. So we have successfully tied down a half million Communist troops. These are, in many instances, the best troops the Communists have in North Vietnam. We have tied them down with continued bombing.

We have reports that this continued bombing has seriously impaired the morale of the North Vietnamese.

Contrary to those who would have you believe that they have no effect when we shut off these cities from each other, when we destroy bridges and cut off communications and interfere with supply lines, it now starts to look as though it has a very serious and devastating effect on the morale of North Vietnam. Ho Chi Minh through his propaganda machine would have you believe that he has complete control over his people, but our best intelligence clearly indicates that he is having mounting domestic troubles in North Vietnam.

Fourth, our own big buildup of troops has proved most effective there. The average American is not aware of the fact that 24 months ago we had only 20,000 troops in Vietnam; there were allied ships trapped in Saigon Bay and Saigon harbor for 5 months. We were not able to get to them to unload them. Since then, our troops have built Camranh Bay; several heliport pads and airports, and roads and lines of communication. We stopped the Communist infiltration during the day, and now we are stopping it by night. We have developed flares and airplanes that literally turn night into day with huge lights and airplanes specially designed to fly over the infiltration routes of the Communists and stop them in the dead of night.

Our troops have done a magnificent job in the last 24 months. It is only reasonable to expect that our troops needed 24 months in order to crank up and gear up for stopping the Communist aggression. Those 24 months of careful planning are now paying off.

Fifth, our own help from our allies is growing. I am sure that we all saw with great reassurance the announcement from Thailand that she is increasing her commitment in troops to South Vietnam from 2,000 to 20,000 soldiers. Korea has 50,000 there, and Australia is thinking of sending more, also.

These nations were not deterred by those who stormed the Pentagon this weekend and tried to create the impression that this country is divided in our cause in Vietnam. For those who doubt the position in Vietnam the best answer is the aid that we are starting to get from our allies in Southeast Asia.

Sixth, Mr. Speaker, finally, I believe that the statement made by President-elect Thieu that when he is sworn in on the 31st of October, he himself, in the name of his government and of the people of South Vietnam, will try to work out some solution with North Vietnam, also holds promise. This is an important development.

I list all of these things only to point out how foolish we would be if we were

to follow the counsel of those who stormed the Pentagon over the weekend.

President Lyndon B. Johnson, will go down in history as the stubborn architect of hope and freedom who refused to compromise with expediency.

Here is the former schoolteacher from Texas who, while many others urge him to seek meaningless compromises, firmly believes in his responsibility to future generations not only of his country but of the world.

Oh, there is no question but that Mr. Johnson could improve his standing in the popularity ratings overnight. All he has to do is make a few side deals as has been done through all the pages of history. But this great President knows that this would be only something which would lead to further aggression.

As this unnamed Asian spokesman said this is perhaps the first time in history that a world power has consciously used its wealth and strength to promote the interests of the weak and the poor nations.

Mr. Johnson is the architect of this policy.

God grant that those well-meaning Americans who today counsel peace at any price will see the light of truth. We hope they will understand that the Communists have no intention of stopping.

All of the emphasis is being placed on the President of the United States here. What about the Soviet Union? All that Mr. Brezhnev and Mr. Kosygin have to do is pick up the telephone and tell their ambassador in the United Nations not to use the Soviet veto, and this whole Vietnam conflict will be before the United Nations in 15 minutes. Time and time again President Johnson has said he is willing to take this conflict to the United Nations where it belongs. Our great ambassador, Arthur Goldberg has used every device at his command to get this whole issue before the United Nations.

But, Mr. Speaker, the Soviet Union, which continues its design for ultimate conquest of the world in one way or the other, has frustrated these efforts.

And, so, Mr. Speaker, I say that the President of the United States today has delivered an historic speech, one which I hope every American will read and see how he has placed into perspective our role in Vietnam.

More important, Mr. Speaker, the President has spelled out, with the help of the Congress, how we in our day can establish an order among nations which will help them resolve their problems as free men at a conference table instead of as soldiers engaged on the battlefields of the world.

Mr. Speaker, Mr. Johnson has spelled out a formula for lasting peace. I hope that those who understand the pride and yearning of 127 nations that want to be free, those who stormed the Pentagon upon last Saturday—these misguided professors who too often lead these youngsters further toward a lack of full understanding of the issues involved in Vietnam—I hope all of them will read the President's remarks and say, "Here is an honest man, dedicated to lasting peace in our time."

ITALIAN HISTORICAL SOCIETY OF AMERICA SUPPORTS LEGISLATION TO MAKE COLUMBUS DAY A NATIONAL HOLIDAY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, as you know, observances were held last week in many States, as well as in our Nation's Capital, marking the discovery of this great Nation and the American Continents by Christopher Columbus. Almost coincidentally, a subcommittee of the House Committee on the Judiciary conducted hearings earlier this month on legislation to establish Columbus Day as a national holiday.

In that connection I was particularly pleased, in view of my own interest and work of many years toward that goal, to have read the statement of John N. LaCorte, who appeared before the committee in support of that bill. In it, Mr. LaCorte, who is founder and director of the Italian Historical Society of America, emphasized the truly national character of such an observance by reminding us that the discovery of Columbus represented the combined efforts of many peoples and therefore should be observed by all Americans throughout the Nation.

Incidentally, Mr. Speaker, since 1956 the Italian Historical Society of America has been in the forefront of the efforts to have Columbus Day declared a national holiday. Under the dynamic leadership of Mr. LaCorte, the society has been responsible for according Columbus proper recognition in New York City, where its headquarters are located, by instituting the annual Columbus Day ceremony in Brooklyn and by the naming of a section of its Civic Center as Columbus Plaza.

Mr. LaCorte's statement is an excellent plea for the observance of Columbus Day as a truly patriotic holiday for all Americans. I commend it for reading by all of our colleagues and therefore, under leave to extend my remarks, wish to include Mr. LaCorte's statement at this point in the RECORD:

STATEMENT OF JOHN N. LACORTE, DIRECTOR, ITALIAN HISTORICAL SOCIETY OF AMERICA IN SUPPORT OF H.R. 2372 DECLARING OCTOBER 12 TO BE A LEGAL HOLIDAY

My name is John N. LaCorte. I am Founder and Director of the Italian Historical Society of America, with headquarters at 113 Columbia Heights, Brooklyn, New York.

The Italian Historical Society enthusiastically supports H.R. 2372, which would declare October 12—Columbus Day—to be a legal holiday observed throughout the nation by all Americans. It does so not only because a native son of Italy discovered the land in which we are privileged to enjoy our American heritage, but because the discovery of Columbus was truly symbolic.

The discovery of Columbus has special significance for all of us because all Americans trace their origins to explorers who have come to this great land over the last five centuries. It is to Columbus, that first immigrant, that Americans are indebted for the great influence that migration has asserted upon our nation—an influence which brought about a new concept in modern civilization and made possible the America of today.

In addition to lighting a torch of hope for all the others who have come to our shore, the discovery of Columbus, like our American heritage which it has made possible, also represents the combined efforts of many peoples. We need only to be reminded of the fact that although Columbus was an Italian, his voyage and historic discovery were made possible by Spanish funds. Seamen of many lands composed the crews.

As the fruits of Columbus' discovery have been harvested by all Americans, of all races, color and creed, all Americans should welcome a national holiday commemorating that event. It will thus be a holiday with a distinctively American character.

Out of deference, therefore, not to Americans of Italian extraction, but for the significance of that discovery, the Italian Historical Society urges the passage of H.R. 2372. This bill would demonstrate in a positive and permanent way the significance of the discovery of the New World by establishing October 12, Columbus Day, as a national and legal holiday.

Support for this measure is not confined to one geographic area or to one ethnic group. Members of the House of Representatives and Senate of the United States, representing every part of America and Americans of every race, color and creed, have introduced similar legislation. As President Lyndon Johnson aptly noted in his Columbus Day message of 1966, "there is something of Columbus in every American." All America and all Americans should have the opportunity to celebrate this significant event in a special way.

In 1934, the Congress passed a joint resolution authorizing the President of the United States to proclaim October 12 as Columbus Day in observance of the anniversary of the discovery of America. Several States have made Columbus Day an official holiday. Schools and civic associations throughout our land present programs in honor of Columbus. Yet Congress, despite overwhelming support for this legislation, has never seen fit to take the next logical step and elevate Columbus Day to the status of a national legal holiday. H.R. 2372 would accomplish this purpose.

The Italian Historical Society of America enthusiastically endorses this bill and urges favorable recommendation by this committee and prompt passage by the Congress of the United States.

UNITED NATIONS WEEK

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. FRASER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. FRASER. Mr. Speaker, Americans all over the country are observing United Nations Week. The value and importance of the U.N. are being discussed at thousands of meetings.

One such meeting was held Sunday night by the foreign affairs interest group of Washington Street Methodist Church in Alexandria, Va. The speaker was Steven E. Beasley, a science writer and member of the United Nations Association. In his short talk, Mr. Beasley discussed a few of the programs being carried on in the underdeveloped world by U.N. agencies. The text follows:

United Nations Week is a time for careful thought about the importance of the world organization to us all.

At a time when international problems seem to be more complex than ever before in man's history, the United Nations plays a meaningful role in alleviating much of the tension between men and nations. When we consider the possible consequences of not getting together to solve our problems in a cooperative manner, we can readily see the grave implications. At stake are two critical hopes: world peace, and the full realization of man's individual potentials.

Both of these hopes are served by the U.N. Disputes among states can be aired before their peers in an atmosphere of order and respect. The U.N. can act as a disinterested third party, drawing upon the wisdom of the best minds available to resolve differences amicably.

Equally as important to peace is cooperation among member nations of the U.N. to achieve their major aspirations of good health for all, broad public education, and economic advancement. The specialized agencies of the U.N. serve as vehicles for this cooperation. These agencies include, among others, the World Health Organization (WHO), United Nations Educational, Scientific, and Cultural Organization (UNESCO), and the Food and Agricultural Organization of the United Nations (FAO).

I would like to talk to you tonight about the importance of the work of these three agencies to the achievement of major development goals in the low-income countries of Africa, Asia, and Latin America.

The campaign by WHO to achieve the highest possible level of health in the broad sense of complete physical, mental, and social well-being is a vital part of the broader development effort for social progress and economic advancement. This overall program will hopefully achieve a more stable and peaceful world.

In the low-income countries, there are 800 million children and young people, most of whom know poverty, hunger, ignorance, and disease as inescapable facts of life. More than 300 million of these children live in areas with diets low in protein and calories. These are the young adults of 20 years from now.

A growing body of scientific evidence indicates that protein intake, in the early years of life, is essential to mental development. A diet that lacks the eight essential amino acids, or the nitrogen needed to enable the body to make the other 12 amino acids, may permanently damage the ability of the child to learn.

To raise protein levels in native diets, the Institute of Nutrition of Central America and Panama (INCAP) has developed a low-cost food for children called Incaparina. INCAP is an agency administered by the WHO regional branch, the Pan American Health Organization. Other substitutes now used include Fortifex in Brazil and Pronutro in South Africa. These compounds are made from plentiful food materials which are not now in the native diets: maize, sorghum, cottonseed, soybeans, and peanuts.

FAO programs provide additional hope that the severe protein-deficiency diets will be improved. The World Food Program provides a storehouse of surplus food from the wealthy nations, ready to use in disasters, to improve the diet of people who are underfed, and to promote improved agriculture through erosion control and irrigation of dry areas.

All the developing countries pay a high price for the lack of adequate health and nutrition, in terms not only of very high death rates, but also of reduced capacity for a full output of work, low rates of production, diminished energy, and a general lowering of the body's resistance to disease. The need, then, is for medical services: clinics, health centers, hospitals; doctors, nurses, and laboratory technicians to man these facilities. WHO assists member nations in developing physical facilities and training medical staff personnel to man them.

High disease incidence also results from the lack of sanitation, the presence of insects which carry and transmit disease, and poor facilities for disposal of waste. Through these neglected sources, parasitic diseases and infections are spread. WHO has intensive programs of sanitation, disease control, and education of the people as to the proper measures to take to maintain healthful living conditions.

An example of the effectiveness of this program is the increased productivity and decreased mortality resulting from the WHO world-wide malaria eradication program begun in 1955. The Inter-American Development Bank, a U.N. agency, reports that in Mexico during the period 1950–1962, as the mortality rate due to malaria decreased from 85 per 100,000 inhabitants to 2, the gross domestic product per gainfully employed person rose from $647 to $1080 a year. Even more spectacular are the 1950–1963 figures from Nicaragua, where the gross domestic product per worker rose from $424 to $1,000 while the malaria mortality rate dropped from 278 per 100,000 to 23.

Eighty per cent of the children in Southeast Asia suffer from worms. Now, WHO-supported scientists have achieved a major break-through in the eradication of one form of worm infestation, filariasis. Using a genetically-altered form of the carrier of this worm, the *Culex fatigans* mosquito, WHO scientists bred the altered male mosquito with the fertile females in Okpo, Burma. The female mosquitoes were "fooled," in that they bore no offspring. One hundred per cent of the eggs found in the area around the village did not hatch, effectively halting the spread of filariasis in that area. Further expansion of this technqiue to other countries gives hope to millions that they will never suffer from filariasis.

Medical research into the various forms of cancer is another of the important WHO programs. Cancer of the liver accounts for more than half the cancer deaths among the Bantu tribesmen of Africa, while cancer of the breast is much rarer in Japan than in most countries. These examples illustrate areas where a co-ordinated international approach is clearly indicated to provide epidemiological information from a large region. WHO administers twelve international reference centers for the mapping of various kinds of cancer and standardizing the classification of tissue changes. This approach will help scientists to understand better the causative mechanism involved and eventually to find methods of prevention and cure.

An important service of WHO is the Epidemiological Intelligence Service in Geneva. The aim of this agency is to ensure maximum protection from the spread of infectious disease with the least possible interference with trade and travel. Information on cases of cholera, plague, relapsing fever, typhus, smallpox, and yellow fever is beamed throughout the world by telegraph.

International scientific cooperation and the advancement of educational and cultural activities through meetings and exchange of students, touring folk groups, and aid to planners of educational programs, are some of the important activities of UNESCO. Both in improving the educational level of developing nations and in bringing together scientists of the world, UNESCO provides vital needs. Improved understanding between peoples is the end result.

As you celebrate UN Week, think about these important contributions of the UN specialized agencies. They serve the people of the world in a very personal way. They work tirelessly to end poverty, ignorance, hunger, and disease. They prevent war, to the extent that war is caused by these severe deprivations.

WASHINGTON: PUBLIC TELEVISION AND PUBLIC APATHY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. PEPPER. Mr. Speaker, on October 19, the House approved the conference report on S. 1160, the Public Broadcasting Act of 1967. It is hoped that the Senate will speedily approve this conference report clearing the way for the President to sign this legislation into law. I have been a longtime supporter of this legislation and I was the leadoff witness before both House and Senate committees when hearings were held on this legislation. I am proud to be associated with such a measure that will have great impact on the lives of our future generations.

Mr. Speaker, I would like to at this time, insert an article by Mr. James Reston, associate editor of the New York Times, of October 20, who hails the passage of this legislation as one of the great milestones in quality education in this country. I insert Mr. Reston's article following my remarks in the RECORD, as follows:

WASHINGTON: PUBLIC TELEVISION AND PUBLIC APATHY

(By James Reston)

WASHINGTON, October 19.—The House of Representatives approved this week the creation of a noncommerical television network. The bill went through unnoticed in the shuffle, like the bill in Mr. Lincoln's time to create the land grant universities of America, and if the people pay any attention to it, which they aren't at the moment, it could be almost as important an educational force in the future as our great state universities have been in the past.

The purpose of this bill is to create a Public Television Network, free of commercial compulsions and Government control, which will concentrate on what is important and enduring in American life, rather than what is commercially successful.

THE PROBLEM

It is an effort, in short, to grapple with a practical problem: to portray the fundamental and not merely the dramatic or commercially useful aspects of American life; not to replace but to supplement commercial television; to fill the gap between what commercial television cannot do because it must reach the widest mass audience, and what noncommercial television cannot do now because it simply does not have the money, the facilities or the personnel to do it.

The need for creating a noncommercial network, free of advertising and political control, has been recognized by a remarkable company of Americans. Frank Stanton of the Columbia Broadcasting System has not only approved the experiment but committed a million dollars to get it started. That remarkable man John Gardner, former head of the Carnegie Corporation of New York and now Secretary of Health, Education and Welfare in Washington, originally arranged to put up the funds to study the problem. McGeorge Bundy, president of the Ford Foundation, persuaded his organization to finance a Public Broadcasting Laboratory under National E[illegible]ational Television to demonstrate the pos[illegible]ilities of a television

network while the Congress was debating Government support of the project.

A DREAM NETWORK

Meanwhile this concept or dream of a network free to deal with what endures rather than merely what sells, mobilized the energies of men like James B. Conant, former president of Harvard; Terry Sanford, former Governor of North Carolina, and James R. Killian Jr., former president of Massachusetts Institute of Technology. But there are now problems of the most fundamental nature.

President Johnson has done a magnificent job of leadership on this whole project. He has seen the prospects and the problems. He and his staff, headed by Douglas Cater in the White House have elbowed the legislation through the committees, concentrating on the principle and the authorization of a noncommercial network rather than the appropriations.

But now there is a problem. The Senate will approve the bill within a few days. The President and Senator Magnuson of Washington, who heads the Senate committee concerned, will see to that. There will be the signing of the bill in the Rose Garden, with pens distributed to all the people concerned. Public reaction to all this, however, will then be important, and could be decisive.

If there is no, or little, public support for this whole idea of serious noncommercial reporting of public affairs, of weekly reviews of the news, and good children's programs, the whole project could languish and be lost in the present preoccupation with the cost of Vietnam and economy on everything else, and this raises an interesting public question.

The most common complaint heard these days is that thoughtful people feel helpless to relieve the things that trouble them. On this, the squares and the hippies, gran'ma and junior agree. They scratch but the itch goes on. They are anxious about the war and the cities, and they are irritated about a lot of other things, but their main frustration seems to be that they can't do anything about it.

THE PUBLIC QUESTION

The public television bill in Washington, however, gives them a chance for effective action. It touches their lives. It is tangible. The generations may be divided on everything else, but they are all grumbling about television and newspapers and singing commercials, and now they have a real opportunity to create a new network even if in the end they don't watch it. The project has now gone about as far as it can here, thanks to an unusual consensus, between the President and the intellectuals. The question now is whether the public shows some interest in supporting it politically and financially.

MOVIES MADE IN MIAMI

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. PEPPER. Mr. Speaker, my congressional district, the 11th District of Florida, has been growing rapidly in many respects—in population, in industry, and in its already great capacity to accommodate millions of tourists each year. But a little-known aspect of our growth has been the development of the Miami area as a center for the production of motion picture films for television and movie theaters.

A report of our progress in the motion picture field by Mr. Don Shoemaker appeared in the current issue of the Miamian, the official magazine of our Miami-Dade County Chamber of Commerce. Mr. Shoemaker is the distinguished editor of the Miami Herald and is chairman of the motion picture committees of both the Florida Council of 100 and the Miami-Dade Chamber's Committee of 21.

I wish to call this article to the attention of my colleagues and insert it in the RECORD at this point:

MADE IN MIAMI MOVIES

(By Don Shoemaker)

Forty-five years ago a young man soon to become known famously as Ramon Navarro swaggered before the cameras in a movie called "Where the Pavement Ends."

The site of this Rex Ingraham-Alice Terry film was more prophetic than the career of its fledging star. The picture was produced by Miami Studios on a 40-acre plot in Hialeah.

More than a generation later movie production in the Greater Miami area is enjoying a sort of comeback—sort of, because its great promise of a couple of years ago is now in an "iffy" stage.

Films do not necessarily mean the silver screen. Most of Miami's local production today is for television sequences and advertisements, or commercials. And most of the producers work on a small scale.

Greater Miami's share of the national market probably is only 2 per cent, far back of New York (with perhaps 8 per cent) and farther still from Hollywood, the aging but still chief locus of the industry.

A generation after Ramon Navarro, Greater Miami pursues the industry with as splendid a passion at the Great Lover sought the rustic beauty or the refugee from the desert harem.

The motion picture and television committee of the Committee of 21, working in collaboration with its likeness in the Florida Council of 100, is a principal suitor of an industry which is institutionally fickle.

The reason is rather simple.

In the old days of Hollywood a film company was rooted to a studio. There it made its pictures, with an occasional junket "on location." These ventures included the filming of a Louisiana bayou feature on a river in Western North Carolina or a Biblical extravaganza in the canyons of New Mexico.

Realism is where you want to find it. And perhaps this is where Florida fits in.

The State Development Commission has prepared a brochure listing dozens of sites in the Sunshine State which recapitulate any natural setting save a howling blizzard.

Under the leadership of the Florida Council of 100, Florida's child labor, education and tax laws were interpreted officially in such a manner as to encourage, even to entice, California producers to this state.

Facilities here, of course, are substantial. Ivan Tors, who is reputed to have plunked $4 million into a North Miami studio complex, is the major producer of the area.

Tors has recently started two full length feature films and has added 14 feature pictures and three teevee series to his schedule for South Florida's immediate future. His current sequence is "Gentle Ben."

Studio City, which bills itself as the largest motion picture complex in the East, has 30 acres of sound stages, laboratories and set construction buildings in North Miami.

With $3.5 million invested in two major sound stages, a production building where offices, dressing rooms and rehearsal stages adjoin wardrobe and makeup, Studio City has opened an office in New York to lure Eastern producers to South Florida.

Recently Pathe News signed a contract to move into Studio City, where it will produce educational films and audio-visual aids. It will house here its library of 27 million feet of on-the-spot news coverage. This will be edited, with updated narration, into historical documentaries.

Capital Films of Washington and Reela Films, a division of Wometco Enterprises, are equipped to process any quantity of films made by local producers or those on location in Florida on a service basis unmatched by Hollywood.

Other producers in Greater Miami are small but important. They include Rainbow Pictures of Coral Gables, South Florida's pioneer specializing in animated films and in industrial and documentary productions; Colodzin Productions, Continental Cinema Corp., International Video Productions, Van Praag Productions, and several others.

One of Florida's most critical problems in attracting a film industry is squelching those who would repel it. Fly-by-night producers and peddlers of film pornography assail the conscience of the industry as they concern laymen who are beguiled by its potential.

To control the bad guys as well as to promote the good ones a group of producers headed by John Hugh of Orlando has set up the Florida Motion Picture and Television Producers Association.

With a grant from the Florida Council of 100 and assistance from the Development Commission the FMPTVPA has prepared a 35 mm. film promoting the organization and serving the center piece of a Florida Motion Picture Week which will be observed later this month statewide.

Nothing has given the industry a stronger boost in recent years, however, than the advent of Jack Gleason.

The teevee star, who employs 265 people and who has built his own rehearsal complex and started a scenery company, produces millions of dollars worth of publicity for Miami Beach and Florida.

Each Gleason production is a major economic investment running well into six figures. The weekly tab for stagehands alone is $7,500. He has been spending $5,000 a week for scenery, plus costumes. A single one-minute commercial on the show, which now enjoys top-ranking, costs $60,000.

Last year Stanley Colbert of Columbia Pictures said in an interview with Variety that Miami would vault to second place in the movie industry. "It is easier," he explained, "to bring key New York actors to Miami than to California. Cost is lower, time is shorter, and the actors are more receptive to shooting anywhere than in California."

Actor empathy, however, is only a part of the answer. Ramon Navarro evidently liked South Florida. So, for "Tony Rome," did Frank Sinatra.

If it is to grow, the industry greatly needs local financing. If this is ever forthcoming in the manner that Wall Street at one time and the Bank of America at another gave Hollywood its wad, great things can be expected of Florida cinema.

Equally important is the labor requirement. Trained production crews are few outside of Hollywood. While the average age of production workers is 57 there and sweetheart unions pass jobs down from father to son, the California industry is waking up and training younger people.

The Committee of 21 and the Florida Council have an understanding with Lindsey Hopkins School which may lead to significant adult training courses for movie technicians. Without an ample supply of skilled "grips" and other workers, a domiciled movie industry for South Florida is pleasant talk, and nothing else.

With these trained people and with a consortium of capital, such a development amid countless locations, modern facilities and a matchless, smog-free climate, is a mine of pure gold.

BUSINESS COMMUNITY GIVES ITS SUPPORT TO PRESIDENT'S NEW JOB PROGRAM

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Moss] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MOSS. Mr. Speaker, telegrams are pouring in from enthusiastic businessmen throughout the Nation, supporting President Johnson's new job program for the hard-core unemployed.

These farsighted businessmen realize, along with the President, that this Nation must not forget its rural and urban poor. They recognize the need of inducing private enterprise to invest its genius in our slums. They support the President's efforts to harness the energies of business and Government in a cooperative venture to bring jobs to the jobless, hope to the neglected, dignity to the oppressed.

The President's new program presents the business community with both a challenge and an opportunity—a challenge to its ingenuity, and an opportunity for public betterment along with private benefit. As the executive director of the National Rehabilitation Association put it:

> American business large and small has been a willing and effective partner in assuring employment for the [physically and mentally] handicapped. This Association has confidence in the capacity of business to respond equally to this new challenge.

In offering their assistance to the President, private enterprise is vindicating their confidence President Johnson and this Nation have placed in their desire to improve life in our ghettos.

Under unanimous consent I insert into the RECORD a cross section of these telegrams to evidence the enthusiasm of the business community for the President's new job program:

THE PRESIDENT,
The White House:

The National Rehabilitation Association expresses its appreciation for your proposal to bring the tremendous resources and initiative of the private enterprise system more directly into the national effort to master the problems of disadvantaged and otherwise handicapped people. We are convinced that the successful experience of public and private programs for the physically and mentally handicapped can be, extended to reach and help those with other types of equally serious handicaps. Throughout the 47-year history of the vocational rehabilitation program American business large and small has been a willing and effective partner in assuring employment for the handicapped. This association has confidence in the capacity of business to respond equally to this new challenge. Let us add also our thanks for your splendid statement yesterday when you signed the Vocational Rehabilitation Amendments of 1967.

E. B. WHITTEN,
Executive Director,
National Rehabilitation Association.

THE PRESIDENT,
The White House:

Strongly support your business cooperative action program to promote training and jobs for hard core unemployed. Cooperation by Government with the private sector is essential in meeting this problem squarely. I stand ready to offer whatever assistance I can to assure success of this most important project.

CRONIN GARTLAND CO.,
ARTHUR D. CRONIN.

THE PRESIDENT,
The White House:

Strongly support your big and small business cooperative action program to provide training and jobs for hard core unemployed. Cooperation between public and private sectors absolute necessity in meeting this problem squarely and quickly. I stand ready to offer what assistance I can.

CHARLES E. BAXTER,
President, Baxter Woolen Co., Inc.

THE PRESIDENT,
The White House:

The Society of American Florists, representing 211 affiliated grower, wholesaler and retailer florists associations throughout the country, supports fully the Small Business Administration's hard core employment program. We believe that cooperation of private and public groups is absolutely necessary to provide qualified workers for industries such as ours. Your support will be greatly appreciated.

JOHN H. WALKER,
Executive Director.

NEED FOR FURTHER IMMIGRATION REFORM

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. OTTINGER. Mr. Speaker, on numerous occasions—both in this House and in talks with my constituents—I have noted that, while the reforms initiated in the Immigration Act of 1965—Public Law 89–236—removed many of the inequities in our heretofore archaic and discriminatory immigration laws, the present law still contains loopholes and shortcomings which must be corrected.

Numerous barriers still must be overcome by persons desiring to emigrate to our country or to adjust their status while already in the United States; families are still needlessly separated with little hope of being reunited in the near future; aliens serving with our Armed Forces in Vietnam must still cope with lengthy naturalization procedures. A wide variety of other additional inequities in our immigration policy are remnants of earlier, harsher measures.

I have already introduced legislation to alleviate the desperate situation of persons presently registered under the fifth-preference position of worldwide quotas, particularly those persons under the fifth preference of the Italian quota.

Today I am introducing a bill aimed at accomplishing a series of sweeping reforms—reforms which are urgently needed to return the United States to an immigration policy which both serves the national interest and continues our traditional ideals.

At present, if an alien's application for an immigrant visa is not approved, he has no other legal recourse than to reapply at a later date or have a sympathetic Congressman request that the original application be reviewed. My bill will establish a Board of Visa Appeals, in the Department of State, which will be responsible for reviewing the denial of an immigrant visa to a relative of an American citizen or permanent resident alien, upon the petition of such citizen or alien.

Refugees are presently registered under the seventh-preference position of worldwide quotas and the number is not to exceed 6 percent of the overall annual limitation of 170,000. My bill establishes a new policy of granting asylum to refugees, removes them from seventh-preference status, and provides 12,000 immigrant visas annually to qualified refugees from all over the world.

My bill provides additional means to reunite families which have been separated. For example, parents of permanent resident aliens would enjoy second-preference status, rather than no particular status, as is presently the case.

These are just a very few of the many features of my bill which is aimed at facilitating and assisting persons to emigrate to our country rather than to make it almost impossible in some instances. I believe this legislation is long overdue. Aliens seeking to enter our shores have been humiliated and made to suffer indignities long enough.

I commend our distinguished chairman of the Judiciary Committee [Mr. CELLER] and the senior Senator from Massachusetts [Mr. KENNEDY] for taking the lead in sponsoring this much-needed legislation, and I am pleased to join them in this effort.

While this measure is directed toward instituting a vast number of needed reforms, there is one important area not covered—the question of the labor certification. Although the hope has been expressed that this subject will be considered during the course of hearings on the bill, it contains no specific language to this effect.

Under the provisions of the 1965 Immigration Act, all intending immigrants without preference must first secure approval, or a labor certification, from the Secretary of Labor, stating that their admission will not adversely affect American citizens similarly employed, before their applications for immigrant visas will even receive some initial consideration. Governmental studies have shown that the quality of immigration results in the creation of more jobs than the immigrants themselves take and, in many cases, the immigrants are highly skilled and can make major contributions to American science, technology, and industry.

Prior to December 1, 1965, the effective date of Public Law 89–236, the burden of proof rested with the Secretary of Labor, and an alien could enter the United States unless the Labor Secretary specifically said "No." At present, however, the labor certification requirement for third, sixth, and nonpreference immigrants stipulates that the Secretary grant specific approval that an alien's employment in this country will not adversely affect the domestic labor force.

This procedure results in prolonged, often detailed, and generally unnecessary additional paperwork and administration of the alien employment certification program.

In a recent report, the Department of State informed me that—

> This requirement [labor certification requirement] has made it more difficult for persons of all nationalities to obtain visas when they have no relatives in the United States who can confer on them a relative preference status which would exempt them from the labor certification requirement or when they cannot qualify to fill a job in a profession or occupation for which workers in the United States are in short supply.

This labor certification requirement has hit prospective Irish immigrants particularly hard. Statistics prove that section 212(a)(14) of the 1965 Immigration Act has caused a definite decrease in Irish immigration to the United States. For example, only 860 visas were issued to applicants to whom this section applied from December 1, 1965, through March 31, 1967. Of the over 6,000 Irishmen who made application for visas during the same period of time, only a little over 2,000, or one-third, actually received visas.

I cannot see why the Irish should be discriminated against, particularly when one considers the many outstanding contributions made to American science, religion, arts, and humanities, government, and politics, industry, and technology by many Irish immigrants and their descendents. However, although the Irish have long been one of our largest groups of immigrants, they are now severely restricted as the great majority of those wishing to come to our country must apply for a labor certification in order to obtain permission to enter.

Unfortunately, we did not foresee this difficulty when we passed the 1965 Immigration Act in the 89th Congress, and I am sure our colleagues will agree, Mr. Speaker, that this inequity can and should be corrected with the greatest dispatch. Therefore, I am also introducing today a bill which amends section 212(a)(14) of the Immigration and Nationality Act. The effect of this amendment will be to restore more flexibility to the current law's definition of "skilled workers" and restore the former labor provisions of the immigration laws prior to 1965. In addition, I have added a section to the Celler-Kennedy bill which calls upon the Department of Labor, in cooperation with the Departments of State and Justice, to conduct a thorough study of the operation and effect of the labor certification procedure and to report to the Congress on or before 6 months of the date of the bill's enactment.

Mr. Speaker, the time has come when we must realistically examine our immigration policies, and remove from our laws discriminatory practices and procedures of selecting immigrants, which amount to nothing more than a standing affront to millions of our citizens and our friends overseas. Public Law 89-236 went a long way but not far enough. Further legislative action is required to demonstrate to the world our dedication to equal and just treatment of immigrants, and I urge that my two bills receive expeditious and favorable consideration.

HOW THE MILITARY RULES 8 MILLION GREEKS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. OTTINGER. Mr. Speaker, it is appalling to me that in all the time since democracy has been suspended in Greece and the Government in the hands of a military dictatorship, this country has lodged no formal complaint and, in fact, continues to send military aid under an agreement concluded with the now-deposed democratic regime.

The junta which took over in April has abolished any signs of democratic government and seems in no great hurry to restore any rights. Concentration camps have been activated, arrests have run into the thousands, and no area of personal or economic life remains free from surveillance.

I would like at this time to insert in the RECORD an article which appeared in the September 24, 1967, New York Times on the facts of "life" in Greece today.

AFTER THE ARRESTS: HOW THE MILITARY RULES 8 MILLION GREEKS

(By Maurice Goldbloom)

The military junta which seized power in Greece last April 21 is still nervous, but with each passing day it is less and less vulnerable. By now, neither a decision by King Constantine to break with it, nor a decision by the United States to cut off military aid would automatically topple it, though either would undoubtedly weaken it.

The attitude of most Greeks toward the King's role is summed up in a mot that has been going the rounds in Athens: "In the process of seduction, there is a point at which a girl must decide whether she is going to remain a virgin. The King has passed that point with the junta." In his recent appearances in the United States—in Washington with the President, in Newport for the America's Cup races—Constantine has apparently been acting as the regime's envoy. For its part, the United States, through its initial acquiescence, has given the junta the time it needed to dig in.

In other words, the junta, though not noticeably more popular, does seem to be more solidly entrenched. The coup was staged by no more than 200 to 400 officers—out of some 10,000 in the Greek Army. The ability of such a small group to seize power without significant opposition was largely the result of mistaken identity. Greeks had long been expecting—and right-wing Greeks had been hoping for—a coup by a large, nominally secret, but in fact well-known, organization dominated by senior officers known as IDEA. But over the years a small, rival organization of junior officers, called EENA, had been growing up almost unnoticed. At the time of the coup its leadership included only one general—Stylianos Patakos, now Minister of the Interior—and he had been made a brigadier only three months before. The group's most important leader was Col. George Papadopoulos—who happened also to be the man assigned by IDEA to transmit the orders for its coup to its followers throughout the army.

It was EENA that struck, but when Papadopoulos gave the signal its recipients thought they were obeying IDEA. Because there was no organized democratic group in the army, there was no military resistance. Because civilian political groups—including the weak and demoralized Communists—were prepared only for electoral activity, there was no popular resistance.

Once in, the junta lost no time in broadening its base of military support. Increasing the officer corps by approximately 10 per cent has enabled it to win the support of perhaps twice that many officers through promotions and new appointments. Key officers on whose loyalty it could not count were forced to retire. In the army, this purge for the most part took place immediately after the coup; in the navy, where the coup had received almost no support, the junta moved more slowly. Still, by mid-August more than 60 naval officers, mostly of high rank, were said to have been removed, and 11 to have been arrested.

Arrests, indeed, have been the junta's most conspicuous activity. The cases of former Premier George Papandreou of the Center Union, his son, Andreas Papandreou, and Mikis Theodorakis, composer of the score for "Zorba the Greek," have attracted worldwide attention, but there are thousands more, and the arrests show no signs of abating.

The original wave of arrests was based largely on an army list of suspects prepared nearly 20 years ago; the conspirators had been afraid to ask for more recent lists for fear of tipping their hand. Thus, many of those arrested in the first sweep were people who, whatever they might have been in the turbulent nineteen-forties, had long since ceased to be politically active.

Later arrests—which by now certainly outnumber those of the first wave—have been more selective. They affect all sections of the political spectrum, including parliamentary deputies, former Government ministers and several of the country's leading journalists. They also include a man who criticized the King in a telephone conversation with his sister, a bus driver who objected to letting a soldier ride free and numerous persons accused of such offenses as having five or more guests in their home or possessing a mimeograph and not registering it with the police.

Of those arrested at the time of the coup, more than 6,000 were sent to a hastily opened concentration camp on the island of Yiaros. (Some 1,500, most of whom had been arrested because of their official position rather than for their politics, were soon released, though many remained under house arrest.) The Government has now announced the opening of a second major concentration camp on the island of Leros, to which prisoners are being transferred from Yiaros. This should be an improvement.

Yiaros is a completely waterless and barren island, swept by high winds. Before the coup it had an old and unused prison, with cells for a few hundred persons. When the detainees were dumped on the island, the prison was used to house some of the women. The other prisoners were housed in tents, 25 to a tent, grouped in three camps.

Some weeks later, at a time when the Government claimed to have released about a third of the prisoners originally there, it announced plans to construct reservoirs on the island which would make it possible for each prisoner to receive 15 liters (a little less than 4 gallons) of water a day. Clearly, the water supply during the first several weeks must have been barely enough for drinking, let alone sanitation.

Later, other ameliorations were promised. These included an improvement in the diet, which was said to have consisted mainly of beans, and the opening of a canteen at which prisoners could purchase additional food and other small necessities. Some of these improvements may have taken place. It at least appears reasonably certain that the canteen was opened—since underground channels re-

ported a few weeks later that it had been closed again.

There are inevitable gaps and time lags in information on conditions in the various places of detention, since Yiaros and most of the others have been barred to journalists and foreigners. A representative of the International Red Cross has, to be sure, been permitted to visit them. But in accordance with the normal practice of that organization, his report was submitted only to the Greek Government, which never made it public.

The Government did, however, release a letter in which the Red Cross representative asked on humanitarian grounds that the 250 women confined in the old prison on Yiaros be transferred elsewhere, to accommodations more appropriate to their sex. (The circumstances of this release were such that one is impelled to wonder if the Government really desired to give it wide publicity. In the Greek Government press office, official releases are normally laid out on tables, arranged in the order of the numbers which they bear. They are available in Greek, English and French. This release had no number, it was not with the others, and it was available only in Greek.) I have seen no report indicating that such a transfer has in fact taken place, although the women may be among those now being moved to Leros.

If conditions on Yiaros have improved in some elementary physical respects, it appears that they have recently become worse in other ways. Some 250 of the "most dangerous" prisoners are said to have been segregated from the others, and to be confined to their quarters 20 hours a day. During the four hours in which they are allowed out, the other prisoners are confined, in order to prevent any contact between the two groups. And the three camps on the island are kept isolated from one another.

These changes probably result from the regime's disappointment at the failure of the prisoners to break down under its pressure. A condition for release is that the detainee sign a pledge to refrain from "antinational and anti-Governmental activity." Few politically significant prisoners have been willing to sign, regarding it as dishonorable.

Interior Minister Patakos complained to me: "Some of them are getting more hardened instead of reforming. They have organized by tents; a leader for each tent, and a group leader for each 8 or 10 tents. They have a president for each of the camps, and a general commander for the whole island. They have collected 250,000 drachms [a little more than $8,000] among themselves, for what purpose I do not know, but I am sure it is not a good one."

As one of the "Communist" leaders of the hardened prisoners, Patakos mentioned Dimitrios Stratis. When I remarked that the 78-year-old Stratis, a veteran trade-union leader and left-wing parliamentary deputy whom I know well, was not a Communist, Patakos replied: "He calls himself a Socialist, but he is a Communist. In Greece, we have right people and wrong people. All those who are against the country are Communists. Stratis is a Communist in his heart and his works. They are all liars."

Yiaros and the courts-martial which hand out sentences of five years for writing slogans on walls and eight years for *lese-majesté* are not the Government's only instruments of intimidation. Some Greeks beyond the borders have had their citizenship revoked—most notably, the actress Melina Mercouri, who seems to have come out ahead on the exchange.

Many persons regarded as potential troublemakers have been taken to police stations and badly beaten, as a warning, without being formally arrested; this treatment has been most often used on students and other young people. The security police have visited private employers with lists of "unreliable" individuals who are to be discharged. Many people have had their telephones removed because of their political views; all have been discouraged from talking politics on the phone or writing about it to friends by the knowledge that phones are likely to be tapped and letters opened.

But the junta has not relied on terror alone to consolidate its position. Rather, it has systematically endeavored to entrench itself in every aspect of Greek life. On the national level, despite the existence of a nominally civilian Government, an army officer plays a key role in every ministry—in some cases as minister, in others as secretary general, in still others as a political commissar without official title.

The tenure of civil servants has been abolished; many have been removed for their ideas, and all have been ordered to pledge their loyalty to the regime on pain of dismissal. The purge has not been confined to such politically sensitive departments as the police, where 118 high-ranking officials and police doctors were dismissed in mid-August. (Others had been ousted previously, individually or in smaller batches.) It has even affected the director of the Byzantine Museum, an internationally known scholar.

Locally, the regime has destroyed the system of nonpolitical nomarchs or district administrators, whose establishment American advisers once regarded as one of their major achievements. More than half the nomarchs have been removed; most of their replacements are army officers. While asserting its belief in the decentralization of authority, the Government has removed large numbers of elected mayors and local councils and replaced them with appointees chosen in Athens.

Nor has it confined itself to the governmental sphere. It has seized control of the Orthodox Church. It has dissolved hundreds of private organizations and removed the officers of numerous others, including bar associations, agricultural cooperatives and the Jewish community.

The United States Embassy in Athens clearly does not like the regime, though most Greeks regard it as responsible for the coup—an opinion the junta assiduously encourages. (A skeptical friend remarked to me, after seeing one of the coup leaders in action, "Now I believe what you say about the Americans not being behind the coup; they'd never have chosen *these* people!") But the Embassy also regards the present Government as a lesser evil than a revolt against it, and has therefore placed its hope in persuading the junta to practice self-denial and restore democracy voluntarily. Its influence is limited, since the junta now feels certain that the United States will continue military aid whatever happens. (Some weeks after the coup, the U.S. did cut off certain items, estimated by the Defense Department at 10 per cent of the total.)

Nevertheless, the Embassy and State Department see great cause for optimism in the appointment of a committee of jurists to draw up a revised Constitution by the end of the year for submission to a plebiscite. This is supposed to lead to a speedy and orderly restoration of constitutional government.

This assessment appears to contain a large measure of wishful thinking. The group named to draw up the new Constitution included a few persons of some distinction, several conservative nonentities and a few with rather unpleasant reputations. But the members were not consulted before their appointments were announced, and some of the best-known have refused to serve.

The Goverment's influence on the deliberations of the committee is not likely to be cast on the side of democratic institutions. While Premier Constantine V. Kollias has said the new Constitution will be only slightly changed from the present one, journalists close to the junta have called for much more drastic alterations. Among the suggestions offered are a ban on political activity by anyone who has ever cooperated with the extreme left, a requirement that all candidates have loyalty certificates from the security police, and the exclusion from office of anyone who has ever held foreign citizenship.

The first of these provisions would not only bar all those in the United Democratic Left (EDA), a party which contains some hard-core Communists but also a wide range of non-Communists. It would also ban most members of Papandreou's Center Union and a number of people now on the right—including some ex-Communists who hold office under the junta or are among its advisers. (For example, Theophylaktos Papaconstantinou, whom the Government has placed in charge of the press, is a former Communist theoretician. So is the editor of Eleftheros Kosmos, the newspaper widely regarded as closest to the junta.)

The significance of the second is shown by a story told by a friend who had served as an officer attached to the general staff. One of his duties was to investigate the qualifications of officer candidates. In the dossier of one he found a report from the Security Police: "A. is a dangerous subversive, being closely associated with the politician Constantine Rendis." At the time of the report, Rendis, who belonged to the right-center, was Minister of Public Order and the superior of the police official who wrote it.

The third proposal is aimed primarily at Andreas Papandreou, a former American citizen and the man on whom millions of Greeks rest their hopes for their country's future.

When I asked Patakos what constitutional changes the Government would propose to the committee, he mentioned none of these specific points, although he referred in a general way to changes in the qualifications of deputies. In response to a question, he added that the Premier named by the King would still have to receive the support of a majority in Parliament. He added that these ideas were merely being considered very tentatively; the one point on which the Government was determined was that the new Constitution must cure all the faults of the existing system. Apprised of this statement, one diplomat remarked: "That's easy; all he has to do is change eight million Greeks."

Whatever kind of Constitution may emerge from the committee, the problem of implementation will still remain. The embassy appears to rely on the King and Patakos—the member of the junta who is regarded as most susceptible to the influence of the palace—to promote the restoration of a constitutional regime. Patakos, however, does not seem to have any such intention. He told me: "We are not interested in elections; if we were, we wouldn't have made a revolution. This system we have now is the best system, because what we have now we have achieved with the people's support, so there is no need for elections. We have more serious problems than elections. What we have done we did in order to achieve certain aims, and when we have achieved these aims, then we will have time for elections. . . . We are frank people. We are not liars and we do not want to make false elections, the way they do in Russia with 98 per cent; therefore there will be no elections."

But even if Patakos could be induced to support a prompt return to constitutionality, it is unlikely that he could accomplish it. Unlike Colonel Papadopoulos, who organized the coup, Patakos appears to have little talent for conspiracy or political infighting. He seems a basically decent if insensitive man, whose political naiveté is almost incredible. (He is responsible for most of the pronouncements which have brought ridicule on the junta—the bans on miniskirts, beards, long hair, etc.) A soldier of peasant origin (a brother is said to be still working on the roads in Crete), he rose slowly through the ranks for 37 years, becoming a brigadier

general and commander of the tank school three months before the coup. Only then does he seem to have been brought into the conspiracy—because the tanks he controlled were necessary to its success. One suspects that he joined partly because of resentment at the establishment—civil and military—on which he blamed his slow promotion (he talks with obvious bitterness of the 10 years he lingered as a lieutenant colonel), and partly because he really believes the moralistic slogans to which others in the Government pay lip service.

In any showdown between Patakos and Papadopoulos, the latter seems far more likely to be the victor. Indeed, the other members of the junta may in any case drop Patakos when they feel strong enough to do so. He might even end up on Yiaros. If he should, I would not expect him to sign a declaration in order to obtain his release.

But if the junta does not seem likely to give up power voluntarily, there are factors which may eventually lead to its downfall. One is the difficulty of getting competent personnel to work for it. The population of Greece is about the same as that of New York City, and the proportion of trained personnel is much lower. If one eliminates a majority of the population—and a much larger majority of the well educated—on political grounds, it becomes difficult to find competent people for important positions. Moreover, many whom the junta might be willing to appoint do not want to serve under present conditions; in one instance, it has had to draft a retired official into the army in order to make him assume a top post in a ministry.

This difficulty may explain some of the peculiar appointments the Government has made. One, particularly strange for a regime which talks in terms of moral regeneration, is that of Constantine Thanos as Secretary General of the Ministry of Coordination and Alternate Governor of the World Bank, two of the most important economic posts it had to fill. Mr. Thanos was, a few years back, rejected for a teaching post at the University of Athens because it was discovered that the thesis he submitted in support of his application was a verbatim plagiarism from a memorandum by Prof. Benjamin Beckhart of Columbia. The incident is not the only one of its type in Mr. Thanos's career.

But the Government may well feel that it cannot look too closely into the moral credentials of anyone who can help it solve its economic problems, for these are very great, and almost certain to increase. At the beginning of June, Greece had shortterm debts of about $20-million more than its official gold and foreign-exchange reserves. (Some $100-million in gold sovereigns, the purchase and sale of which were used to stabilize the currency internally, did not appear in the official reserves. The exact amount in this fund was secret.) And Greece's three principal sources of foreign exchange—emigrant remittances (about one Greek worker in five is employed abroad), tourism and shipping—all seem likely to drop sharply this year, as does foreign investment.

In addition, it is almost certain that a loan of about $100-million which has been promised by the European Economic Community will now be postponed, if not canceled. Nor have the financial prospects been improved by the resignation of the internationally known economists Xenophon Zolotas and Michael Pesmazoglou as Governor and First Deputy Governor of the Bank of Greece.

No wonder that a former minister says of Col. Nicholas Makarezos, who as Minister of Coordination is in charge of economic policy: "He's the only one of them who thinks seriously about problems; that's why he always looks worried." The colonel's worries seem likely to come to a head within the next six months. By that time, the Government is widely expected to run out of cash. (It is already asking for U.S. economic aid.) It may be able to renew credits as they come due, simply because creditors will prefer to keep their loans on the books instead of pushing them into default. But without new credits, which seem unlikely, there will have to be drastic import restrictions and currency controls, there may be a devaluation of the drachma and a sharp reduction in the standard of living.

The political repercussions of such a development are unpredictable. It may be that the opposition will still be too disorganized to take advantage of the situation, and that the Government will be able to ride out the crisis. But it is also possible that students—who are difficult to control because their leadership is always being renewed—and workers returning from northern Europe, where many of them have already organized against the junta, will by then form the basis of an effective resistance movement. And if the regime is not able to keep up the standard of living of the armed forces—particularly the officer corps—trouble could come from that quarter.

Such a situation could conceivably result in a countercoup. Or the junta might turn to a foreign adventure, particularly in Cyprus. This past summer, there were sounds from Athens of a new drive for *enosis*, the union of Cyprus with Greece. (They produced no sympathetic echoes among Greek Cypriots.)

Or the regime might seek to rally popular support by swinging in a Peronist or National Bolshevist direction. There are already some signs that it is considering this option. One is a decree prohibiting any Greek, including employes of foreign companies and international organizations in Greece, from getting more in salaries, allowance and pensions than the Premier receives—about $18,000 a year. (The junta issued a decree raising the salaries of Cabinet ministers substantially, but forbade the press to mention it. Some days later another decree was issued reducing the salaries—but to a point well above their previous levels. The reduction was then publicized without mentioning the previous raise.) It has also raised pensions for peasants by about two-thirds. And Agriculture Minister Alexander Matthaiou's first radio address was not only filled with leftist phrases, but was couched in a form of the *Demotiki* (the popular language, traditionally championed by the left as against the *Katherevouse* or "pure" language backed by the right) so extreme that it is regarded as the trademark of the Communist party and shunned by everybody else. A move in this direction might also take on an antimonarchical aspect; not all the members of the junta regard the King as indispensable.

It might seem strange for a rightist government to move in this direction. But the junta does not represent the traditional Greek right, rooted largely in property and birth. Its leaders are men of lower and middleclass background. They may hate the left, but they have no love for the conservative establishment.

PUBLIC BROADCASTING ACT OF 1967

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PICKLE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. PICKLE. Mr. Speaker, I would like to comment on the conference agreements reached on the Public Broadcasting Act of 1967. In general, I supported the purposes of this act throughout its legislative history, and, in fact, spoke on this floor in support of improved public television back when the bill was first introduced.

There has been very little argument that something is needed to supplement the programing of the commercial stations. Without noncommercial television, we have an inflexibile situation by which a certain segment of the viewing public is deprived of its choice of television. Certainly we cannot cater to every taste, but when the kind of program being squeezed out is so valuable, then I think it is time we reevaluated the system. The Public Broadcasting Act does this, and I think it is a good step toward the goal of good, noncommercial programing.

With the Federal Government already involved in this field, and with it becoming even more involved by virtue of this act, I think it is important that safeguards be erected to prevent the law from being used for something not intended. I think it should be clear that the programs envisioned by the act are not to compete with the type of broadcasting usually seen on commercial stations today. We have got to be careful to insure that the noncommercial broadcasts do not threaten the welfare of other stations, especially those on UHF channels, and to insure that political promotions are removed from the sphere of Government-supported activities.

To my way of thinking, it is sound legislative policy to define as clearly as possible the congressional intent. In a project this wide sweeping, we should assure that Government participation is carefully limited.

It was for this reason that I sponsored in committee an amendment to the bill defining the term "educational television or radio programs." My definition, as approved by the Interstate and Foreign Commerce Committee and by the full House, was that the types of programs to be promoted by the Corporation for Public Broadcasting were to be "programs which are primarily designed for educational or cultural purposes and not primarily for amusement or entertainment purposes." The conference report, on the insistence of the conference members from the other body, omits the prohibitive aspects of the definition, saying only that the term means "programs which are primarily designed for educational or cultural purposes."

This language is better than nothing, but I still believe the Congress could do better in defining and delimiting the type of program to be promoted under this bill. I see nothing wrong in defining these terms as precisely and completely as we can. The definition I proposed contained both the permissive and the prohibitive aspects; the conference definition contains only what is permissive. I regret that this omission was made, for, as one of my constituents recently said, there is nothing wrong with insuring that Federal dollars do not go to support western or comedy television programs.

THE HUNGARIAN UPRISING IN OCTOBER 1956

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentlewoman from New York [Mrs. KELLY] may extend her remarks at this point

in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mrs. KELLY. Mr. Speaker, in their long and turbulent history, the Hungarian people have always struggled for their national independence and political freedom. For centuries they fought against more numerous and powerful foes, and they have generally succeeded in defending their national integrity. In the mid-19th century, their country became part of the Austro-Hungarian empire. But at the end of the First World War, when the Austro-Hungarian empire was dissolved, Hungarians once more regained full freedom and national independence.

The years between World War I and World War II proved a period of trial for the Hungarian nation. Political unrest and economic instability were accentuated by social disturbances. In the early 1920's, their free existence was threatened by communism, then rampant in certain parts of Eastern Europe. Fortunately Hungary, strengthened by some outside aid, rid itself of these dangerous elements and again became master of its own destiny. After the outbreak of the last world war, however, fate once more placed Hungary's destiny in the hands of others.

Even before the end of World War II, the Soviet Union had designs on Hungary. The Kremlin wanted to install a "friendly" regime in Budapest, which of course meant a Communist takeover in Hungary. This was accomplished much against the protests of the leaders in the free world. By 1948 the forces for democracy and freedom were eliminated and crushed, and with the aid of the Red Army, Communist totalitarianism was firmly established in Hungary.

Life became intolerable, almost unbearable under communism, and this state of affairs continued for 8 years. But the Hungarian people became impatient with the Communist dictatorship. By 1956, they were determined to take their stand against their oppressors and to challenge their Communist rulers to an open fight, which eventually led to the bloody events of the Hungarian uprising in October of 1956. On October 23 the students at Budapest University staged a demonstration demanding full national independence. Immediately, this movement spread to other parts of the city and to the countryside, taking both the Communist government and the Soviet forces by surprise. The students tore down all the Soviet emblems and destroyed Stalin's huge statue in Budapest.

The Hungarian Army joined in this uprising and in a few days it seemed that the revolt would achieve its goal. At first, the Soviets seemed very conciliatory, and in this the Hungarians were sadly deceived. While the Hungarians were jubilant with their success, the might of the Soviet Union was being marshaled against them. Even more tragic is the fact that the friends of the Hungarian nation in the West were not in a position to give them any effective aid.

The events of succeeding days constituted one of the saddest episodes in the history of the Hungarian people. In the course of a week the country was enveloped by Soviet forces and completely sealed off from the free world. Fighting raged for several days and in the ensuing human carnage thousands of innocent brave Hungarians gave their lives for freedom.

Early in November, when so-called peace and order were restored in Hungary, the people were more oppressed than ever before in their history. Today, 11 years after that heroic uprising and tragic ending, they still suffer under Communist totalitarian tyranny. The uprising of October 1956 remains a memorable event in Hungarian history and in the Hungarian people's struggle for freedom and independence, which we pray will come to them soon.

AIR POLLUTION

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. DENT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. DENT. Mr. Speaker, the 20th-century American is a health conscious American. The picture of a well groomed, radiant couple entertaining other well groomed radiant couples is perpetuated in every form of American advertising. The modern American housewife prides herself on her spotless children. The American husband values his shiny car and his dapper appearance.

Contrast this American self-portrait with the more realistic picture of American society choked and poisoned by air pollution. Paint corrodes on the spotless homes, vegetation dies, and the shiny cars which clog the highways discharge fumes which sicken their drivers. Americans who flee to the suburbs are dismayed to learn that air pollution respects no boundaries. They are appalled to see their once beautiful communities being enshrouded in a mass of poisons.

Mr. Speaker, the effects of air pollution on the economy and on the health of our citizens are well known. Air pollution is not only unsightly; it seriously endangers the health of our citizens. Our citizens are rapidly losing faith in the image of a spotless America and are asking us to halt the poisonous spread of air pollution. A recent Harris poll showed that there is more public support for expanded Federal pollution control than for any other single domestic program.

The President laid the groundwork for the enactment of just such a program in his message to the Congress last January 30, in which he proposed adoption of the Air Quality Act of 1967. I firmly believe that the bill reported by the Interstate and Foreign Commerce Committee provides a truly effective solution to this critical problem.

This legislation includes a program for combating the problem of air pollution now, by requiring the Secretary of Health, Education, and Welfare to publish criteria of the effects of various air pollutants and information on the technology for controlling these pollutants. The States must then set control standards for their own areas based on this information. The bill strengthens the existing program of motor vehicle pollutant control by calling for the development of State inspection systems, to insure continuing effectiveness of motor vehicle controls.

This legislation also adds another major dimension to controlling air pollution by increasing funds for further research in all aspects of this problem.

Mr. Speaker, our President and our citizens are asking us to make the dream of a healthy, radiant America a reality. I believe that the 1967 Air Quality Act is equipped to help do this and I strongly urge its enactment.

ADDRESS OF POSTMASTER GENERAL LARRY O'BRIEN

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HOWARD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HOWARD. Mr. Speaker, Vermont Democrats had the good fortune recently to get the benefit of the wisdom and wit of Postmaster General O'Brien. The topic was politics and important national issues. When Larry O'Brien talks politics, it is both a joy and an education to hear him. I'm sure my colleagues on both sides of the aisle will find the Postmaster General's Vermont remarks interesting.

I include the text of the Postmaster General's speech in the RECORD:

ADDRESS BY POSTMASTER GENERAL LAWRENCE F. O'BRIEN AT THE VERMONT DEMOCRATIC PARTY DINNER, ALLIOT HALL, ST. MICHAEL'S COLLEGE, BURLINGTON, VT., OCTOBER 13, 1967

I am delighted to join you tonight and to bring you a personal message from the President.

President Johnson asked me to tell you that he shares your view that you have one of the outstanding Governors in the nation in Phil Hoff, and that at a time when the nation is dealing with complex national and international problems America needs such men in the Governor's chair, and in the Halls of Congress. And then the President added, "When it comes to assessing the sources of America's power, it is not our national resources nor our ability to produce military or consumer goods that generates that power. Rather, it is a tradition, a tradition in which exceptional men are willing to devote themselves to the public good through public service. And Phil Hoff is an excellent example of this tradition working in behalf of better government."

Certainly, all who know Phil Hoff share the President's views. Your Governor's voice is listened to with respect in Washington. And if Vermont has a single need or requirement that he hasn't told us about in Washington, I can't imagine what it might be.

Actually, I am not really sure why you

asked me here tonight, since I was informed that this was a partisan dinner.

Such partisanship is in direct conflict with my intense effort to prevent the injection of politics into the Post Office Department.

On my flight here today, I overheard an interesting conversation across the aisle. There were two very prosperous and self-satisfied looking gentlemen, and another, not so well dressed or sure of himself. But this man made up in friendliness for his obvious lack of worldly goods.

He tried several times to strike up a conversation with these overstuffed fellows.

Finally, one said, stiffly. "Name is Scrooge; Republican, retired, married, two sons: doctors." The other followed suit: "Name is Clinkscales, Republican, retired, married, two sons: lawyers."

The little man looked abashed for a moment and then said slowly and subtly: "Name is Smith; Democrat, still working, never married, two sons—both Republicans."

Actually, some of my best friends are Republicans. And, to quote a famous general you all know: if you give me some time I may be able to recall their names.

Fellow Democrats, in these trying times, in this age of recurring crisis and swift change, in a time when guns sound in Southeast Asia, and in the Middle East, when Africa is alight with fires of ancient tribal hatreds, when there are vast convulsions in the Communist world, we need leadership and vision. The Democratic Party has demonstrated again and again through action, constructive legislation, commitment and compassion, that it possesses leadership in abundance.

The other political party by and large is too often a party afflicted by astigmatism, the compulsion to reach for a fifth of old sloganeer at every crisis, and the substitution of attractively packaged candidates for fresh thought.

As for those candidates, on election day the people will see behind that man-tan, those flashing teeth, and that little spit curl in the middle of the forehead. "Come out from behind that smile, Ronald Percy, we know you!"

One of the most interesting pastimes in Washington is discovering quickly which politician is a Democrat and which is a Republican.

How do we political bird watchers tell a Democratic eagle from a Republican whooping crane?

It's easy.

Fishing is a good way. Democrats eat the fish they catch. Republicans hang them on the wall.

TV is another good way. Democrats watch westerns that make them clench their fists and become red in the face. Republicans get the same effect from watching Democrats.

Economics is another excellent way. Democrats look at the hopeful side. A typical Republican reaction to the nation's greatest economic boom in history is that we are now in the depths of prosperity.

Fighting, though bad, very bad, is another touchstone.

Republicans fight after elections. Democrats fight all the time. This exemplifies Will Rogers' statement, "I am not a member of any organized political party. I am a Democrat."

The Republicans on the other hand have plenty of organizers.

This evening I want to discuss one of them.

My first choice was the Governor of California, the man who has made many actors think twice about taking on villain roles for fear it may harm their political futures, the man I like to think of as the Nineteenth Century Fox.

But, I have decided to discuss another man, one who is coming up to Vermont in a few weeks.

He's the Governor of Michigan. You remember. He's the one that Americanized the compact car. And his views since then have been truly in the mainline of Republican tradition: think small. And shift for yourself.

His positions on public issues remind me of a traffic sign I once saw. The sign warns: Don't park on both sides of the street.

The Michigan Governor once said he was courting the Presidency. Well, I am happy to tell him, it's already engaged.

He recently claimed he was—and I use his very words—brainwashed.

Perhaps in the rarified air of this beautiful State he may be able to clear his mind.

So, my first question is: Governor, how did you learn you were brainwashed?

Where does the Governor of Michigan *really* stand on Vietnam? Through the fog we see something for everybody. He supported President Johnson in a speech in Hartford. Then he said the war is a "tragic mistake." He also favored Republican Congressman Ford's call to expand the bombing, and he backed the doves who feel that we should negotiate at all costs.

Do you really *know* where you stand on Vietnam, Governor Romney?

And when you arrive here in Vermont could you tell the good people about it in clear sentences, sentences you won't have to retract later?

Now, I don't want anyone in this room to get the impression that I am not taking the Governor of Michigan seriously.

He is a very energetic and curious gentleman.

Recently, you may note, he had an interesting dialogue with some of the Hippies in San Francisco, one of whom asked the good Governor to vote for *him*. I don't know whether he will heed that Hippie's plea, although he did say that he agreed with much of their philosophy. But agree or not, I want him to know that he is one of my favorite "flower people."

You know, it is easy right now, very easy, for members of the opposition to swing around the country, advocating first this position and then that position.

It is easy, I almost said simple, because the opposition does not bear the responsibility for the course this nation is to take, for the safety and security of our people.

In Vietnam the President is following the road of responsibility.

It is not an easy road.

But the President is convinced that is the road that leads to a free Asia; the road that leads to a freer and a happier and a more secure America.

As he said less than a week ago, "I believe the American people will follow its course—not blithely, not cheerfully—for they all lament the waste of war; but they will follow it with a firm determination, now that we have begun it, to see it through all the way."

That is how our President feels.

And I believe the vast majority of us share that determination.

I know that John Fitzgerald Kennedy saw that his country would need determination. In 1960 he said, "Now that the age of consolidation is over . . . once again the age of change and challenge has come upon us."

The result, he said, is that . . .

"The next year, the next decade, in all likelihood the next generation, will require more bravery and wisdom on our part than any period in our history. We will be face to face, every day, in every part of our lives and times, with the real issue of our age—the issue of survival."

That is precisely what we face today.

And survival demands hard decisions, responsible decisions.

It demands hard choices, not temporary expedients.

President Johnson, a man who has spent his lifetime in the public service, certainly treasures public support. And there are many who suggest ways by which that support could be increased—*temporarily*—

—by softening or renouncing the struggle in Vietnam, or escalating it to the red line of danger

—by giving in and retreating on the tax proposal

—by abandoning the fight against discrimination—the fight for the poor—here at home.

There might be some short term political gains from this course of expediency.

But what about next year . . . or five years from now?

What would that course mean, not for Lyndon Johnson, not for the Democratic Party—but for the United States of America?

I tell you what the President thinks it would mean. His words are straight from the shoulder. "It would mean," he said, "greatly increasing the chances of a major war—not this year, but in the years immediately ahead.

"It would mean imposing a far more onerous tax, a tax of inflation, on all of our people—and the poorest among us—not just this year, but next year.

"It would mean dooming our cities to angry strife and squalor—in every year yet to come."

And then he added, "So we do have a choice.

"We can take the easy road tonight, denying our responsibilities, hoping that a rise in our polls will compensate for what we ought to have done for our country.

"Or we can take the harder road of responsibility. We can do what we believe is right for our children's future, though it may mean a great deal of present pain.

"I have made my choice. And I pray that I—and we—will have enough of that bravery, unselfishness and wisdom that Jack Kennedy said we would need—to see it through, all the way."

That is the President's choice. The choice of responsibility.

What is *your* choice?

Ladies and gentlemen, no matter who the Republican choice may be, the foggy voice from Michigan, the Nineteenth Century Fox, or Barry Goldwater's favorite Nelson Rockefeller—no matter who he may be, we cannot expect to prevail by merely sitting back and watching the candidate slipping his tongue or washing his brain. We have got to work and we have got to organize.

We must organize to win elections, and we must organize to tell the voters of the issues, to get them interested in our programs, our goals, our positive platform and the Republican's do-nothing program.

In a manual I produced some years back, there are many tried and true rules about organizing to win elections.

But manuals must be brought to life by the touch of willing hands.

We Democrats possess in abundance leadership, accomplishment and aspiration.

But the record of past elections clearly shows that leadership, accomplishment and aspiration are simply not enough.

We have got to get out, roll up our sleeves and get to work.

I can tell you here tonight at this moment that our national leaders will be working, and working *together!*

Lyndon Johnson, Hubert Humphrey, and Robert Kennedy and the other leaders of our party will be marching shoulder to shoulder leading our party toward victory in 1968.

I can assure you of that. But what about our leadership on the local level, right here in Vermont?

I ask no more of you than will be given by our Party leadership. I ask of you no less than the kind of cooperation that existed between John F. Kennedy and Lyndon B. Johnson.

You know that in the best American tradition these two men fought valiantly for the

Democratic Presidential nomination. When the decision was made, neither man permitted the past to cloud his judgment. John F. Kennedy wanted the most able man he could find for his Vice President. That's why he picked Lyndon B. Johnson. He knew the problems we faced were too vast, the course of human life too uncertain to have anyone but the very best in the Vice President's chair. And Lyndon Johnson made the same judgment when he chose Hubert Humphrey in 1964.

My friends, the sense of mutual responsibility, the ability to forget past differences, paid dividends for our country in those terrible days of November, 1963. The result was continuity of leadership, and continuity in the constructive work of the Democratic Party.

That continuity began with cooperation in 1960. Let us restore and let us strengthen that spirit and we will again assure continuity in the great unfinished tasks that face this nation.

Let us continue—but in the final analysis, you—the Democratic leaders of this State and leaders in every State—must show the way to victory in 1968.

My friends, the decision is in your hands.

AIR QUALITY ACT OF 1967

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. KYROS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. KYROS. Mr. Speaker, let me take this opportunity to add my voice to the many who have spoken in support of the Air Quality Act of 1967, which President Johnson proposed to us last January 30.

I am much impressed by the evidence linking air pollution to such increasing health problems as lung cancer, emphysema, and chronic bronchitis. I recognize that the arguments linking air pollution to human health damages have not been conclusive, but they are certainly very persuasive. It seems clear to me that human health and perhaps life itself may be at stake and that we cannot wait for the long-term results of medical and epidemiological research to prove irrefutably that such harm is being done.

I have listened patiently to those who say we must research the problem further, and I conclude that they are right. There are many sources of air pollution, like the coal burning powerplant, for which we do not yet have an economically feasible means of control that can be applied uniformly throughout the country. But, on the other hand, I am impatient with the fact that we have not applied in anything like adequate measure the controls which have been available for many years. I am told for example that controls are available which will reduce particulate emissions by 95 percent. Presently it is estimated that we are reducing particulate emissions by 30 to 50 percent.

Mr. Speaker, I applaud the administration's leadership in attacking the problem of air pollution, and I urge all here today to respond affirmatively to the President's call for support of the Air Quality Act of 1967.

A SEASONAL AMENDMENT FOR RETAILING

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from South Carolina [Mr. ASHMORE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ASHMORE. Mr. Speaker, one of the most serious problems confronting America today involves the current and demanding job market and the unskilled worker looking for employment. While this problem is serious, it is rather ironic at the same time, for in too many instances, the prospective employer and the potential unskilled worker are not getting together. Mr. Speaker, I am confident that I have at least a partial solution to this national problem and I would respectfully urge my House colleagues to give favorable consideration to the proposal I am about to introduce.

One of the largest employers in the Nation is the retail industry. Traditionally, general merchandise stores have, in the past, hired several hundred thousand so-called seasonal employees to help them during the Christmas season. I would like to point out that retailing emphasizes the Christmas season period because it is this period of October, November, and December which provides department stores with some 36 percent of their annual sales. In other words, these 3 months carry the heavy burden for the entire selling year.

To meet this peak retail selling period, more temporary seasonal employees are hired. Department of Labor statistics reveal that in 1965 for the months of October, November, and December, the average number of paid employees is 22.6 percent greater than the previous 9 months in the year. December employment was 27 percent greater than for the monthly average for October and November. So it is quite clear that these stores possess a great potential market for seasonal employment.

But this is only part of the picture. The thousands that are employed each year—in 1965, it was 1,990,800 during the Christmas season—are seasonal employees. They are hired for only this period. The overwhelming majority are untrained in that they have had no experience in retail stores. They are needed however, and they anxiously seek such employment, primarily to supplement family income. These seasonal workers are generally secondary wage earners, such as students, housewives, retired people, and others. These workers have been employed at a lower rate than the experienced workers. Even in those large stores which are unionized and which have a negotiated minimum wage, these seasonal employees are hired at a lower rate than that stipulated in the union contract for regular employees.

The situation I have described thus far existed before the Fair Labor Standards Act was amended in 1966—and the minimum rate was increased to $1.40 an hour. The 1966 amendments, I am afraid, have discouraged many employers from hiring because of the new higher rates now required under the Fair Labor Standards Act. In recent days, the pages of the CONGRESSIONAL RECORD have taken note of several surveys showing the impact of the 1966 amendments.

Mr. Speaker, I am today, offering an amendment to that act, which I sincerely believe will be, if it is approved, a boon both to the many thousands looking for seasonal work and to the employers.

My amendment, Mr. Speaker, would permit retailers to hire seasonal workers only during the last 3 months of the year at a rate 90 percent of the legal minimum. I have been assured by retailers, both in my own district and throughout the country that if this amendment is adopted, jobs will be available to many thousands of people who otherwise will not be able to secure employment.

Mr. Speaker, as I view this amendment, it will open up employment for untrained and unskilled people. It will provide jobs for young and older people who either have not entered the labor market yet, or who have retired and need to supplement their incomes. It will permit housewives to take part-time jobs and earn additional money for the Christmas season. On the other side of the coin, it will provide additional help for retail stores permitting them to serve their customers in a manner that they otherwise would not be able to do.

Mr. Speaker, there is strong justification for the proposed 10-percent wage differential. Since the minimum rate has risen to $1.40 an hour, these untrained, seasonal workers simply cannot be hired because employers do not feel it is economical to hire at the higher rates. There is also a problem that would be accelerated between the permanent staff of the stores and the seasonal workers if this 10-percent wage differential is not permitted.

I sincerely believe that the adoption of this proposed amendment will produce only good results. It will mean more jobs for those who in a major degree cannot find employment suitable to their own individual liking and individual schedules. It will aid the stores in solving a most serious problem. Moreover Mr. Speaker, and I would like to stress this point—most stores would hope to use this avenue to find capable, permanent full-time employees.

Mr. Speaker, I urge my colleagues to join with me in support of the proposed amendment.

LOS ANGELES COUNTY BOARD OF SUPERVISORS URGES DEFEAT OF PROPOSED DINGELL AMENDMENT TO CLEAN AIR ACT—CHARGES POLITICAL INFLUENCE OF AUTO INDUSTRY RESPONSIBLE FOR FRUSTRATING SMOG-CONTROL EFFORTS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROYBAL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there

objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ROYBAL. Mr. Speaker, with the 1967 amendments to the Clean Air Act expected to be on the calendar for House consideration within the next week or so, I believe it is vital for all Members to understand the critical damage that will be done to the cause of effective air pollution control in America's urban metropolitan centers by the adoption of the auto industry-sponsored Dingell amendment to this measure.

The Dingell amendment would not only eliminate the Senate-passed provision of the bill that permits the State of California to pursue its aggressive smog control program—and, incidentally, continue to provide urgently needed national leadership in this vital field—but it would substitute language backed by the Automobile Manufacturer's Association that would have the effect of prohibiting any State from applying more stringent motor vehicle emissions standards it felt necessary to protect the health and welfare of its citizens.

This blatant attempt by the auto lobby to sabotage California's pace-setting, and so far successful air pollution control program is deeply resented by our nearly 20 million residents.

As further evidence of this far-reaching concern, I include in the CONGRESSIONAL RECORD the text of the resolution recently adopted by the Los Angeles County Board of Supervisors calling for defeat of the Dingell amendment, as well as an excellent editorial appearing in the Los Angeles Times on this subject, entitled "A Setback for Strong Smog Controls":

BOARD OF SUPERVISORS,
COUNTY OF LOS ANGELES, CALIF.,
October 2, 1967.

All Members of the California Congressional Delegation.

GENTLEMEN: As its meeting on September 28, 1967, the Board of Supervisors adopted an order supporting the attached statement of Supervisor Warren M. Dorn regarding air pollution legislation.

At the same time, the Board directed me to send you a copy of an editorial, "A Setback for Strong Smog Controls," which appeared in the Los Angeles Times on September 28, 1967.

Very truly yours,

JAMES S. MIZE.

MOTION BY SUPERVISOR WARREN M. DORN, SEPTEMBER 28, 1967

I move that the board support the following statement and that all members of the California delegation in Congress be so notified:

The auto industry once again has frustrated the people of Los Angeles County in their struggle to eliminate the smog caused by motor vehicles. The House Committee on Interstate and Foreign Commerce yesterday deleted from S. 780, the Air Quality Act of 1967, a provision which would have permitted California on its own initiative to establish more stringent motor vehicle control requirements than those set for the rest of the country.

The provision was put into the Senate version of the bill by California's Senator George Murphy, and approved by the Senate 88–0. It was removed in the House Committee by amendment of Michigan Representative John Dingell, whose district includes the City of Detroit.

This means that Los Angeles County, which has the worst photochemical smog problem in the country due to the emissions from motor vehicles, can have no stricter requirements for control than some rural area on a wind-swept prairie, unless the Secretary of Health, Education, and Welfare approves. This puts the arena in which decisions will be made 3,000 miles away from the people who have the need, and much closer to the political influence of the auto industry.

Representative Lionel Van Deerlin of San Diego is to be commended for his effort to defeat the Dingell amendment. Members of the California Congressional delegation should rally to support him in correcting this when S. 780 comes before the House.

[From the Los Angeles Times, Sept. 28, 1967]

A SETBACK FOR STRONG SMOG CONTROLS

The people of California have lost the latest round of the congressional fight over tougher air pollution legislation.

At the urging of its member from Detroit, the House Commerce Committee refused to give California the right to make its auto emission standards any more stringent than the federal limitations, even if they are inadequate for this state.

Committee members knew, of course, that the federal emission standards, which go into effect on all 1967 cars, are the same that California has required since 1966—and has found unsatisfactory. Our present limitation of 275 parts per million (ppm) of hydrocarbons is scheduled to be reduced to 180 ppm by the State Department of Public Health in 1970.

The Senate recognized the plight of California and its pioneering efforts to force the auto makers to develop effective smog control devices. As unanimously passed, the Senate version of the new clean air bill would exclude California completely from the federal pre-emption.

All urban states will be the losers if the House does not restore the Senate exclusion, for the primary reason all new cars have control devices is that California made them mandatory two years ago.

"The results thus far could not have been achieved had the State of California not issued an ultimatum to manufacturers of motor vehicles: 'Either control your product or you don't sell it in California,'" said Eric Grant, executive officer of the State Motor Vehicle Pollution Control Board.

Even with the threat of losing their No. 1 state market, the auto industry came up with control systems that were "marginal in their performance," according to Grant, who believes it essential that California reduce its emission standards below the new minimums scheduled for 1970.

The chances of improvement, therefore, were definitely weakened by the House committee action. Although HEW Secretary John Gardner has been a leader in the fight for clean air, a future secretary may not be so interested in stronger controls of the pollutants produced by motor vehicles.

Ironically, the author of the amendment backed by the auto industry, Rep. John D. Dingell (D-Detroit) has won a number of awards for his contributions to conservation, including the promotion and preservation of clean air.

The California delegation in the House should waste no time in mounting a campaign to assure that this state is not crippled in the enacting of even stronger laws against air pollution.

THE AMERICAN SOKOL

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HELSTOSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HELSTOSKI. Mr. Speaker, on October 14, 1967, the American Sokol Organization of Little Ferry, N.J., held its 70th anniversary of existence.

This auspicious occasion was celebrated with a banquet at the organization hall, Main and Garden Streets. Mr. Charles Kuss was the master of ceremonies; and assisting him as cochairmen were: Charles Kubicek and Charles Iverson. The anniversary committee consisted of Charles Kuss, William Zabransky, Jr., Eugene Zabransky, Emil Tuma, Henry Vesely, George Monett, Jack DeStories, Larry Halak, Arthur Hirtler, Henry Mayer, George Janakis, Leo Kubicek, Miss Blanche Kubat, Mrs. Joan Zabransky, Mrs. Marge Hall, Mrs. Anna Funk, Mrs. Mary Killian, and Mrs. Malcolm Hill.

The featured speakers were Eugene Zabransky, president of the men's division; Mrs. Blanche Kubat, president of the women's division; Mayor Fred Heinige of Little Ferry; and myself.

The word "Sokol" translated means "falcon" and the organizational motto is "Freedom, Friendship, Faith, and Longevity." The Sokols teach moderation in all things, a healthy body and a healthy spirit.

Many of the members are active gymnasts who have participated in gymnastic competition throughout the world, having won high honors.

Mr. Speaker, I would like to take this opportunity to include the text of the speech which I made at the banquet of this wonderful organization, which is a very active group in my congressional district.

The speech follows:

THE AMERICAN SOKOL

Mr. Chairman, distinguished guests, ladies and gentlemen. I wish to express to you my deepest appreciation for inviting me to be with you today because I know that I am among people who are dedicated to a love of country and liberty—to physical exercise and mental and moral development.

As active participants in the American Sokol movement, you need not be reminded of the history of your patriotic and progressive organization. However, I would like to dwell upon it for a moment or two.

Founded on February 16, 1862, just over 105 years ago, in Prague, Czechoslovakia, the first Sokol, Educational and Physical Culture Organization had a profound effect on history. It was brought to life by a group of public-spirited men to whom liberty and democracy were a cherished ideal. These men, well versed in the history and philosophy of the past, wanted freedom and liberty for their people.

They realized that only a nation which is willing to prepare for and retain independence must maintain it by constant vigilance. They stressed, realized, and fought for the development of the entire individual—physical, mental, moral, and spiritual. The founders of this organization created a terminology for calisthenics, apparatus exercises, and games that is so precise that units thousands of miles apart can practice the assigned drills, then meet at the great Sokol exhibitions and after only one general rehearsal, perform as if they had trained together for months.

Dr. Miroslav Tyrs, one of the co-founders of the Sokol movement, believed that the entire nation—men, women, and children—

should consistently exercise from the early childhood past their maturity. All of this for neither profit or glory, all of this as a dedication to their nation, and enlightened member of a family of nations, conscious of their rights, and their duties and obligations.

The Sokols are respected in every land that is free. They are hated and feared by every form of dictatorship. They were the first organization to be dissolved by the Nazis and Communists wherever these two usurped power. The Sokol leaders were the first to be imprisoned and liquidated. The Second World War saw 90 percent of the Sokol leaders liquidated in Czechoslovakia, Poland, Austria, Yugoslavia, and Bulgaria. The great mass of the powerful Sokol organizations are far from being exterminated or completely managed. The great spirit of freedom, liberty, and human justice instilled in them by courageous men and women for over a century is still very much alive and is transferred to each group of new children. We know that those who have once known freedom and liberty as we know it will never forget it.

These Sokol trained people have faith in the inexorable destiny of mankind. The Sokols in America have produced their own great leaders and thinkers. Men and women in all walks of life have felt that their greatest contribution to this great land would be to devotedly serve in the Sokol ranks, to constantly train the young in that physical, mental, moral, and spiritual strength that is the bulwark of a nation.

I wish to extend to you my most sincere congratulations upon your observance of the 70th anniversary of the American Sokol Organization of Little Ferry. Your organization has done outstanding constructive work during the past seventy years of your existence. You have played a most effective role in coping with the problems of our youth. Through your program of gymnastics, calisthenics, and games, you have contributed much to combat juvenile delinquency. You have built character and good life into countless members of youth during these past seventy years. There is no finer work than any group of men or women, or organization can be dedicated to than this.

A new generation is not born with traits of responsibility, a sense of patriotism, selflessness and dedication to principle. This is only gained by learning from others, and you have given this to our youth.

Your fine organization, knowing that youth is the future, has devoted these seventy years to providing guidance which leads toward the development of the strong and responsible citizen.

I am proud of the fact that one of the oldest units of the American Sokol Organization is located in my Congressional District here, in Little Ferry, you have a fine auditorium and spirit of the old American Sokol should continue to live in our community. You know the goals of the Sokol movement. It is up to you as an organization to fulfill these goals, and if I am able to add something to achieve these goals, I am always at your beck and call.

Do we, in Little Ferry, want to move backward by standing still—in the pride of future accomplishment?

I believe that we do not and I am confident that you agree.

In the seventy years since the Sokols were organized here in Little Ferry they have contributed to the building of good character in our youth more than any other organization of like magnitude.

Let us carry on to preserve this nation and carry on these lofty ideals.

In conclusion, I wish to remind you that you have a national heritage which you must pass on to your young men and women. And, as Americans, we also have a responsibility to our adopted country. You must not fail in your endeavors to promote the ideals for which the Sokol Organization was founded.

Let me congratulate you, again, upon your past successes and wish you well in all your future endeavors.

IRRESPONSIBLE HOUSE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. THOMPSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, we have all heard a great deal about economy in government these past few weeks. Much of what has occurred on the floor of the House has been for public consumption. Therefore, I think it entirely fitting to place before you two editorials from highly respected newspapers in my home city of Trenton commenting upon the so-called economy drive.

It is perfectly clear that the public is not being fooled by what has transpired here. I would suggest that it is time that we address ourselves to our duties and act without further delay on the pending appropriations bills. As we do so, I earnestly commend to the attention of my colleagues the editorial "Ashamed of This House" which appeared in the October 20 edition of the Trentonian; and that entitled "Irresponsible House" which appeared in the Sunday Times Advertiser of October 22. The editorials read as follows:

[From the Trentonian, Oct. 20, 1967]

CONGRESS DISGRACES ITSELF—ASHAMED OF THIS HOUSE

As debate on proposals to order the President to cut back federal spending reached a fine flower of idiocy in the House of Representatives on Thursday night, Rep. Barratt O'Hara (D., Ill.) sadly observed: "For the first time in all the years I've been here, I'm ashamed of this House."

Considering the number of years that Mr. Barratt (who is 85 and the only Spanish War veteran in the Congress) has served, and what has happened on various occasions during that period, that is a rather forceful statement of disgust.

Nor was the gentleman from Illinois in error. The whole episode, which resulted in a directive that the President reduce spending by from $5 to $7 billion (nobody is quite sure which, in view of the confused compilation of amendments which the House finally passed; but what's a couple of billion dollars these days?) was a howling disgrace.

The same House which is now ordering the President to cut back spending is the one which last week voted federal pay increases. How are the affected federal agencies to absorb the increases while at the same time holding down their spending? By layoffs, perhaps, as Rep. Morris Udall (D., Ariz.) noted when he observed: "We're saying to the boys (employes): 'We gave you a raise last week and now we're going to fire you.'" An odd situation.

Well, not quite "we"—since the whole rationale of the House action was to put the onus of economy measures upon the President while allowing the congressmen to pose merely as champions of "economy" in general.

New Jersey's Rep. Charles Joelson underlined this by saying that the House could make specific proposals if every member would offer some suggestions for cutting spending on federal projects in his own district. "I'm not kidding," he added. "I'm very serious." It's nice to know that there are some people in the House who take their job seriously.

This whole disgraceful exhibition of legislative irresponsibility is the handiwork of the so-called Republican-Dixiecrat coalition, whose prime motive is to give President Johnson a hard time. This objective they seem to be by way of achieving.

That they are at the same time making themselves, the Congress and the entire government of the United States ridiculous in the eyes of the people and of the entire world seems not to occur to them—or, if it does, not to bother them. It is to be hoped that their disgraceful opportunism and reckless irresponsibility will catch up with them at the next general election. Hoped, but not expected; for the public shows an amazing tolerance for such "economy" humbug.

[From the Trenton (N.J.) Sunday Times-Advertiser, Oct. 22, 1967]

IRRESPONSIBLE HOUSE

The House, with the Dixie-Republican coalition firmly in control, has ordered President Johnson to slash from $5 to $10 billion—nobody is precisely sure how much—from this year's federal spending program.

If the order is sustained by the Senate, the cuts will have to come in a handful of domestic programs where the federal response was already both little and late.

The poverty program would be hard hit. So would school aid. Rent supplements. Model cities. The teacher corps. Transportation. Public health.

Precisely the areas where the need for action is so compelling in this urbanized, poverty-plagued, air-and-water polluted, traffic-jammed decade.

The House fastened its meat-ax measure to a routine financing bill that must be passed in order to keep many government agencies in business at their present spending levels until their appropriations bills can be cleared.

And therein lies the problem. The Senate can, and must, undo the damage done by the House. But the House is in a position to hold out in conference for large-scale cuts—and this could lead to a stalemate in which the routine bill would be sidetracked and the agencies depending on it would run out of money to meet their payrolls.

This would be an invitation to chaos; but it is not at all certain at this point that the House conservative coalition, in its zeal to embarrass President Johnson and its obsession with "economy," would not be capable of this mischief too.

Nevertheless, it is urgent that the Senate move decisively to reverse the House action. The domestic needs of this country won't wait until next decade to be met. They need the government's full attention and commitment now.

UTILITIES OUT TO KILL NEW ENGLAND DAM

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. HATHAWAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, Mr. George Lardner, a staff writer for the

Washington Post, in today's edition of that newspaper takes an impartial and objective view of the Dickey-Lincoln School hydroelectric project.

I believe this article, because of its insight and objectivity, should be read by all who may be called upon shortly to vote on continuing appropriations for this project. I therefore enter it in the RECORD:

[From the Washington Post, Oct. 23, 1967]

UTILITIES OUT TO KILL NEW ENGLAND DAM

(By George Lardner, Jr.)

Shortly after the Great Blackout of 1965, New England's private power companies began brushing up their image with singing commercials and full-page ads featuring "Reddy Kilowatt."

The theme, sung to a catchy tune on TV screens: "Plenty of Low-Cost Power Coming Your Way."

The electric companies of New England, the public was told, were launching a big, billion-dollar building program to put up 11 new generating plants, five of them nuclear.

There was, public power advocates maintain, another motive to the advertising campaign: Dickey-Lincoln.

AUTHORIZED IN 1965

The first Federal hydroelectric project ever authorized for New England, Dickey-Lincoln would consist of two dams generating 794,000 kilowatts of public power from northern Maine's St. John River. It would cost $312 million, including a transmission system and interest charges during construction.

Authorized in 1965 after a bitter fight, Dickey-Lincoln would be the first Government "yardstick" for power costs in a region where consumers pay the highest electric bills in the continental United States.

A potent lobby is working hard to kill it. It may very well succeed.

"Nobody should underestimate the political strength of the private utilities in the New England area," Vermont Gov. Philip H. Hoff, who has been burned by power plays in his own state, said in a speech last month.

"They have an amount of political persuasion and control that far exceeds their actual contribution to New England society."

OTHERS IN OPPOSITION

Aligned with the private utilities—the 19 biggest banded together in the Electric Coordinating Council of New England—are conservationists offended by the 88,000-acre lake Dickey-Lincoln would create, and coal interests offended by the thought of anything that might reduce the consumption of coal.

The controversy has made a modest $1.6 million appropriation to complete planning for Dickey-Lincoln perhaps the biggest issue in the $4.7 billion appropriations bill now in a Senate-House conference.

The Senate voted the money. The House, on a 233-to-169 roll call, did not. Carrying the ball for the private utilities in the House debate was Rep. Robert N. Giaimo (D-Conn.).

The essence of the utilities' attack is short and simple. The "Big 11 Powerloop" of their aids, they say, can do the job better than Dickey-Lincoln. Contends Ulbert A. Cree, chairman of the Coordinating Council and head of the Central Vermont Public Service Corp.; "The whole damn thing is a waste of the taxpayers' money."

UTILITIES RESPOND

A wide array of Government reports, statistics, statements and memos says otherwise. They conclude that Dickey-Lincoln is a sound investment and could provide not only substantial reductions in power costs for round-the-clock customers in Maine, but also cheaper peaking power for utilities outside the state such as small co-ops and municipal systems.

Undismayed, the utilities have responded with mass mailings to members of Congress, turning the Government reports upside down with statistics "adjusted" to prove that private power is cheapest and best.

"They've been deceiving the public and they've been trying to deceive members of Congress," charged Rep. William D. Hathaway (D-Maine). "They've really piled on the distortions."

An exhaustive staff study ordered last year by members of a confused House Appropriations subcommittee is a case in point. The staff reported to the subcommittee last March that "the privately financed alternates (to Dickey-Lincoln) cannot compete costwise with the Federal Government in providing identical facilities for power supply, whether it be conventional steam, nuclear steam or a pumped-storage hydrodevelopment."

Two months later, Rep. Giaimo sent fellow members of the full Appropriations Committee an "analysis" showing, he said, that private industry can do "a more economical and efficient" job than Dickey-Lincoln.

The analysis began with the heading: "House Appropriations Committee Staff Report Reveals Dickey-Lincoln Project Economically Inefficient, Economically Unfeasible."

PREPARED BY FIRM

It was prepared by Northeast Utilities, a holding company that includes Connecticut Power & Light, Hartford Electric Light and Western Massachusetts Electric. Northeast has also had two men assigned to shuttle between Connecticut and Washington as lobbyists on Dickey-Lincoln.

Asked about the "analysis," Giaimo at first said, "I'm not working with Northeast Utilities on this," but he subsequently acknowledged that he had asked Northeast to work up the report for him.

The House Appropriations Committee recommended Dickey-Lincoln funds anyway, stating in a July 20 report to the House:

SAME TACK IN SENATE

"The executive investigation conducted by the Committee staff has confirmed that the project is economically feasible, with a benefit-to-cost ratio of 1.9 to 1, and would provide efficient hydroelectric power at reasonable rates for peaking purposes as well as firm power to the preference customers in Maine."

Five days later, the House voted to kill Dickey-Lincoln on Giaimo's motion. "A careful study of the Committee's (staff) report," he assured his colleagues on the floor, would show that the project "is not justified."

The utilities have taken the same tack in the Senate and with the Senate-House conferees.

In a Coordinating Council mailing to all Senators Sept. 30, Cree contended that a Federal Power Commission study—when "adjusted" for a $70 million "discrepancy"—showed the rightness of the private power companies' cause.

In an Oct. 11 letter to the Senate-House conferees, Giaimo charged that the Corps of Engineers had made Dickey-Lincoln look good by assuming its cost would be repaid over 100 years instead of the "required" 50 years.

The next day, Cree followed up by sending the conferees a study headlined: "Federal Power Commission Review Confirms Dickey-Lincoln Project Economically Inefficient, Single-Purpose Power Plant." It, too, complained of a "pay-out period of 100 years" and suggested with a touch of indignation that this "should not be done."

FINDINGS DENIED

The "payout period" the Corps of Engineers calculated for Dickey-Lincoln is 50 years, although the dams are expected to last much longer than that.

As for the Federal Power Commission, Chairman Lee C. White wrote Sen. Margaret Chase Smith (R-Maine), a Dickey-Lincoln supporter on the Conference committee, that "the Commission has not made any of the . . . findings" attributed to it by the private power companies' little headlines.

Cree denies that the utility companies have been playing with figures unfairly.

Meanwhile, conservation groups have been jumping into the campaign to kill the Federal power project. This month, the Wilderness Society, whose governing board happened to hold its annual meeting in Maine, and reportedly the Sierra Club decided to oppose Dickey-Lincoln.

The conservationists generally disavow any solicitations by private power interests. But the Wilderness Society has been picking up some "economic" background from the private power lobby's National Association of Electric Companies.

Dickey-Lincoln's location would protect Maine's Allagash as a wild river, but the conservationists say they want to keep the Upper St. John as a wild river, too.

ONE STRUGGLE ASPECT

The Dickey-Lincoln fight is just one aspect of the New England power struggle. While the big private power companies say they will refuse to buy Dickey-Lincoln power, the small co-ops and municipal systems—tired of the high wholesale costs they pay the big companies—have already agreed to take most of Dickey-Lincoln's output.

At the same time, the Massachusetts municipals are trying to get a piece of some of the nuclear power that the bigger, private companies will control. They have also raised antitrust objections involving Northeast Utilities and the Coordinating Council in proceedings before the FPC.

Ostensibly a planning group, the Council excludes publicly owned utilities from joining it to plot out New England's future power needs.

In light of frustrations such as these, the municipals charged in a brief filed with the FPC this month, the opposition to Dickey-Lincoln "cannot be dismissed as mere lobbying."

INDIANA'S NINTH DISTRICT HOSPITAL OFFICIALS CITE PROBLEMS AND PROGRESS OF MEDICARE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HAMILTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HAMILTON. Mr. Speaker, through a series of local meetings, I have been making a continuing assessment of the needs of the residents of the Ninth Congressional District of Indiana and the effectiveness of Federal programs in helping to meet those needs.

One of these sessions was with hospital administrators to discuss health care in the Ninth District, and more particularly, to gage the effectiveness of medicare in meeting the health needs of the elderly.

A short time prior to the meeting, a staff assistant from my office toured the 17-county Ninth District, discussing with hospital administrators the problems and progress of medicare. His report showed that medicare is working well and that there has been a significant improvement in health care for the elderly. However, the report showed, too, that there are some substantial problems in the implementation of the medicare program.

My followup meeting with hospital administrators was an informal and candid session in which they expressed concern about these problem areas and suggested changes in the implementation of the program.

First, may I say that I appreciate very much the work these hospital officials are doing in meeting the influx of elderly patients created by medicare. Although they have been faced with exploding costs in meeting new demands, they have been making every effort to keep health care costs down.

An initial verdict on medicare is clear. The program has improved the quality of health care for the elderly in the Ninth District. It has, however, taxed the district's 12 hospitals to accommodate the increased numbers of elderly patients.

The 17-county Ninth District is rural in makeup. There are no great metropolitan centers to attract and support extensive health centers. Nor are there the tax resources to establish and maintain such centers.

Yet hospitals in the Ninth District have been moving ahead in recent years—even before the advent of medicare—to improve their services. Federal assistance for hospital and nursing home construction, expansion and modernization has increased 10 times in the last 2 years.

A recent report by the Public Health Service shows that more than $2 million in hospital expansion and modernization work has been authorized for six facilities in the Ninth District to date this year.

Federal assistance has been obligated for the following hospitals in the district in the last 2 years:

PUBLIC HEALTH SERVICE OBLIGATIONS FOR HOSPITAL CONSTRUCTION ACTIVITIES, 9TH CONGRESSIONAL DISTRICT, INDIANA

Year and county	City	Name of facility	Federal share	Category	Beds provided
1966:					
Bartholomew	Columbus	Bartholomew Community Hospital	$52,125	Diagnostic or treatment center	0
Jackson	Seymour	Lutheran Community Home	182,000	Long-term care facility	54
Total 1966 (2 facilities)			234,125		54
1967:					
Bartholomew	Columbus	Bartholomew Community Hospital	171,621	Diagnostic or treatment center	0
Clark	Jeffersonville	Clark County Memorial Hospital	1,012,500	General hospital and public health center	44
Jackson	Seymour	Jackson County Schneck Memorial Hospital	526,393	General hospital	108
Do	do	do	130,767	Long-term care facility	32
Lawrence	Bedford	Dunn Memorial Hospital	293,000	General hospital	92
Orange	Paoli	Orange County Hospital	180,431	Long-term care facility	30
Total 1967 (6 facilities)			2,314,712		306

The most substantial form of Federal assistance to Ninth District hospitals has been the money allocated through the Hill-Burton program. In Indiana, hospital and nursing home improvements are financed with one-third Hill-Burton funds and two-thirds local funds.

Since the Hill-Burton program was initiated by the Public Health Service in 1946, more than $9.2 million in Hill-Burton funds have been expended or have been allocated and now await payment for construction work on 12 hospitals and one nursing home in the Ninth District.

Following is a breakdown of those Hill-Burton funds allocations in the district:

Hospitals	Federal grants	Funds allocated but not paid
Dunn Memorial Hospital, Bedford, Ind	$183,629.06	$293,000.00
Bartholomew County Hospital, Columbus, Ind	837,925.26	171,621.00
	269,447.76	
Fayette Memorial Hospital, Connersville, Ind. (and a $380,000 Indiana public works grant)	105,730.95	
	500,000.00	
Decatur County Memorial Hospital, Greensburg, Ind	410,000.00	
Clark County Memorial Hospital, Jeffersonville, Ind	11,243.94	1,012,500.00
	436,000.00	
Southeastern Indiana Rehabilitation Center	39,901.63	
Dearborn County Hospital, Lawrenceburg, Ind	$415,420.00	
	223,288.27	
King Daughters' Hospital, Madison, Ind	325,648.66	
	202,333.00	
Orange County Hospital, Paoli, Ind	315,002.11	$180,430.84
Washington County Memorial Hospital, Salem, Ind	179,176.56	
	55,381.67	
Scott County Memorial Hospital, Scottsburg, Ind	214,233.56	
Jackson County Schneck Memorial Hospital, Seymour, Ind	85,000.00	657,160.00
Lutheran Nursing Home		199,700.00
William S. Major Hospital, Shelbyville, Ind	450,000.00	

Priority for Hill-Burton funds is given to rural areas. The act directs State agencies to give priority to "hospitals serving rural communities and areas with relatively small financial resources."

In Indiana, fiscal 1968 State allocations under the Hill-Burton Act are as follows:

	Total	Modernization	Hospitals and public health centers	Long-term care facilities	Diagnostic and treatment centers	Rehabilitation facilities
State	$6,621,681	$1,382,235	$2,980,368	$1,592,282	$444,531	$222,265
United States	280,000,000	50,000,000	130,000,000	70,000,000	20,000,000	10,000,000

With this kind of assistance, however, the State still reports 3,670 new hospital beds needed and 8,140 beds which need modernization. Across the country, 66,365 new beds are needed and 271,770 beds need modernization.

Hospitals in the Ninth District have had to make substantial adjustments to meet the heavy demands for health and medical services for the elderly. It is a tribute to their adaptability that the necessary adjustments have been made and are continuing to be made and the demands are being met.

The Social Security Administration reports that as of October 17, this year, the Blue Cross Hospital Service of Indiana—the prinicpal medicare fiscal intermediary in Indiana—has paid $3,813,019.94 in medicare benefits to hospitals in the Ninth District.

However, the review of medicare with hospital administrators indicates that there is much more to be done.

Medicare has accentuated a serious shortage of nursing homes in the Ninth District. Few communities have adequate facilities for long-term nursing home care.

As a result, as much as 45 percent of the bed space in some Ninth District hospitals is being taken up by medicare patients. Hospital administrators are concerned about this high rate of bed utilization by the elderly, but add that these patients do need this kind of medical care.

They point out that many of these patients could be cared for at far less expense, but with no compromise in the quality of their care, in adequate nursing homes and through effective home care programs.

Under the present provisions of medicare, those who need nursing home care must first be admitted to a hospital for 3 days to qualify for this kind of care. In the Ninth District, they are being admitted to hospitals on this basis, but they are not being discharged because there are no nursing homes to accept them.

COMPLAINTS

Hospital administrators voiced concern about several aspects of the medicare program. Their complaints centered on the following areas: First, the reimbursement formula: Hospital administrators were unanimous in saying that the 2-percent allowance for provider costs is inadequate for hospital construction, modernization and expansion costs.

Medicare's allocation of only 2 percent

above hospital costs is not enough to contribute materially to hospital modernization and expansion, which is needed without exception in the Ninth District, administrators contend.

One administrator said his kind of return on the investment—more than $2 million—in his health care facility was "ridiculous." He suggested that the cost plus 2-percent formula be eliminated and hospitals be allowed to charge a flat fee with an added cost factor large enough to help finance future construction and modernization.

The administrator also complained that medicare regulations prohibited him from listing donated services of volunteer help as part of the hospital's cost of operations. Although the services are not directly related to patient care in some instances, they would have to be paid for by the hospital if they were not donated, he said.

Current payments to hospitals also came under fire from the administrators. One said his hospital had received a recomputed quarterly payment of $24,000, was asked to return $4,000, and then received word that the hospital would receive $6,000 more. He said he felt the quarterly reviews and payments were too frequent and prevented hospitals from committing the money for fear medicare officials will request that part or all of it be returned within that quarter.

Second, the depreciation schedule: Several administrators said hospital depreciation regulations called for by medicare regulations are too strict.

They said they do not have the invoices and bills substantiating costs going back 10 years, required by the auditors to support their depreciation schedules. Some could not verify authorizations for purchase and construction, thus requiring appraisals and additional costs.

Third, administrative redtape: One of the most nagging problems in the original medicare program has been the cumbersome certfication and billing procedures.

Prior to medicare, a physician had to certify that there was medical necessity for a patient's entering the hospital. The process was repeated during the third week of hospitalization and again at the end of the seventh week, if necessary.

The purpose of this paperwork was laudable. Overcrowded hospitals should be used only by those in genuine medical need. Medicare, however, requires hospitals to also establish a utilization committee to achieve this same goal. With this additional certification procedure, however, physicians and administrators are understandably irritated.

Another major problem for hospital managers has been the discrepancy between medicare and standard billing procedures. Normally, the patient receives one itemized bill for services. But under medicare, not only is billing indirect, it requires separate arrangements for diagnostic and all other hospital services.

Problems have cropped up, too, in billing procedures for radiological and pathological services. Some specialists in these medical areas insist upon billing patients directly, rather than working under contract to the hospital.

Administrators say the confusion over billings procedures has been a major complaint.

The requirement for repeated outpatient certifications also was a major complaint of administrators.

The processing and payment of outpatient claims is delayed many times by an apparent inability of the Social Security Administration to process the claims quickly, they said. Another source of delay in the administration of these claims is the patients' inability to provide adequate proof that they paid out $50 in doctor's bills that year, as required under medicare, part B.

Fourth, lack of construction funds for both hospitals and nursing homes: Administrators are concerned about the lack of an effective, realistic funding program to assist in hospital and nursing home construction, particularly in those counties with low tax bases where matching funds are difficult—if not impossible—to realize.

Through the Hill-Burton program in Indiana, the State administers Federal funds on the basis of one-third the total cost. Local tax revenues must account for the remainder of the cost.

Although Hill-Burton funds have accounted for more than $9 million worth of construction in the 17-county Ninth District, there have been complaints that the program acts as a sort of "broken crutch" for health needs.

One administrator said Hill-Burton funds are allocated on a "bed space" standard and not on the basis of total health needs in each community.

In Indiana, he said, it takes 3 years to get Hill-Burton funds, a delay which all but cancels the worth of the Federal assistance. He said construction costs have been increasing at the rate of about 10 percent annually, resulting in a 30-percent loss over 3 years' time and negating the worth of Hill-Burton grants in Indiana.

Fifth, nurse shortage: There is growing concern among hospital administrators about the critical shortage of nurses.

Some administrators say that a 3-year nurses' training program is needed, despite the demands of nursing groups for the continuation of a 4-year program with a degree.

Sixth, bad debt losses: Several administrators point out that medicare has not cut the bad debt losses at their hospitals, despite the assertions that medicare would all but eliminate these losses.

Seventh, a lack of understanding: I would add here a complaint on the part of many medicare recipients. My mail and my conversations with these constituents indicate many have difficulty in understanding what is covered and what they must pay.

They also have difficulty in keeping the papers needed to establish the $50 deductible requirement.

PROPOSED CHANGES FOR MEDICARE

Congress is aware of the problem areas of medicare, and is trying to make improvements.

This concern is reflected by the amendments in the medicare provisions of the Social Security Act which was passed by the House last August. The bill H.R. 12080 contains provisions to improve and simplify the administration of medicare. These provisions include:

1. ADMINISTRATIVE PROCEDURES

(A) METHOD OF PAYMENT FOR PHYSICIANS' SERVICES

The bill would make available a new procedure for requesting payment for services for which payment under the medical insurance program is made on the basis of reasonable charges which would serve as an alternative to the assignment and receipted bill payment procedures provided for under present law. The new procedure would permit physicians—and others who furnish services for which payment under the medical insurance program is made on the basis of reasonable charges—to receive medical insurance payments on the basis of an itemized bill without having to agree, as under the assignment method, to accept the program's allowable charges as payment in full if the bill is submitted in an acceptable manner and if the total charges do not, in fact, exceed the program's allowable charges. Where these conditions are not met or where the physician requests that the benefits be paid to the patient, payment would be made to the beneficiary on the basis of an acceptable itemized bill.

(B) ELIMINATION OF CERTAIN PHYSICIAN CERTIFICATION REQUIREMENTS

The bill would restrict the hospital insurance program requirement that there be a physician's certification of medical necessity with respect to each admission to a hospital so that the requirement would apply only to admissions to psychiatric and tuberculosis institutions. The requirement for a physician's certification for outpatient hospital services would also be eliminated. The requirement in present law that there be a physician certification with respect to stays of extended duration in all participating hospitals would be retained.

(C) ADDITIONAL DAYS OF HOSPITAL CARE

The bill provides for an additional 30 days of coverage of inpatient hospital services in a spell of illness—up to 120 days in total—with a coinsurance amount equal to one-half the inpatient hospital deductible—$20 initially—applicable to each of such 30 days.

(D) SIMPLIFICATION OF REIMBURSEMENT TO HOSPITALS FOR CERTAIN SERVICES

The bill would—

First, provide that the full reasonable charges—no deductible or coinsurance—will be paid under the medical insurance program for covered radiological and pathological services furnished by physicians to hospital inpatients;

Second, consolidate all coverage of outpatient hospital services under the medical insurance program by transferring coverage of outpatient hospital diagnostic services from the hospital insurance program to that program; and

Third, allow hospitals to bill medicare patients directly for small outpatient charges—subject to final settlement in accordance with present cost-reimbursement provisions. These changes would

simplify beneficiary understanding and facilitate hospital and intermediary handling of medicare claims by bringing the requirements of the medicare program more closely into line with the usual billing practices of hospitals and the payment methods of private insurance organizations.

(E) INCLUSION OF PODIATRISTS' SERVICES

The bill would cover the nonroutine services of doctors of podiatry or surgical chiropody under the medical insurance program. In addition, the bill would exclude routine foot care from coverage whether performed by a podiatrist or a medical doctor.

Perhaps just as important as the proposed amendments are the comments of the gentleman from Arkansas, the Honorable WILBUR MILLS, the chairman of the House Ways and Means Committee, in reporting H.R. 12080 for a vote of the House.

He said the committee has asked the Department of Health, Education, and Welfare to check the effect of the medicare program on hospital finances as the hospital accounting years close. He said:

During the next year, we will receive reports on the experience and if problems appear, we will recommend appropriate steps to correct them.

2. CONSTRUCTION OF HOSPITALS AND NURSING HOMES

Financially hard-pressed communities in the Ninth Congressional District need more realistic funding programs for construction of hospitals and nursing homes.

This shortage of facilities has been accentuated by the initial inflex of medicare patients. The proposed extension of hospital time for medicare patients could aggrevate these conditions of overcrowding.

The great lack of nursing homes has created an excessively high rate of space utilization by the elderly. Hospitals often are forced to overcrowd wards or move patients into halls, all of which reduces the hospital's capacity for diagnosis and treatment of inpatients.

It is apparent there is a need at all levels of government—local, State and Federal—to make a careful assessment of the health care problems which have been pointed up by the first months of medicare.

Such an assessment should lead to a program or series of programs to meet hospital needs, nursing home shortages, and the establishment of total health care centers.

Counties with low tax bases and high concentrations of medicare recipients must be given special consideration in any such improvement program.

3. REIMBURSEMENT FORMULA

Administrators have a legitimate complaint that medicare is creating hardships. However, it must be remembered that medicare was not created to be a subsidy to support hospital expansion programs, many of which are unrelated to the care of elderly patients.

Congress may have been too conservative in setting formulas to prevent this. We did not intend that medicare patients subsidize other patients, nor did we intend that other patients subsidize medicare patients.

The reimbursement controversy is one of a larger debate about the adequacy of hospitals in general. The problem is to mesh medicare payments, hospital construction funding programs, charities, and private investments into a program to guarantee the development and expansion of high-quality medical services.

Out of a study, encompassing all of these alternatives, I am hopeful we will find practical ways to increase incentives for hospitals to operate efficiently. A consideration of the reimbursement formula alone will not solve the problems facing us.

These, then, are some of the questions that must be answered in any review of medicare.

At this point, it would appear that medicare has not been in operation long enough for anyone to draw any hard and fast conclusions about its total impact upon hospital finance.

Only now are hospitals beginning to have an audit on the first year's experience with the program. In Indiana, the Ernst & Ernst accounting firm is supervising this process in all of the hospitals, specifically looking at the problem of reimbursement.

Once this lengthy procedure is completed in Indiana and elsewhere, the Ways and Means Committee is on record that if substantial complaints are valid, the medicare formula will be liberalized.

This evaluation should take into account the controversy over depreciation and billing procedures, which represent very real problems to Ninth District hospital administrators.

CONCLUSIONS

Across the country, medicare has enrolled 19.1 million elderly Americans under part A of the insurance plan, and in that number 17.3 million are enrolled in part B of the plan.

It has shown Congress that two requirements are still to be met if the medicare program is going to function effectively and efficiently:

First, better communications: Many of the recipients of medicare are confused about the benefits or about the procedures in acquiring those benefits.

As there was a concerted effort to enroll these people in medicare, perhaps there should be a similiar campaign to advise them of the benefits available to them and the means by which to achieve those benefits.

There is a need for communication between the Federal Government, State government, local government and officials of hospitals to fully utilize the program.

And there is a need for communication between doctors and hospital staffs to plan and work together efficiently in carrying out the medicare program in a way to provide the greatest benefits to those in need of care.

Second, constant oversight: We in Congress must exercise our responsibility of oversight and continually assess the medicare program.

Medicare was a far-reaching piece of legislation. Putting it into practice has created many problems, to be sure. But they are not insurmountable problems.

We must see that medicare functions as it is intended to function. But we must be ever watchful to see that from it comes the greatest possible benefit to the doctors, the hospitals, and to the recipients of hospital insurance.

VFW SUPPORTS FREE MAILING FOR MILITARY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. DULSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. DULSKI. Mr. Speaker, as Members of this House are well aware, the Veterans of Foreign Wars of the United States as an organization has always been a leader in protecting the interests of members of our Armed Forces. I would like at this time to call attention to another, and recent, example of alert and timely efforts by the VFW in behalf of our fighting men.

On October 6, 1967, the commander in chief of the Veterans of Foreign Wars of the United States, Mr. Joseph A. Scerra, of Gardner, Mass., wrote me in support of pending legislation to grant free mailing privileges to all U.S. servicemen overseas, at sea, or hospitalized in the United States or overseas. Provisions for the purpose are contained in section 116 of H.R. 7977, the postal rate and Federal employees' pay measure passed by the House on October 11.

Commander in Chief Scerra, in unmistakable language, placed the VFW and its 1,400,000 overseas combat veteran members squarely in support of our House-passed provisions. The VFW commander also issued a national press release, including the full text of his letter to me, and it is a privilege for me to insert the release in the RECORD:

NEWS RELEASE BY VETERANS OF FOREIGN WARS OF THE UNITED STATES

WASHINGTON, D.C., October 6, 1967.—The National Commander-in-Chief of the Veterans of Foreign Wars of the United States, Mr. Joseph A. Scerra, of Gardner, Mass., today urged Congress to promptly pass legislation providing for free mailing by all U.S. military personnel outside the United States.

The V.F.W.'s support of free mail for hospitalized and overseas personnel was set forth in a letter from V.F.W. National Commander Scerra to The Honorable Thaddeus J. Dulski, Chairman of the Post Office and Civil Service Committee of the House of Representatives.

The Veterans of Foreign Wars was one of the original supporters of free mail for military personnel in Vietnam and actively worked for the passage of that legislation. In his letter to Chairman Dulski, Commander Scerra pointed out that the V.F.W. has long believed that free mail privileges should be extended, also, to all U.S. military personnel on foreign station, at sea, or hospitalized.

The text of V.F.W. Commander-in-Chief Scerra's letter to Chairman Dulski follows:

"The Honorable THADDEUS J. DULSKI,
Chairman, Post Office and Civil Service Committee, U.S. House of Representatives, Washington, D. C.

"DEAR MR. DULSKI: The purpose of this letter is to express the continued support of

the Veterans of Foreign Wars of the United States for legislation, now pending before the House of Representatives, to provide for free mailing by all U.S. military personnel hospitalized or overseas.

"By way of background, I would like to point out that the Veterans of Foreign Wars actively sponsored and supported the legislation which provided free mail for our military personnel in Vietnam. The V.F.W. appreciates the action of Congress in extending that long overdue and fully justified free mailing privileges to our troops in Vietnam.

"However, the V.F.W. stated at that time it was also our belief that free mailing should be authorized for all of our overseas military personnel.

"On the basis of my extended travel overseas, in the course of which I have visited our armed forces personnel in numerous overseas locations, as well as those serving with the fleet, it is my firm belief that authorizing such free mailing privileges for all our military personnel outside the United States would increase morale, contribute to military efficiency, and in the long run would prove to be an economical procedure.

"We also urge that such free mailing be provided for hospitalized military personnel.

"In view of the gallant services being so ably performed by our military personnel throughout the world, I respectfully urge, on behalf of the 1,400,000, overseas combat veterans comprising the membership of the V.F.W., the prompt passage of legislation to provide for free mailing privileges for all of our overseas and hospitalized military personnel.

"Sincerely,

"JOSEPH A. SCERRA,
"Commander in Chief"

WHILE THE FARMERS TILL THE SOIL THE FARM BUREAU TILLS DOLLARS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RESNICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RESNICK. Mr. Speaker, Ted Pearson, a reporter for the Birmingham, Ala., News, has just completed a series of articles about the Alabama Farm Bureau. It is significant to note the overall title that he gave to this series, after thoroughly investigating the Farm Bureau, "Farm Bureau: Tilling Dollars."

Although the writer appears to be basically sympathetic to the Farm Bureau, he must be commended for an extremely fine, thorough job of research and investigation, in producing a no-holds-barred story of all the aspects of Farm Bureau activity in that State. His articles confirm many of the charges that have been made recently about the Farm Bureau's subversion of the farmers' interest, and serve as a scorching indictment of the farflung business activities of this commercial and financial empire. After reading about the Farm Bureau's shopping centers, hotels, automobile tire business, stock and bond business, and insurance companies and real estate speculations—and then looking at the tax-exempt status that the Farm Bureau enjoys because supposedly it is a farm organization—one might well stand back in amazement and ask himself, as I have done, "What in the world does all this have to do with solving the problems of the American farmer?"

Mr. Speaker, under unanimous consent, I respectfully include the second article of Mr. Pearson's series in the RECORD at this point:

[From the Birmingham (Ala.) News, Oct. 9, 1967]

WEALTHY FARM BUREAU IS LARGE OWNER OF PROPERTY AND SECURITIES IN ALABAMA

(By Ted Pearson)

You can go to several Farm Bureau-owned shopping centers in Alabama and buy a loaf of bread or a mink coat.

Or you can stay in a Farm Bureau-owned hotel.

Or, if you have a Farm Bureau membership card (you don't have to be a farmer to join), you can go to one of 110 dealers and buy a set of premium tires with the Farm Bureau private label.

All this points up the extensive interest, both direct and indirect, that Alabama's Farm Bureau has in the field of merchandising—and its enviable status as an owner of real estate and wealthy landlord.

It is a role that Farm Bureau has assumed through its highly successful insurance companies and a merchandising arm established primarily to put needed products into the farmer's hands at a saving.

Property holdings of Farm Bureau's insurance companies are big. So is their portfolio of stocks and bonds.

Farm Bureau's title of ownership is on several shopping centers, including two of the largest in Birmingham and Alabama—Five Points West, purchased in 1966, and Eastwood Mall, acquired this year. Other shopping centers under Farm Bureau ownership are in Dothan, Brewton, Demopolis, Montgomery and Clanton.

Of these, the best income producer in 1966 was the huge, 52-store Five Points West shopping complex. It was, in fact, the biggest moneymaker among Farm Bureau properties.

For the Alabama Farm Bureau Mutual Casualty Insurance Co., Five Points West produced a 1966 gross of $473,155. Taxes, repairs and expenses took a $301,993 cut out of that, leaving a net of $171,162.

The listed purchase price for the shopping center was in excess of $6.5 million, but through an intricate arrangement of mortgages, loans and leases, the actual cash put up by the Farm Bureau company was far less than that—somewhat in excess of a half million. Thus, the net income for the first year was about 20 per cent of the actual cash outlay for the purchase.

Farm Bureau insurance companies as yet have no income figures in for the recently acquired Eastwood Mall, but the profits probably will exceed those of Five Points West.

The Farm Bureau companies own hotels, including the famous but antiquated Exchange Hotel on Court Square in Montgomery. They own office buildings, choice subdivisions and other high-priced residential property, and a substantial amount of open land for future development or speculative purposes. Their portfolios of stocks and bonds are filled with blue chips.

They are constantly looking around for more real estate to pour their surplus capital into, and for more securities to build up their portfolios.

The bulk of the investment property is held by the Alabama Farm Bureau Mutual Casualty Insurance Co. At the end of 1966, it held title to 54 separate pieces of investment property, 15 of which it purchased during 1966. The book value of this property was pegged at $12.4 million.

From its investments, this Farm Bureau company realized a gross income of $878,806 in 1966. But taxes, repairs and expenses amounting to $527,723 cut net income to $351,000.

In addition to Montgomery's Exchange Hotel, acquired in 1962 at a listed purchase price of $780,000, the Farm Bureau companies own the Guest House in Birmingham, purchased in 1965 and 1966 for $1.4 million.

Farm Bureau's managers are astute at turning a profit on buying and selling investment property for their insurance operations.

During 1966, one of the companies sold off $934,521 in real estate, a total of 12 transactions on which it realized a net profit of $86,546.

Among these transactions was this one: Four years ago, the company bought a tract of Montgomery property called "the Hill lands" for $510,587.68. Last year, a part of this property, 32 lots representing $96,624 of the original purchase price, was sold for $154,850—or a profit of $58,225.

There are several subdivisions and tracts of development land in the Farm Bureau companies' property investment folders, including choice areas in Montgomery, Jefferson County, Selma, Auburn and Tuscaloosa.

The portfolio of stocks and bonds owned by these companies has grown rich, too. At the end of 1966, the Farm Bureau companies owned more than $12 million worth of corporate stock, both preferred and common, and more than $9 million in bonds, mostly tax-exempt bonds issued by governmental bodies and other public agencies—more than $21 million altogether.

The list of corporate stocks owned by the Farm Bureau companies includes some of the top-notch blue chips in American industry—General Motors, Chrysler, American Airlines, Gulf Oil, Royal Dutch-Shell, Westinghouse, Kaiser Aluminum, and many others.

The Farm Bureau companies hold substantial stock interest in other insurance companies, in public utilities, in banks. Stock ownership is held in 13 banks and 32 insurance companies, including the No. 1 and No. 2 Alabama-based life companies, Liberty National and Protective Life.

Aside from the three companies under its exclusive domain, Alabama's Farm Bureau has a vital stake in the investment portfolio of the Southern Farm Bureau Life Insurance Co. of Jackson, Miss., of which Alabama Farm Bureau is co-founder and one-fifth owner.

That company, as of the end of 1966, had $39.2 million invested in bonds of various kinds, $7.9 million in high-grade preferred and common stocks, and $65.3 million in mortgage loans. It had comparatively little invested in real estate, however.

Collecting property, and buying up large blocks of stocks and bonds, has been a matter of necessity as well as choice, of course. When you own and operate insurance companies, as the Farm Bureau does, you are required by policyholder-protecting status and by ordinary laws of business survival to invest large sums in income-paying properties. Profits from investments go into reserves as growth capital, and to policyholders as dividends.

That's why—through its insurance company investments—Farm Bureau has become a little-recognized but rather large owner of property and securities in Alabama. As such, it has an indirect interest in the field of general merchandising as a rent-collecting landlord from tenants of its shopping centers.

It also has a direct interest in speciality merchandising, and the specialty is notably tires for automobiles, trucks and other vehicles. It handles its merchandising operations for tires and certain other items, including auto batteries, through a separate company called Alabama Farm Bureau Service Co.

They're sold through 110 independent dealers throughout the state—service station operators, garagemen, local storeowners—under percentage-of-sales contracts. Farm Bureau members, whether active or associate, simply go to their local dealer, show their membership cards, and purchase the items they want, at prices usually lower than those of competing products.

Thus, Farm Bureau merchandising is not limited to farmers, although three-fourths of the 100,000-plus members are either directly engaged in farming or have a direct interest in farms and therefore are active members. A non-farmer may become an associate member simply by applying, paying the $12 annual dues, and getting cleared by his local county Farm Bureau.

Tires carry Farm Bureau's private label—"Safemark." They're manufactured for Farm Bureau by General Tire Co. Tires and tubes accounted for $984,076 of the merchandising company's total sales of $1.1 million for the year ended last June 30. Sales of batteries, carrying a private Farm Bureau label of "Weathermaster," brought in $83,433.

Other items sold through Farm Bureau Service included fertilizer, baler twine, cottonseed meal, certain chemicals, light bulbs and coal.

The merchandising company's net profit on sales is extremely low, reflecting one of the major reasons Farm Bureau offers the products it sells at prices lower than competitors. Profit margin is not a factor. The company's net operating income was only $6,075 for the past year, in spite of more than $1 million in sales. Whatever profits are made, however small, go to build up the service company's book assets.

Farm Bureau's leaders periodically look over the merchandising field with an eye to adding new products and services.

"What we do in Farm Bureau service," says the president, J. D. Hays, "is geared wholly to the wants and needs of our farmer members. If we see an opportunity to provide a needed product or service at a lower cost, and without loss in our handling it, we will do it."

One new area Farm Bureau is happily moving into is selling feed grain to farmers. In June, it established an elevator and handling facility at Maplesville in Chilton County to sell feed corn to farmers at reduced costs. Prospects for rapid expansion of feed grain merchandising to farmers are good. Alabama farmers need far more feed grain than they produce, the majority aren't large enough to buy in cost-saving carload lots, and the Farm Bureau can.

As for tires, Farm Bureau managers say they're selling premium tires to members at a saving of at least $8 per tire under comparable products of other sellers. For a set of four, that's a saving of $32, quite an attraction to cost-conscious farmers.

Merchandising—or "economic and business services" as it is called by Farm Bureau—is another example of Farm Bureau's steady rise to the levels of big business.

The way things are going, Farm Bureau in Alabama is going to get bigger in that field.

MANUFACTURED PRODUCTS COST $110 MILLION FOR CONSTRUCTION OF GLEN CANYON DAM IN ARIZONA

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. ADAMS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ADAMS. Mr. Speaker, the U.S. Department of the Interior, on October 22, 1967, issued a news release in which the widely dispersed economic benefits derived from construction of the Glen Canyon Dam are described in detail.

These benefits, as indicated in the release, were felt in virtually every State in the Nation as materials, equipment, manufactured goods and transportation services were required to complete the project.

Construction of the Dickey Lincoln School hydroelectric project in northern Maine will provide similar economic benefits to all parts of the country. As was the case with Glen Canyon, the largest portion of the materials for Dickey will be purchased outside Maine and New England.

Glen Canyon was built at a cost to the Federal Government of $243 million. The Dickey project will cost $212.1 million, so its direct economic benefits will be commensurately less, but still a huge amount.

In order that colleagues throughout the Nation may fully appreciate the direct interest which industry and workers in their own States have in Dickey's construction, I include the Interior Department release in the RECORD:

MANUFACTURED PRODUCTS COST $110 MILLION FOR CONSTRUCTION OF GLEN CANYON DAM IN ARIZONA

Secretary of the Interior Stewart L. Udall reported today that manufactured products costing $110 million were purchased and shipped from virtually every State in the Nation for use in constructing Glen Canyon Dam and Powerplant on the Colorado River in Arizona, according to a recently completed economic study by the Department's Bureau of Reclamation.

Construction of Glen Canyon Dam started in 1957 and final completion of all work occurred in 1966.

An additional $10 million was required for freight by train, truck, and airplane from all off-site locations to the desert construction area.

More than $70 million of the total money for manufactured materials, equipment and freight, which were used for Glen Canyon Dam itself as well as the powerplant and housing needs of construction men, were spent in geographic regions beyond the borders of the Southwest region where the structure was built. Purchases came to $50 million in the dam's home region. (See attached chart).

Reclamation Commissioner Floyd E. Dominy said that bringing together such great quantities of supplies and so many skilled men in constructing multipurpose water resources projects results in economic benefits to all parts of the country. "It is significant to every part of the Nation that nearly 60 percent of the shipments of the permanent materials and equipment for this dam were from regions outside the area where the dam was built," Dominy said.

The 710-foot high concrete dam is the major water storage and power generating structure of the Colorado River Storage Project, and is widely known for its impoundment of scenic Lake Powell, which has been called the world's most beautiful manmade lake. The dam itself was awarded the Outstanding Engineering Achievement Award in 1964.

The following table shows the quantity and cost of materials and equipment used in constructing Glen Canyon Dam and Powerplant:

	Tons (thousands)	Amount (millions)
Materials:		
Steel and other metals	60.7	$27.9
Building materials	20.3	10.5
Concrete products	807.2	10.3
Repair parts, fuel, etc	125.1	10.1
Miscellaneous materials	60.5	2.6
Explosives and chemicals	24.2	1.6
Subtotal	1,098.0	63.0
Equipment:		
Electrical	6.3	19.0
Hoists, pumps, etc	1.1	16.3
Concrete	2.1	4.4
Motorized	5.9	4.1
Office and engineering	.3	1.2
Building	.9	1.1
Miscellaneous tools	1.1	1.1
Asphalt	.1	.4
Subtotal	17.8	47.6
Total materials and equipment	1,115.8	110.6

The above table does not include the preponderant weight of the dam—the sand, aggregates and water used in the concrete mix.

Salaries to all contractor construction employees paid during the 10-year construction period were nearly $79 million, while expenditures for land and government administrative costs came to $43 million. Construction of the giant dam generated a total of 50 million man-hours of direct on-site and indirect off-site employment—an equivalent of 100 employees working 250 years each.

Employees in actual construction efforts accounted for 5 million man-hours, or nearly 20 percent of the total on-site labor. Machine operators and carpenters were about equal with 2.8 million and 2.6 million man-hours each. Others doing considerable direct on-site work were truck drivers, iron workers, electricians, plumbers and cement masons.

Some 24 million man-hours of all employment—an equivalent of 12,000 man-years—occurred off-site, or in various industries at locations other than the dam. These were mining, manufacturing, transportation, wholesale and retail trade, agriculture and such industries. This included 13 million man-hours of primary employment in the final stages of manufacturing the materials and equipment, and 11 million man-hours of secondary interindustry employment in processing semifinished and finished materials and delivering them to the manufacturer.

As a project of the Reclamation program, the total Federal construction cost of Glen Canyon Dam—amounting to $243 million by the end of 1966—is largely repayable over the years from the sale of commercial power produced in its 900,000-kilowatt capacity powerplant. Project power revenues also will contribute to other water resource development in the five-State Upper Colorado River Basin.

Mr. Speaker, accompanying the Interior Department release was a map indicating expenditures by areas for direct construction material, equipment, and freight requirements supplied by all regions of the Nation. These economic benefits were distributed as follows:

Far Western States	$19,888,000
Rocky Mountain States	16,227,000
Plains States	2,036,000
Southwest States	49,568,000
Southeast States	2,459,000
Great Lakes States	6,343,000
Mideast States	20,497,000
New England States	630,000

An additional $3,358,000 was expended abroad.

POSTAL LIFE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. DANIELS. Mr. Speaker, response to the new Post Office Department magazine has left little doubt that there has been a great need for such a publication.

Postal Life is winning praise from career postal workers throughout the Nation. The magazine provides them with much needed means of keeping in touch with new developments and matters which concern themselves and their careers.

For example, the September-October issue told employees about the creation of the postal uniform and the effort that goes into maintaining quality. The original issue carried a most interesting story on mail service to our men in Vetnam.

Since mail to Vietnam will be heavy this Christmas, I think it is important that we know just how those important letters and parcels are going to make their way from the United States to Southeast Asia. I am therefore inserting into the RECORD the very thorough, very readable story which appeared in the first issue of Postal Life. I am also inserting five letters from career employees in my home State of New Jersey who like the magazine very much.

The material referred to follows:

MAIL FOR OUR MEN IN VIETNAM

In a place called Long Binh, the Army has a replacement depot. It is a military base which processes servicemen moving in and out of Viet Nam, and its atmosphere is one of haste and transience. A man isn't likely to find anyone there he knows.

Mail service is general delivery. The call window tempts every soldier who passes through, and even if he is newly arrived overseas, the clerk may very well have a letter or two for him.

Often, the mail will beat him from the United States to Vietnam. American troops are receiving the finest mail service ever; General William C. Westmoreland himself has said so.

The chief of Viet Nam military operations places mail in importance with bullets, bandages and beans. He says that a letter from home is one of the most significant contributions to men in the field.

First class mail is getting three to five day delivery from posting stateside. Small parcels sent space available (SAM) are delivered in about 10 days. Mail from Viet Nam to the USA gets the same service.

The flow of mail to that embattled nation has risen to a flood, and the task of getting it delivered is a mighty team effort in which all postal employees in America play a part. In cooperation with commercial carriers and the Department of Defense, postal employees are helping to make the military mail operation a not-so-small miracle.

More than 55 million pounds went to Viet Nam last year.

The mail originates, of course, in the great cities and a thousand towns and villages which have contributed their sons to the Vietnam conflict. It is processed in thousands of post offices and dispatched as quickly as possible to west coast concentration centers.

Sometimes two million pounds a week arrive at San Francisco; half will go to Viet Nam, the remainder to Japan and other points in the Far East. Seattle, open barely three months, handles a lesser amount.

Postal employees sort the mail by APO, and military mail clerks help with the arduous researching of incomplete addresses. That task is particularly important because the men and their units may be continually on the move in the shifting land war, and delivery under combat conditions is hard enough as it is.

Forwarding has been developed to a fine art in Viet Nam. Military locator specialists keep track of transfers and troop movements. Almost all of the time, the mail catches up.

The responsibility has been the military's ever since the pouches left the great jumping off points, traveling as armed forces mail bound for the Far East. The larger, heavier parcels go by ship. They will spend 21 days on the water and possibly weeks more awaiting unloading. Average age of the delivered surface parcel is about 45 days.

The trip by air takes about 30 hours. Spacious cargo planes transport the mail in white fiberglass containers called "igloos," each of which holds about 80 pouches and sacks. Last Christmas, more than nine million pounds of mail was bundled into igloos and packed off for Viet Nam.

The large airstrips in Viet Nam are among the busiest in the world. The noise and activity go on around the clock. The jet whine never ceases. Inevitably, the mail plane descends from the calm of 30,000 feet into a maelstrom.

As always, time and the oppressive heat close in. It is near midnight. The temperature is 97 degrees. At Tan Son Nhut airfield outside Saigon, or Da Nang up country or Cam Ranh Bay, the men come running to unload the mail.

Their job is similar to those of thousands of mail handlers and clerks in hundreds of sectional centres throughout the United States.

Get hands on the mail. Get it broken down. Get it to transportation and get it on its way. Fast.

The mail must be off by dawn. Some goes to temporary offices up the road. Some to base housing. Much of it will go inland, to the field. Or to hospitals.

Through the night, the mail is moved up to the flight line. It is gathered from the Military Air Command Charters, from the Pan American commercial flights, from the ships in the bay. Long lines of artificial igloos looking out of place in the tropics stand waiting.

Most mail moves inland by air, and at sunrise the first wave of mail planes, the pony express of the sky, takes off. CV-2 Caribous and the ubiquitous helicopters bear the greatest load.

It is 7:00 A.M. Aloft is a Caribou assigned to carry mail to two brigades of the 1st Infantry Division at Phouc Vint and Lai Khe, about 45 miles north of Saigon. Aboard are 3,500 pounds of letters and parcels, two PFC replacements, medical supplies and parts for the division's vehicles.

The trip is uneventful. The gunfire is distant. Overhead a squadron of jet fighters streaks toward the horizon. No one is giving notice to the mail plane.

The pilots makes casual remarks about the gunfire, saying that mail planes are a favorite target of the Viet Cong but that he knows of no loss of mail. He dips a wing, puts down toward the brigade's airstrip. He sounds an airborn mail call, honking the plane's raucous horn three times.

A mud-splattered truck bursts from the shelter of the trees and races out to meet the plane.

The driver dismounts and begins to load the truck, flinging mail sacks with the same easy motion he used to pitch hay in Iowa. He checks his manifest and pulls off, down the bumpy road toward his APO, a quonset hut in which the temperature will rise to 111 degrees by noon.

The structure is his duty post for at least 12 hours a day, for as many as 10 weeks without a day off. He is the corporal, and he has seven men to help him open the sacks and sort the mail by units.

"It could be worse," he says. "Five months ago we were in a tent. Now at least we have electric lights when the generator isn't too tired."

In a few hours a radio call summons unit mail clerks. They arrive in Jeeps, bringing letters and packages to be mailed, and they collect the incoming pouches for their outfits.

The quonset is located at the edge of the town. Across the street is a little market whose sign is done in the eloquent squiggles that mean whole thoughts to the Vietnamese. Under it ads for Pepsi and Coke vie for attention.

Women, lovely in the flowing ao dai, pass the APO. Kids are shouting to each other. Soldiers arrrive in a steady stream, calling at the APO for mail. There are lock boxes along one wall.

It is hot and sweaty. A man must handle his mail gingerly or the washable blue will come off on his fingers.

A popular item in packets from home is Kool-aid. A mail clerk says that everyone is drinking it now that ice is available. A small thing to be grateful for.

It is only morning, but the corporal is tired. He is perspiring, and his eyes are red. But he won't take off.

"Twelve hours a day is a long day, day after day," he says. He is making out money orders, trying not to smudge the ink. "But the guys really need that mail."

The corporal is proud of his job. "I'm really doing something worth while here. I wonder if those guys working our mail in the States think about their jobs like this. It's something special, you know."

He goes on about the fantastic money order business in Viet Nam. Already a legend is the Air Postal Clerk at APO 96307 who wrote $105,000 worth in one day and had only a 40 cent error in his report . . . and a sore hand. It is not unusual for an APO to issue $2 million in money orders in one month. Hip pocket bank, the GI's call it.

This is to be expected. Money orders were born of similar circumstances during the Civil War when soldiers needed a safe and convenient method of sending money home to their families.

In Viet Nam money orders are most important on pay day. But the mail is important every day. At Da Nang it never stops.

It is 10:00 P.M. A Pan Am 707 touches down, brakes its engines with a shattering scream and taxis to the apron. A couple of Air Force sergeants with stripes to their elbows volunteer to help unload mail. Nine of the 13 "igloos" are to come off. About 45,000 pounds of mail for Da Nang.

It's eerie. The VC's have tried to infiltrate the base again. Rifle fire echoes in the distance. White flares light the skies and linger for endless seconds, perishing reluctantly. A sentry dog barks sharply as if he has someone. Night sounds.

The ten man crew unloads the mail swiftly. There is no pause for the noises from the darkness. One of the noncoms, a hulking fellow from the Bronx who repairs jet engines 12 hours a day talks about the VC killed a few nights before at Tan Son Nhut. He had been a shoe shine boy who worked for the Americans during the day.

The other sergeant is a tall Southerner dubbed the "Dixie Hot Shot" because he maintains machineguns on fighter planes, and he doesn't make life any more settled. Without emotion, he describes the mortar

raid on 25th Division APO which killed one clerk and wounded seven.

Hot Shot's low, unhurried monologue is interrupted by an urgent blast from the sirens. The men pause and look into the distance.

"I wonder if Eddie pulled guard tonight," Hot Shot says.

The cargo section is closed and already the plane is warming its engines for the last leg of the trip. Saigon.

The mail igloos have been loaded aboard large flat bed trucks which will haul them to a nearby postal operations area.

The fog is about to come in and the plane hurries to take off position. After the fog, rain will come. Again.

This means that the wounded aboard the hospital ship Repose in Da Nang Harbor will get their mail by boat, not helicopter. In good weather the chopper makes two mail trips a day to the ship.

A sweating PFC begins to complain. He doesn't know whether it is worse to work in the warm rain of Da Nang or to spend the dry season in the searing, sand blown heat at Saigon airport. He has handled mail at both.

Some of the mail at Saigon's Tan Son Nhut is worked inside under huge inflatable rubber shelters. The air is stifling. But that, they say, is a big improvement from last year when they were working mail in the open and in the rain.

From the great, bustling military centers where the igloos are broken down by divisions and units, the mail goes into the jungle by Jeeps and helicopters and often times on a mail clerk's back. It is carried into the central highlands and the plains and the rice paddies in the Mekong delta; it goes to the Marines at lonely outposts, to the Green Berets wherever they are encamped, to American servicemen, soldiers fighting in a distant land. Mail for the kids from back home.

PATERSON, N.J.

EDITOR, POSTAL LIFE,
Washington, D.C.:

I do enjoy your Postal Life magazine. It's a pleasure in reading it. Also, it makes you feel like working.

MICHAEL D. FIORILLO.

EDITOR, POSTAL LIFE:

Your first issue of Postal Life deserves a tremendous amount of praise for a job well done. All articles were very informative and interesting as well as educational. Mailing directly to all postal employees will give us the feeling of one big family working for the same goals and sharing in the "profits" of service to our Government.

We all can learn first-hand information from our employer, the coming improvements, what the future has in store for career employees and many benefits to attract career personnel.

I wish to comment again and say I hope that this new Postal Life will always be part of our postal career and that future editions continue to be as fruitful as the first!

Congratulations!

DANIEL J. DE VENIO,
Secretary, Hackensack (N.J.) Postal Union.

JERSEY CITY, N.J.

EDITOR, POSTAL LIFE,
Washington, D.C.:

I believe every man has a need to take pride in the work he does. The fact that he supplies the public with good postal service is no longer enough.

Our new magazine is like a ray of sunshine on a cloudy day. There has been a basic need for communication between all crafts of career employees for some time. The problems it will solve and the truths it will disseminate will prove its worth alone.

In closing, I would like to say thank you for a most interesting and informative publication, but it was only a drop of water to a thirsty man. Let's have more.

WILLIAM CORCORAN.

PATERSON, N.J.

EDITOR, POSTAL LIFE,
Washington, D.C.:

Congratulations on the fine format of the original issue of Postal Life.

I believe that Postmaster General Lawrence F. O'Brien is thinking in the right direction for better relations.

Best of success and a long life of journalistic service.

JAMES R. LEE,

ENGLEWOOD, N.J.

EDITOR, POSTAL LIFE,
Washington, D.C.:

I reiterate just about all the praises already listed on pages 2–3, Vol. 1, #2.

Having carried a rural route out in Essex County, I certainly enjoyed your article on "Ike Budrey." It brought back fond memories of my befuddlement with the three adjacent Smith farms in Cedar Grove, N.J.—W. A. Smith, W. E. Smith and L. E. Smith—no relation either. There were at least a dozen in each house.

Come Christmas time, we had to take all "Smith mail," split it into three equal bundles and hope they were on speaking terms!

Best regards on this new venture on Postal Life. We, out in the field, like to be reminded that somebody in "the home office" has a high opinion of postal work and workers, that we're not just a drain on the Treasury Department, not just an added tax burden. We work and endeavor to get an impossible job done as quickly as possible, as economically as practicable.

H. G. KAST.

MEAT FOR THE TABLE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. FOLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. FOLEY. Mr. Speaker, America's consumers rightfully expect that the food they buy is wholesome and fit for human consumption. And most of them believe that the meat and meat products they buy for themselves and their families has been inspected and found to meet the rigorous standards of the Federal meat inspection law. But the fact is that a substantial portion of meat and meat products is not federally inspected. The lead editorial of a recent issue of the AFL–CIO News points out that consumers have been "deluded into a feeling of false security" regarding the safety and wholesomeness of meat and meat products. I include that editorial in the RECORD, as follows:

MEAT FOR THE TABLE

The assurance of a safe and healthful meat supply is one of the key elements in the AFL–CIO's drive to protect American consumers against the unscrupulous practices of the marketplace.

Some of these practices are better known than others. Meat inspection falls into the too-little-known category with most consumers convinced that the meat and meat products they buy have been inspected by the federal government.

The reality is that they are not fully protected and that they are in a real sense being deluded into a feeling of false security. Actually, some 15 percent of all meat slaughtered and some 25 percent of all meat products processed are not federally inspected.

Some of this production is inspected at the state level, but even the best of the state programs, where they exist, leave a great deal to be desired.

The federal meat inspection act, in addition, is 60 years old and badly in need of modernization and overhaul.

Meat inspection is a direct and immediate issue for consumers. Serious illness can be caused by unwholesome and unclean meat.

Consumers have in a number of cases paid normal prices for meat that came from sick animals or from animals that died from causes other than slaughter. Potentially dangerous situations concerning insecticide residues in meat have developed in the past few years.

The consumer has a right to get the full protection of meat inspection which he believes he now has. He has the right to expect that the government will assure the health and safety of his family in this matter.

The simple answer is a federal meat inspection law to cover all plants which are in or affect interstate commerce. But the meatpacking industry and the National Association of State Departments of Agriculture are raising the discredited cry of "states' rights" and are urging further weakening of an already weak bill.

These proposals would in effect be a hoax on the consumer by further compounding confusions and illusions about meat protection.

Urging the states to pass good inspection laws, the basic approach of the committee bill, does not face up to the problem and fails completely to assure the American public that it is really protected from the health hazards of unwholesome and unclean meat.

The answer lies with a measure that would place nearly all meat plants under the interstate commerce provisions used as a guide in other existing legislation and thus bring their products under federal inspection.

The meat inspection issue involves the health of the American people and cannot be subjected to bargain basement approaches or gimmicks that would prevent full and complete inspection.

The House of Representatives has the responsibility not to short-change the American consumer on this vital issue and to vote for strong, effective legislation that can be accepted without question as the fullest possible protection.

AIR QUALITY ACT OF 1967

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. FOLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. FOLEY. Mr. Speaker, the proposed Air Quality Act of 1967 represents a significant legislative step in the continuing battle for clean air. Under the Clean Air Act of 1963 and the amendments adopted in 1965 and 1966, the Nation has made significant progress in this crucial battle, but we still have a long way to go. Despite increased governmental and private efforts in this area, air pollution continues to grow and to threaten the health and well-being of millions of Americans.

Today, the threat of a contaminated

atmosphere is one of our most serious problems. Polluted air damages or destroys virtually everything it touches. In economic losses alone, air pollution costs the country billions of dollars a year through injury to vegetables and livestock, corrosion and soiling of materials and structures, depression of property values, and interference with ground and air transportation.

Of even greater significance are the adverse effects on human health. Air pollution is associated with the occurrence and worsening of such respiratory diseases as asthma, bronchitis, emphysema, and lung cancer. The Surgeon General of the Public Health Service has said that air pollution is unquestionably a factor in the development of many diseases affecting millions of people.

Moreover, the problem is steadily worsening. The President reminded us last January that unless the Nation comes to grips with this problem now, it will reach truly critical proportions within the next decade.

The bill that is before the House—the proposed Air Quality Act of 1967—would, if enacted, provide new opportunities for effective action at all levels of government. This legislation would broaden air pollution control programs at all levels of government in an effort to protect and enhance the quality of the environment.

But the proposed act also recognizes that government alone cannot eliminate the threat of air pollution. The ultimate solution to this problem depends very heavily on collaboration between government and industry. The President has said that the time to begin forging such a cooperative effort is now. The proposed Air Quality Act of 1967 would enable the Federal Government to take important steps in this direction. This legislation must be passed; action to protect the Nation against the mounting dangers of air pollution cannot be delayed.

THE RENT SUPPLEMENT PROGRAM IS AN AID TO LESS FORTUNATE AMERICANS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, the rent supplement program can provide the necessary motivation for a family to improve its economic standing. It provides the way for low-income families to live in decent surroundings without the label of the poor neighbor.

By giving them a new start in life, the program is offering a chance for these people to set their sights on higher goals in jobs, education, and a better standard of living.

A man with meager means who is given the chance to live in clean surroundings, rather than in the slums of America's back streets, has more of a chance to rise out of membership in society's economic backwash.

The economic barrier that stood in the way of this man in providing good surroundings for the bringing up of his children can be broken with the aid of rent supplements. He can focus his attention on improving his way of life and that of his children.

The rent supplement program is an aid to less fortunate Americans in their quest for a better way of life.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FISHER, for 30 minutes, today; and to revise and extend his remarks.

Mr. DE LA GARZA, for 60 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. PUCINSKI, today, for 30 minutes.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

(The following Member (at the request of Mr. PETTIS) and to include extraneous matter:)

Mr. RAILSBACK.

(The following Members (at the request of Mr. MONTGOMERY) and to include extraneous matter:)

Mr. FISHER.

Mr. DINGELL.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 108. An act to authorize the conveyance of all right, title, and interest of the United States reserved or retained in certain lands heretofore conveyed to the State of Maine; to the Committee on Armed Services.

S. 2068. An act to repeal certain acts relating to containers for fruits and vegetables; exportation of tobacco plants and seed; naval stores; and wool; and for other purposes; to the Committee on Science and Astronautics.

S. 2179. An act to extend for 3 years the special milk programs for the Armed Forces and veterans hospitals; to the Committee on Agriculture.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2464. An act for the relief of Yoo Young Hui, and her daughter, Ok Young.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 676. An act to amend chapter 73, title 18, United States Code, to prohibit the obstruction of criminal investigations of the United States.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 1948. An act for the relief of Lim Ai Ran and Lim Soo Ran;

H.R. 1960. An act for the relief of Angelique Kousoulas;

H.R. 2464. An act for the relief of Yoo Young Hui, and her daughter, Ok Young;

H.R. 2978. An act for the relief of Yong Ok Espantoso;

H.R. 3430. An act for the relief of Yim Mei Lam;

H.R. 3497. An act for the relief of Ramiro Velasquez Huerta;

H.R. 4534. An act for the relief of Mary Bernadette Linehan; and

H.R. 5216. An act for the relief of Roberto Martin Del Campo.

ADJOURNMENT

Mr. MONTGOMERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 14 minutes p.m.), the House adjourned until tomorrow, Tuesday, October 24, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1171. A letter from the Administrator, General Services Administration, transmitting a certification that the relevant portion of the Inner Loop Freeway and the substructure of the Labor Department building are coordinated in design and will be constructed as a unit, pursuant to the provisions of 80 Stat. 671; to the Committee on Appropriations.

1172. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a notification of the location, nature, and estimated cost of an additional facility project proposed to be undertaken for the Army National Guard, pursuant to the provisions of 10 U.S.C. 2233a(1), and to the authority delegated by the Secretary of Defense; to the Committee on Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PERKINS: Committee on Education and Labor. H.R. 13054. A bill relative to age discrimination in employment (Rept. No. 805). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. H.R. 11161. A bill to extend for 3 years the special milk programs for the Armed Forces and veterans hospitals (Rept. No. 806). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORGAN: Committee on Foreign Af-

fairs. S. 1031. An act to amend further the Peace Corps Act (75 Stat. 612), as amended (Rept. No. 807). Referred to the Committee of the Whole House on the State of the Union.

Mr. PRICE of Illinois: Committee on Armed Services. H.R. 3982. A bill to amend section 409 of title 37, United States Code, relating to the transportation of house trailers and mobile dwellings of members of the uniformed services; with amendment (Rept. No. 808). Referred to the Committee of the Whole House on the State of the Union.

Mr. PRICE of Illinois: Committee on Armed Services. H.R. 1341. A bill to amend section 701 of title 10, United States Code, to authorize additional accumulation of leave in certain foreign areas; with amendment (Rept. No. 809). Referred to the Committee of the Whole House on the State of the Union.

Mr. GRAY: Committee on Public Works. H.R. 12603. A bill to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479), by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes; with amendment (Rept. No. 810). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANNUNZIO:

H.R. 13622. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. ASHMORE:

H.R. 13623. A bill to amend the Fair Labor Standards Act of 1938 to provide for a minimum wage for certain seasonal retail employees; to the Committee on Education and Labor.

By Mr. HARVEY:

H.R. 13624. A bill to amend the Internal Revenue Code of 1954 to grant to certain joint endeavors organized by hospitals the same tax exemptions as are accorded to the participating hospitals; to the Committee on Ways and Means.

By Mr. HOWARD:

H.R. 13625. A bill to amend paragraph (1) of section 22 of the Interstate Commerce Act so as to authorize certain common carriers to furnish transportation to students at reduced rates; to the Committee on Interstate and Foreign Commerce.

By Mr. KING of New York:

H.R. 13626. A bill to create the Freedom Commission and the Freedom Academy, to conduct research to develop an integrated body of operational knowledge in the political, psychological, economic, technological, and organizational areas to increase the nonmilitary capabilities of the United States and other nations in the global struggle between freedom and communism, to educate and train Government personnel and private citizens to understand and implement this body of knowledge, and also to provide education and training for foreign students in these areas of knowledge under appropriate conditions; to the Committee on Un-American Activities.

By Mr. McFALL:

H.R. 13627. A bill to amend the Internal Revenue Code of 1954 to extend the head-of-household benefits to any individual who may not make a joint return but maintains his own household as his home; to the Committee on Ways and Means.

By Mr. OTTINGER:

H.R. 13628. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

H.R. 13629. A bill to amend section 212(a)(14) of the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 13630. A bill to remove certain limitations on ocean cruises; to the Committee on Merchant Marine and Fisheries.

By Mr. QUILLEN:

H.R. 13631. A bill to provide for the orderly marketing of flat glass imported into the United States by affording foreign supplying nations a fair share of the growth or change in the U.S. flat-glass market; to the Committee on Ways and Means.

By Mr. TIERNAN:

H.R. 13632. A bill to amend title 18 of the United States Code to make it unlawful to assault or kill any member of the armed services engaged in the performance of his official duties while on duty under orders of the President under chapter 15 of title 10 of the United States Code or paragraphs (2) and (3) of section 3500 of title 10 of the United States Code; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 13633. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. FASCELL:

H.R. 13634. A bill to amend the Nurse Training Act of 1964 to provide for increased assistance to hospital diploma schools of nursing; to the Committee on Interstate and Foreign Commerce.

By Mr. GATHINGS:

H.R. 13635. A bill to amend the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

By Mr. MILLER of California:

H.R. 13636. A bill to provide for the appointment of additional circuit judges; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 13637. A bill to amend section 2 of the Migratory Bird Conservation Act; to the Committee on Merchant Marine and Fisheries.

By Mr. DOW:

H.R. 13638. A bill to amend the Federal Water Pollution Control Act, as amended, to authorize a program of research and demonstration for the control of pollution in lakes; to the Committee on Public Works.

By Mrs. HANSEN of Washington:

H. Con. Res. 539. Concurrent resolution providing that it is the sense of the Congress that the President should submit a resolution to the United Nations for final and binding improvement of peace in Southeast Asia in accordance with the appropriate article of the United Nations Charter; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII,

291. The SPEAKER presented a memorial of the Legislature of the State of Illinois, relative to the enactment of S. 2457, which was referred to the Committee on Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ANNUNZIO:

H.R. 13639. A bill for the relief of Athanasios Belesiotis; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 13640. A bill for the relief of John Fotopoulos; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 13641. A bill for the relief of Mr. Eduardo C. Robreno; to the Committee on the Judiciary.

By Mr. DE LA GARZA:

H.R. 13642. A bill for the relief of Jesus J. Rodriguez; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 13643. A bill for the relief of Salvatore Bonavolonta; to the Committee on the Judiciary.

H.R. 13644. A bill for the relief of Michelangelo Petralito and Giuseppa Petralito; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 13645. A bill for the relief of Giuseppe Musa; to the Committee on the Judiciary.

By Mr. KEE:

H.R. 13646. A bill for the relief of Mrs. Luisa Cangiano; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 13647. A bill for the relief of Miss Louisa Rota-Sperti; to the Committee on the Judiciary.

By Mr. KYROS:

H.R. 13648. A bill for the relief of Michael T. Mouzas; to the Committee on the Judiciary.

By Mr. PETTIS:

H.R. 13649. A bill for the relief of Rafael Espitia Cruz; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 13650. A bill for the relief of Aydee Cordero; to the Committee on the Judiciary.

H.R. 13651. A bill for the relief of Rosina Parisi, Donato Parisi, and Gerardo Parisi; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.R. 13652. A bill for the relief of Alberto Aiello; to the Committee on the Judiciary.

By Mr. DE LA GARZA:

H. Res. 954. Resolution referring the bill (H.R. 13642) to the chief commissioner of the Court of Claims; to the Committee on the Judiciary.

PETITIONS, ETC.

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

187. By the SPEAKER: Petition of Henry Stoner, Avon Park, Fla., relative to the publishing of a certain document; to the Committee on Rules.

188. Also, petition of the city of Maderia, Calif., relative to governmental tax sharing; to the Committee on Ways and Means.

189. Also, petition of the City Council of the City of Philadelphia, Pa., relative to the appointment of a Treasurer of the United States; to the Committee on Ways and Means.

SENATE

MONDAY, OCTOBER 23, 1967

The Senate met at 12 noon, and was called to order by the President pro tempore.

Rev. Father Baan Vietz, pastor, Holy Trinity Catholic Church, Barberton, Ohio, offered the following prayer:

Our Father, who art in heaven, we pray You today, to listen to the supplication of Your children for Jesus' sake.

We offer the prayers of our hearts this morning for the heroes of the 1956 Hungarian revolution. On this day they fell

on the streets of Budapest in the fight for freedom. The torch of liberty from the hands of the fallen Hungarian freedom fighter was picked up by the American soldier, our sons who are fighting so fiercely in Vietnam. Lord, source of all human dignity, bless our fallen heroes with eternal happiness in heaven and with the fulfillment of their ideals here on earth. We urge You, O Lord, through the words of Your prophets: How long, O, Lord, how long will You tolerate Your saints being ridiculed? When are You going to revenge the blood of Your holy ones?

Jesus, the Saviour, taught us that You are our Father and we are Your children. In the Senate of the United States, Your sons are praying for their little brother, the mutilated, the martyred Hungary.

And in behalf of Your little ones I beg of You, my God, bless Your sons in this Chamber with wisdom, perseverance, and unity in pursuing Your will. Pour Your blessing on those who carry the burden and take the blows of the enemy today.

God bless America! God bless Hungary! Lord God, bless the whole world with justice and peace. Amen.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House disagreed to the amendment of the Senate to the amendments of the House to the bill (S. 1788) to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. JOHNSON of California, Mr. HALEY, Mr. EDMONDSON, Mr. HOSMER, and Mr. REINECKE were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 676. An act to amend chapter 73, title 18, United States Code, to prohibit the obstruction of criminal investigations of the United States;

H.R. 1948. An act for the relief of Lim Ai Ran and Lim Soo Ran;

H.R. 1960. An act for the relief of Angelique Kousoulas;

H.R. 2464. An act for the relief of Yoo Young Hui, and her daughter, Ok Young;

H.R. 2978. An act for the relief of Yong Ok Espantoso;

H.R. 3430. An act for the relief of Yim Mei Lam;

H.R. 3497. An act for the relief of Ramiro Velasquez Huerta;

H.R. 4534. An act for the relief of Mary Bernadette Linehan; and

H.R. 5216. An act for the relief of Roberto Martin Del Campo.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, October 20, 1967, be dispensed with.

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

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

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

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

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

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

PRESIDENT ORDAZ, OF MEXICO, TO ADDRESS JOINT SESSION OF CONGRESS

Mr. MANSFIELD. Mr. President, it is with the greatest of personal pleasure that I announce to the Senate, on behalf of the distinguished minority leader [Mr. DIRKSEN] and myself, that the distinguished President of Mexico, the Honorable Gustavo Diaz Ordaz, will address a joint session of Congress. The address will take place at 12:30 p.m. on Friday, October 27, in the Hall of the House.

It is our sincere wish that as many Members as possible will be on hand for this important occasion. The President of Mexico—indeed the entire Republic of Mexico—has something to say to the hemisphere and the world. His is a message of a proud people who have achieved, within a democratic framework, great progress against incredible odds.

Under the guidance of such outstanding statesmen as President Diaz Ordaz, Mexico is setting an example which all nations would do well to emulate. As neighbors in the hemisphere and as partners in the Alliance for Progress, our friends to the south are doing more than simply paying lipservice to the ideals of the Alliance.

For example, Mexico is devoting 26 percent of its direct Federal budget to education, approximately three times the amount spent on the military establishment. Mexico's longstanding program of land reform and redistribution has been speeded up in recent years. Mexico is demonstrating daily through its growing industrial base the success of its self-help philosophy.

In short, Mr. President, Mexico, in pursuing the goals of its own revolution, serves as a model of stable, progressive government. President Gustavo Diaz Ordaz, like Adolfo Lopez Mateos and others before him, has played a very great role in this development. As such, they have earned the plaudits of mankind.

We are delighted that the President of Mexico will honor us with his presence. We are looking forward to his message.

Mr. DIRKSEN. Mr. President, 2 years ago, when the President of the United States journeyed to Mexico to dedicate the Lincoln Square in honor of the great emancipator, the majority leader and I were privileged to make that journey at the same time. On that occasion, we had an opportunity to visit intimately and at length with the President of Mexico and also the members of the Mexican Congress. It was, to say the least, a very fruitful and constructive visit, and I came away deeply impressed.

I am delighted that he comes now to honor us and to address a joint session of Congress, and I share the sentiments uttered by the distinguished majority leader.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Pursuant to the order of the Senate of March 16, 1967,

Mr. HAYDEN, from the Committee on Appropriations, reported favorably, with amendments, on October 19, 1967, the joint resolution (H.J. Res. 888) making continuing appropriations for the fiscal year 1968, and for other purposes, and submitted a report (No. 672) thereon, which was printed.

ENROLLED BILL SIGNED

The PRESIDENT pro tempore announced that on today, October 23, 1967, the Vice President signed the enrolled bill (S. 1933) to provide for the disposition of the judgment funds now on deposit to the credit of the Cheyenne-Arapaho Tribes of Oklahoma, which had previously been signed by the Speaker of the House of Representatives.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

CERTIFICATION BY THE ADMINISTRATOR, GENERAL SERVICES ADMINISTRATION

A letter from the Administrator, General Services Administration, Washington, D.C., certifying, pursuant to law, that the relevant portion of the inner loop freeway and the substructure of the Labor Department building are coordinated in design and will be constructed as a unit; to the Committee on Appropriations.

REPORT ON FACILITY PROJECT FOR THE ARMY NATIONAL GUARD

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, on a proposed additional facility project proposed to be undertaken for the Army National Guard, at Kaneohe, Hawaii; to the Committee on Armed Services.

PROPOSED AMENDMENT TO CONCESSION CONTRACT IN YOSEMITE NATIONAL PARK, CALIF.

A letter from the Deputy Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed amendment to a conces-

sion contract in Yosemite National Park, Calif. (with an accompanying paper); to the Committee on Interior and Insular Affairs.

AMENDMENT OF TITLE II OF MARINE RESOURCES AND ENGINEERING DEVELOPMENT ACT OF 1966

A letter from the Director, National Science Foundation, Washington, D.C., transmitting a draft of proposed legislation to amend title II of the Marine Resources and Engineering Development Act of 1966, and for other purposes (with accompanying papers); to the Committee on Labor and Public Welfare.

REPORT OF POSTMASTER GENERAL

A letter from the Postmaster General, transmitting, pursuant to law, his report, for the fiscal year ended June 30, 1967 (with accompanying report); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution adopted by the City Council of the City of Philadelphia, Pa., praying for the appointment by the President of the United States of Hon. Mary A. Varallo as Treasurer of the United States; to the Committee on Finance.

Resolutions adopted by the City Councils of the City of Madera, and the City of Livingston, both in the State of California, favoring the enactment of some form of a Federal tax-sharing program; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CANNON, from the Committee on Armed Services, without amendment:

H.R. 4772. An act to authorize the Secretaries concerned to direct the initiation of allotments of the pay and allowances of certain members of the Armed Forces for the purpose of making deposits under section 1035 of title 10, United States Code (Rept. No. 673).

By Mr. INOUYE, from the Committee on Armed Services, with an amendment:

H.R. 4903. An act to amend the act providing for the economic and social development in the Ryukyu Islands (Rept. No. 674).

By Mr. MUNDT, from the Committee on Government Operations, with amendments:

S.J. Res. 64. Joint resolution to establish a Commission on Balanced Economic Development (Rept. No. 675).

EXECUTIVE REPORTS OF A COMMITTEE

Mr. SPARKMAN. Mr. President, as in executive session, from the Committee on Foreign Relations, I report favorably sundry nominations in the diplomatic and Foreign Service. Since these names have already appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

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

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

John F. L. Ghiardi, of Michigan, and sundry other persons, for appointment and promotion in the Foreign Service; and

J. Wesley Adams, Jr., of Illinois, and sundry other persons, for appointment and promotion in the Foreign Service.

BILLS INTRODUCED

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

By Mr. AIKEN (for himself and Mr. KENNEDY of New York):

S. 2564. A bill to insure a reasonable opportunity for all electrical utilities to participate in the benefits of nuclear power; to the Joint Committee on Atomic Energy.

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

By Mr. ELLENDER:

S. 2565. A bill to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. HAYDEN:

S. 2566. A bill for the relief of Melinda Batista Pachengo; to the Committee on the Judiciary.

By Mr. DOMINICK:

S. 2567. A bill for the relief of Fung Yut Ma; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 2568. A bill for the relief of Mr. Leonel E. Enriquez; and

S. 2569. A bill for the relief of Mrs. Esther Luisa Marrero de Enriquez; to the Committee on the Judiciary.

By Mr. TOWER:

S. 2570. A bill to amend the Internal Revenue Code of 1954 to allow an income tax deduction for certain expenses of meals and lodging when a taxpayer's residence has been damaged or destroyed by fire or other casualty; to the Committee on Finance.

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

By Mr. KENNEDY of Massachusetts:

S. 2571. A bill for the relief of Mary Tai; to the Committee on the Judiciary.

By Mr. JAVITS (for himself, Mr. ALLOTT, Mr. BOGGS, Mr. BROOKE, Mr. CARLSON, Mr. CASE, Mr. COOPER, Mr. DOMINICK, Mr. GRIFFIN, Mr. HATFIELD, Mr. JORDAN of Idaho, Mr. KUCHEL, Mr. MURPHY, Mr. PEARSON, Mr. PERCY, Mr. PROUTY, Mr. SCOTT, Mr. TOWER, and Mr. YOUNG of North Dakota):

S. 2572. A bill to establish a Domestic Development Bank to assist in the development of employment and business opportunities in certain urban and rural areas; to the Committee on Banking and Currency.

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

By Mr. JAVITS (for himself, Mr. AIKEN, Mr. ALLOTT, Mr. BAKER, Mr. BOGGS, Mr. BROOKE, Mr. CARLSON, Mr. CASE, Mr. COOPER, Mr. DOMINICK, Mr. GRIFFIN, Mr. HATFIELD, Mr. JORDAN of Idaho, Mr. KUCHEL, Mr. MUNDT, Mr. MURPHY, Mr. PEARSON, Mr. PERCY, Mr. PROUTY, Mr. SCOTT, Mr. TOWER, and Mr. YOUNG of North Dakota):

S. 2573. A bill to amend the Economic Opportunity Act of 1964 to charter an Economic Opportunity Corporation to encourage the participation of private enterprise in the effort to rebuild urban slums and eliminate poverty in the United States; to the Committee on Labor and Public Welfare.

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

AMENDMENT OF INTERNAL REVENUE CODE OF 1954

Mr. TOWER. Mr. President, under present Internal Revenue Service regulations, as I understand it, a taxpayer's loss of residence by fire, storm, flood, or other casualty is limited to actual physical damage. No credit is allowed for extra living expenses incurred while the taxpayer's house is being rebuilt or repaired, or while the taxpayer seeks another permanent residence.

The cost of living in a hotel or motel and the cost of eating out means, of course, more expense for the taxpayer, and at a time when he is already burdened with unexpected expenses.

The bill I introduce, and urge speedy passage of, would, under the above-described conditions, simply let the taxpayer deduct from his tax bill expenses paid and incurred for meals and lodging for himself and members of his household during a period not to exceed 3 months, and only to the extent these expenses exceed an amount which the taxpayer would have paid for himself and family if his residence had not been destroyed or damaged.

Mr. President, as a result of Hurricane Beulah, many of my fellow Texans have incurred much expense. This proposed measure would help ease somewhat their burden.

I would point out a similar situation nearly always arises as a result of hurricanes, tornadoes, and floods, in whatever part of the Nation they might occur. Our action in approving this measure, for both this year and in future years, will help some of our fellow Americans when help is most needed.

Mr. President, I ask that the text of my bill be printed at this point in the in the RECORD.

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

The bill (S. 2570) to amend the Internal Revenue Code of 1954 to allow an income tax deduction for certain expenses of meals and lodging when a taxpayer's residence has been damaged or destroyed by fire or other casualty, introduced by Mr. TOWER, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2570

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part VII of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to additional itemized deductions for individuals) is amended by renumbering section 218 as 219, and by inserting after section 217 the following new section:

"Sec. 218. Certain extraordinary living expenses.

"(a) ALLOWANCE OF DEDUCTION.—There shall be allowed as a deduction the extraordinary living expenses paid or incurred by the taxpayer during the taxable year as a result of damage to, or destruction of, the taxpayer's residence by fire, storm, or other casualty.

"(b) EXTRAORDINARY LIVING EXPENSES DEFINED.—For purposes of subsection (a), the term 'extraordinary living expenses' means

the expenses which are paid or incurred by the taxpayer for meals and lodging for himself and members of his household (to the extent such expenses are not lavish or extravagant), and which are paid or incurred—

"(1) during the period (not exceeding 3 months) while the taxpayer's residence may not be occupied, or may not be used for the preparation and serving of meals, as a result of damage or destruction by fire, storm, or other casualty (or as a result of repairs being made on account of such damage), or

"(2) during the period (not exceeding 3 months) while the taxpayer is securing a new residence after damage to or destruction of his residence by fire, storm, or other casualty,

but only to the extent such expenses exceed the expenses which the taxpayer would have paid or incurred in providing meals and lodging for himself and members of his household if his residence had not been damaged or destroyed.

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

(b) The table of sections for such part VII is amended by striking out the last item and inserting in lieu thereof the following:

"Sec. 218. Certain extraordinary living expenses.

"Sec. 219. Cross references.

SEC. 2. The amendments made by this Act shall apply to taxable years ending after the date of the enactment of this Act.

AMENDMENT OF SECTION 172 OF INTERNAL REVENUE CODE OF 1954—AMENDMENT

AMENDMENT NO. 417

Mr. NELSON. Mr. President, on behalf of myself and my colleague Mr. PROXMIRE, I submit an amendment intended to be proposed by us to my bill, S. 2262, to amend section 172 of the Internal Revenue Code of 1954. The bill was offered to aid American Motors, which has suffered substantial losses in the recent past, yet has continued to make heavy investments in plant and equipment.

Bill S. 2262 will give American Motors the help needed to continue as a substantial, independent competitive force in the automotive industry.

In the bill American Motors would be permitted to apply losses from current operations more effectively against income on which the company paid taxes in prior years by extending the present 3-year period over which business losses can be carried back to 5 years, while reducing the loss carryforward period from 5 years to 3 years.

The total carryback-carryforward period would still remain at 8 years.

This change would enable American Motors to apply for a $20 million tax refund, and it would not cost the taxpayers a nickel.

If American Motors operates at a profit for the next 2 years, the firm can still claim the tax refund. On the other hand, if the firm is acquired by another company, the acquiring company could write off all of AMC's losses against its own tax liabilities.

In either case, the U.S. Treasury gives up the $20 million.

I believe the Federal Government should do all it possibly can to help maintain American Motors as an effective automobile producing firm. Our failure to do so can result in irreparable damage to the welfare of thousands of people and to the automobile business itself.

The amendment I offer today clears up the obscurity in the language of the bill as to the meaning of gross receipts in one of the four qualifying conditions. The effect of the relief given to American Motors is not changed one bit. Neither the profits nor the losses of the company is affected.

I hope the Senate will act quickly and favorably on the bill as amended.

The PRESIDENT pro tempore. The amendment will be received, printed, and appropriately referred.

The amendment (No. 417) was referred to the Committee on Finance.

CONTINUING APPROPRIATIONS JOINT RESOLUTION, 1968—AMENDMENTS

AMENDMENT NO. 418

Mr. HOLLAND submitted an amendment, intended to be proposed by him, to the joint resolution (H.J. Res. 888) making continuing appropriations for the fiscal year 1968, and for other purposes, which was ordered to lie on the table and to be printed.

(See reference to the above amendment when submitted by Mr. HOLLAND, which appears under a separate heading.)

AMENDMENT NO. 419

Mr. MUNDT submitted an amendment, intended to be proposed by him, to House Joint Resolution 888, supra, which was ordered to lie on the table and to be printed.

(See reference to the above amendment when submitted by Mr. MUNDT, which appears under a separate heading.)

CHANGE OF REFERENCE

Mr. HANSEN. Mr. President, last week on behalf of my colleague [Mr. McGEE] and myself, I introduced S. 2553, a bill to authorize the Secretary of the Interior to modify the operation and to reallocate the costs of the Kortes unit, Missouri River Basin project, Wyoming, for fishery conservation.

The purpose of this legislation is to reallocate the costs to take advantage of the Federal Water Project Recreation Act enacted in the 89th Congress. The Committee on Interior and Insular Affairs has jurisdiction over the reauthorization and authorization of Missouri Basin projects and also multipurpose water resource projects in the West generally. The legislation was mistakenly referred to the Committee on Public Works and I ask unanimous consent that the Committee on Public Works be discharged from further consideration of the bill and that it be re-referred to the Committee on Interior and Insular Affairs.

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

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Mr. BENNETT. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Nebraska [Mr. HRUSKA] be added as a cosponsor of the bill (S. 1897) to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Iowa [Mr. MILLER] be added as a cosponsor of the bill (S. 276) to amend the Older Americans Act of 1965 in order to provide for a National Community Senior Service Corps.

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

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from New Jersey [Mr. WILLIAMS] I ask unanimous consent that, at its next printing, the name of the Senator from Minnesota [Mr. MONDALE] be added as a cosponsor of the bill (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.

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

Mr. SMATHERS. Mr. President, I ask unanimous consent that at the next printing of S. 1217, a bill I have introduced to provide for uniform annual observances of certain legal public holidays on Mondays, the names of the following Senators be added as cosponsors: Senators BARTLETT, CANNON, CLARK, DIRKSEN, FONG, INOUYE, MILLER, MORTON, NELSON, PEARSON, PELL, PERCY, SMITH, and YOUNG of Ohio.

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

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from New Jersey [Mr. WILLIAMS], I ask unanimous consent that, at its next printing, the name of the Senator from Pennsylvania [Mr. CLARK] be added as a cosponsor of the joint resolution (S.J. Res. 117) to provide that it be the sense of Congress that a White House Conference on Aging be called by the President of the United States in January 1970 to be planned and conducted by the Secretary of Health, Education, and Welfare to assist the States in conducting similar conferences on aging prior to the White House Conference on Aging, and for related purposes.

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

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, October 23, 1967, he presented to the President of the United States the following enrolled bills:

S. 676. An act to amend chapter 73, title 18, United States Code, to prohibit the obstruction of criminal investigations of the United States; and

S. 1933. An act to provide for the disposition of the judgment funds now on deposit

to the credit of the Cheyenne-Arapaho Tribes of Oklahoma.

NOTICE OF HEARINGS

Mr. CHURCH. Mr. President, as chairman of the Senate Subcommittee on Public Lands, I would like to announce that hearings will be conducted Thursday, October 26, on S. 2255 and H.R. 12121, two bills to extend the Public Land Law Review Commission.

The act of September 19, 1964, provides that the Commission shall submit its report and recommendations to the Congress and the President by December 31, 1968, and cease to exist 6 months after submission of its report or on June 30, 1969, whichever is earlier. The proposed legislation would extend both dates by 18 months.

The requested extension is asked because the Commission's study program has become greater than had been anticipated.

The hearings will be open and public, and will start at 10 a.m. in room 3110 of the New Senate Office Building. Those interested in testifying or submitting statements for the record should inform the Senate Interior and Insular Affairs Committee, room 3106, New Senate Office Building, Washington, D.C.

NOTICE OF TRADE EXPANSION HEARINGS IN MILWAUKEE, WIS.

Mr. NELSON. Mr. President, I would like to announce that the Senate Select Committee on Small Business will hold hearings on expansion of foreign trade opportunities for midwest industries. I will chair the 2 days proceedings in Milwaukee, Wis., on December 1 and 2 at the U.S. post office and courthouse.

The goal of the hearings is to explore the export potential for the next 5 to 10 years for all the industries and businesses in the region. Only four cities have been selected as locations for regional hearings. I am gratified that Milwaukee is one of them.

The committee has sent invitations to many leaders from industry, governmental units, trade associations, business organizations, and institutions of higher learning. The response has been very favorable. I look forward to a very informative 2 days of discussion with several dozen people who are the most knowledgeable and the most interested in the field.

Milwaukee is a major port on the St. Lawrence Seaway, America's fourth seacoast.

The heartland of the Nation relies to a great extent on Milwaukee to handle its exports and imports. Every year shows a record amount of tonnage handled.

The port's harbor and dock system can handle additional loading with ease. The region is anxious to move ahead in the export field. Wisconsin now ranks 12th in the country in value of manufactured exports; Illinois is second, Michigan sixth.

During 1966 in Wisconsin, over 68,000 individuals depended on foreign trade for jobs.

Wisconsin's 1966 share of the export business totaled almost $630 million.

The product groups break down into $328 million for machinery excluding electrical; $53.6 million for electrical machinery; $73.6 million in transportation equipment; $31.5 million for fabricated metal products; $39.7 million for food and dairy products; $7.6 million for lumber products; $7.9 million for paper and allied products; and miscellaneous products including ordnance, printing and publishing, and chemicals totaling $37 million.

The midwest region can look forward to many years of prosperity. But it will have to step up its pursuit of the markets of Europe, Asia, Africa, and Latin America if it is to maintain and improve its position in trade leadership.

It is a fact that the Nation's trade surplus is at its lowest level since 1959. In that year, trade surplus stood at $6.7 billion while it fell to $3.7 billion last year. The country's dwindling gold reserves are a cause of mounting concern.

The question is, can the Midwest help its own economy and that of the Nation through a concerted effort to increase its own export business?

Some of the greatest opportunities available for expansion of the field lie with small business. About 90 percent of all 290,000 U.S. manufacturers are classified as small business. All farmers are small businessmen. Unfortunately, most of the time we are myopic to opportunity. The average person thinks only in terms of the companies in the "Fortune 500." Yet the expertise these large companies possess can be relied on to help guide the way for the newcomer.

The hearings are designed to receive the views of the trade community. In time we will build a record from each of the major regions of the country. We hope that this inquiry will help in great measure to give encouragement and direction to expansion efforts where they are needed. In light of the remarks of the distinguished chairman of the Small Business Committee [Mr. SMATHERS] on September 14, that a Secretary of Commerce has been appointed and the Small Business Administration has reestablished its long-dormant export program, I feel that this exploration has already accomplished a great deal.

I hope that testimony at our Milwaukee hearings will define the practical problems of the region's industries, and that witnesses will explore the long-term potentials and problems of trade in the region's products.

We will ask business and industry representatives to describe what they believe should be the role of the Federal Government, of State and local government, and of private organizations—all of whom will have to work together to develop overseas markets.

The role of the U.S. Commerce Department will have to be explored in great detail in any proposed trade-expansion programs. For example, what should the Department be doing specifically regarding immediate market needs? What should its role in the long-range picture be?

Where should the Government assist business in developing new and better marketing techniques? How much attention should be paid to the new or smaller exporters as opposed to the major firms who determine in large measure the U.S. balance-of-payments position? What are some of the barriers the Government can lower?

The eventual publication of these hearings will provide a valuable source of information not only for the Congress and the public but it will also do much to demonstrate to our foreign trading partners that our economy is basically composed of small, independent firms; that there is increasing interest in mutually profitable commercial trade.

Holding hearings in the field will enable the committee to hear the practical suggestions—always the best—of those who are now, those who want to be, and those who should be connected with the export field.

The committee will have to rely on the experts to provide the answers. I am sure the Milwaukee hearings will help point the way to some of the needed solutions.

The committee will be happy to hear all views. Those having an interest in the subject matter are invited to contact the Senate Select Committee on Small Business.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. TYDINGS:

Testimony by him before Maryland Constitutional Convention concerning younger voting age and judicial and legislative reform in Maryland.

VIETNAM—HOW NOT TO UTILIZE AIRPOWER

Mr. SYMINGTON. Mr. President, a year ago last December, when in Vietnam, I became deeply impressed with the knowledge—no surprise because of his vast experience—of one of the finest men it has ever been my privilege to know, Maj. Gen. Gilbert L. Meyers, U.S. Air Force, retired.

I ask unanimous consent that this experience in the form of his record, be printed at this point in this RECORD.

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

[From the Department of the Air Force, Office of Information, Public Information Division]

MAJ. GEN. GILBERT L. MEYERS

Brig. Gen. Gilbert L. Meyers assumed command of the 836th Air Division, MacDill Air Force Base, on 1 April 1963. Prior to his assignment here, he had commanded the 354th Tactical Fighter Wing, Myrtle Beach AFB, S.C., since 3 October 1960. Before that, he was commander of the 4530th Combat Crew Training Wing at Williams AFB, Arizona.

A veteran of more than 27 years service with the Air Corps and Air Force, he is a graduate of the Canadian National Defense College at Kinston, Ontario; the Air War College at Maxwell AFB, Ala.; and the Armed Forces Staff College at Norfolk, Va.

General Meyers entered military service in July 1936 at Fort Snelling, Minn. He attended pilot training at Randolph and Kelly Fields, Texas, from July 1937 to June 1938. His first assignment after completing pilot training was with the Eighth Pursuit Group at Langley Field, Va.

During the early part of World War II he accepted the first P–47 Thunderbolt fighter for use by the Army Air Corps. Later he had the job of familiarizing General John K. Cannon, the man for whom Cannon AFB was named, with the aircraft's flying characteristics.

Serving with the 368th Fighter Group, his was the first Air Force unit to land in France after Normandy. After the German surrender, General Meyers served with the Fifth Air Force in the Far East and landed at Tachikawa Air Base, Japan, only days after the unofficial Japanese surrender.

In 1946 he assumed command of the First Fighter Group when it was the first jet fighter unit in the Air Force. In 1948 he was assigned to Williams AFB for a year and a half where he served as Commander of the primary training group and as Deputy Wing Commander. In 1950 he went to Korea for two years as Fifth Air Force Director of Operations during the Korean Conflict.

His other post-war assignments include: Deputy Chief of Staff of Operations, Headquarters TAC, Langley AFB, Va.; Vice Commander of the Ninth Air Force, Pope AFB, N.C.; and Deputy Director for Requirements, Headquarters USAF; and Commander of the 27th Tactical Fighter Wing at Cannon AFB, N.M.

Among the awards and decorations he has received are the Distinguished Service Medal, Distinguished Flying Cross, Air Medal with seven Oak Leaf Clusters, Bronze Star and the Croix de Guerre from France, Luxembourg and Belgium.

Mr. SYMINGTON. Recently, General Meyers testified before the Senate Military Preparedness Subcommittee; and anyone who wants to leave, for a minute, the conclusions of the armchair strategists in favor of the opinion of one in the field who directed this air war under all these rules, restrictions, regulations, and other instructions, will be interested in his short, concise, and entirely extemporaneous statement as presented to the subcommittee. Therefore, I ask unanimous consent that his statement be inserted at this point in the RECORD.

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Without objection, the statement will be printed at this point in the RECORD.

The statement is as follows:

TESTIMONY OF MAJ. GEN. GILBERT L. MEYERS, U.S. AIR FORCE, RETIRED, FORMER DEPUTY COMMANDER OF THE 7TH AIR FORCE IN VIETNAM

Senator STENNIS. Do you have a prepared statement?

General MEYERS. I do not, sir, but I would like to make some opening remarks.

Senator STENNIS. Whether or not they are prepared in writing, you certainly may make some opening remarks and I hope you do.

General MEYERS. First I would like to say that I am very pleased to have an opportunity to talk with you gentlemen. You are obviously dealing with a subject which has been very close to my heart. Having spent about 16 months in Vietnam, naturally I am extremely interested in what is going on over there to this day.

I think that in any review or look at the Vietnam war, first you must look at the strategy or the policy which is being pursued over there, and my understanding, of course, is that we have three stated objectives. These objectives I think have been given to the committee many times, and in the interests of saving time, I will not repeat them.

I do not think that any military man that I have ever talked to has any quarrel with the objectives as presented. They are very straightforward, and easily understood, and I think capable of achievement.

I think where the great difference of opinion occurs is how these objectives are being carried out; specifically, how airpower is being used in North Vietnam to implement these objectives.

Associated with the objectives, there is another policy that does not come out as loud and clear as the three stated objectives. If you look at the way airpower has been employed in Vietnam, it is very obvious that this policy exists. This policy is the application of the air effort on a graduated controlled response basis. Initially, as we went into this war conflict, our targets were just across the DMZ. We were trying to create pressure on the enemy, and hopefully by doing so he would come to a decision that he could not win the war, and would agree to some sort of negotiated settlement.

GRADUATED PRESSURE GIVES ENEMY TIME

This policy of graduated pressure has a lot to do with how the air is being employed and the effectiveness of the air campaign in Vietnam. It gives the enemy time to take corrective action on many of the targets that we have struck and nullify the results of our attacks.

For example, consider the interdiction program against bridge targets on his lines of communications. It became obvious to him of course that this was a target complex that we were going to destroy. But because we did it piecemeal over a long period of time, he was able to put the material that he needed to repair the bridges in place, so that when the bridge was destroyed, he would cut down the time that the bridge was out of use.

In addition to that, he put cables across the rivers and the inlets so that he would have a means of crossing. Ferryboats were put into position so that they could be utilized immediately. By giving him this opportunity to organize his resources, he could cut down the effect of the destruction of a given target.

HIT POWER FACILITIES ON PIECEMEAL BASIS

Another specific along the same line. Our attack against the power facilities in North Vietnam. Again this was done on a piecemeal basis. It has been said that there are about 2,000 portable generators that have been brought into Vietnam to replace the loss of these permanent facilities.

Obviously, these generators did not exist initially, but because of the long period of time we spent destroying them, these replacement items were provided, so the impact of the destruction of these facilities was lost.

This graduated application of airpower I think has a major impact on the effectiveness of the airstrikes in the north. That is the point that I would like to get across to the committee, and I do not think it has been emphasized, at least in the press reports that I have read.

The targeting, of course, in North Vietnam is also very pertinent to the effectiveness of our air efforts up there. The target systems that we have gone after in the past have been limited in scope because of this graduated pressure policy that we were pursuing, and many of the good, more lucrative targets in the north were not attacked.

HAIPHONG NO. 1 TO MILITARY MAN

I understand that additional targets have now been released. Of course to the military man, the No. 1 target in North Vietnam is the port of Haiphong. This port represents to North Vietnam what the industrial capacity of Germany and Japan represented to them during the World War II time period.

North Vietnam is basically an agrarian country. They do not have the industrial capacity to produce the wherewithal to fight a war. As a result of this, they must import these necessities. A great deal must of necessity come through the port at Haiphong. It has been estimated to be somewhere between 75 and 85 percent of the total North Vietnam imports enter through this port. The remaining percent enters through the northeast railroad and road nets from China.

DOESN'T MAKE SENSE

It just does not make sense to me that we would put thousands of sorties into North Vietnam on armed reconnaissance when the material we are trying to destroy is located in a very vulnerable position as it is offloaded from the ships in the port of Haiphong. Why do we leave the equipment unmolested in these ports, and then attempt to relocate and destroy it as it moves down hundreds of miles of jungle trails? This is a very difficult thing obviously for our pilots to accomplish. Obviously a port is a very vulnerable facility, because the material has to be distributed after it is unloaded and stored. It is a very lucrative military target, and that is the point in time to bring your airpower to prevail against the material, not after it has been scattered all over the country of North Vietnam.

DEMONSTRATION AT THE PENTAGON

Mr. BYRD of West Virginia. Mr. President, the agencies and representatives of Government who dealt with the demonstrators against the war in Vietnam at the Pentagon are due credit and praise, in my opinion, for the manner in which they discharged their responsibilities.

The troops and their officers, the U.S. marshals and all who faced the protesters displayed admirable firmness as well as restraint in their enforcement of the regulations drawn up to govern the demonstration. Theirs was a difficult and delicate task, indeed. Great bloodshed could have occurred. That it did not is a tribute to the careful planning that preceded the demonstration and the effective way the plans were carried out.

I compliment the Department of Defense, the Justice Department, the General Services Administration, the police, and all who had a part in handling this unusual situation. The constitutional rights of the demonstrators were protected, and at the same time those who broke the law or violated the regulations were dealt with quickly, firmly, and I think justly.

It is reassuring to all citizens to see their Government respond as efficiently and as responsibly as it did. There is no question that the firm determination exhibited by all the agencies involved has served notice that efforts to disrupt the operations of Government will not be tolerated.

Hanoi's comments on the demonstration are proof enough that the Communists welcomed it. I stated last week that they had a hand in fomenting it. It is certain the demonstration served their ends. Hanoi will never negotiate, nor make any move toward peace, as long as it believes that dissatisfaction with

the war may eventually cause America to withdraw. Saturday's demonstration could have no other effect than to reenforce that belief.

It was ridiculous of Hanoi, however, to say that repressive tactics could not prevent the demonstration. The demonstrators, as everyone knows, were given official permission by their Government to stage the protest. Repressive tactics were used only when they violated the rules or broke the law.

PERSONALITY: DR. ARMAND HAMMER

Mr. MANSFIELD. The New York Times of Sunday, October 22, contains a personality story about one of the most successful businessmen in the Nation. I refer to Dr. Armand Hammer, who has engaged in his lifetime in a number of ventures but, at the same time, has been able to retain a continuing and firsthand interest in the works of the old master of western painting and sculpture, Charles Marion Russell.

In a sense, we look upon Dr. Hammer as a Montanan because of the personal interest he has developed in the works of Charlie Russell in all his fields of artistic endeavor. The finest bronze sculpture Russell ever made has been presented as a gift to the White House by Dr. Hammer and, therefore, to the American people. Within the next several weeks a formal acceptance ceremony will take place at the White House, and it is my hope at that time to join with Dr. Hammer and the President and his wife when the official presentation is made. It will be good to have a bit of Montana in the President's House to serve as a reminder to the Nation of this great Montanan's contribution to the art and the history of the Republic.

We of Montana will be deeply indebted to Dr. Armand Hammer for his sense of history in presenting this remarkable work of Charlie Russell's to the First Family in the White House and, thereby, to the Nation as a whole.

I ask unanimous consent that the New York Times article and an article entitled "Russell Bronze Given to White House," relating to the Russell sculpture "Meat for Wild Men," written by Betty Beale, and published in the Washington Evening Star of August 25, 1967, be printed in the RECORD.

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

[From the New York Times, Oct. 22, 1967]

PERSONALITY: DR. ARMAND HAMMER

(By William D. Smith)

At one time or another in his 69 years, Armand Hammer has made money on Aberdeen Angus cattle, asbestos, bourbon, barrel staves, caviar, chloroform, furs, gas, hides, jade, jeweled Easter eggs, mouthwash, oil wells, paintings, pencils, a radio network, shampoo, sheep's intestines, tractors, vodka and wheat.

Dr. Hammer is also a fully qualified physician, but he has never made a penny as a doctor. Medicine, in fact, is one of the few things that he has not turned into a profit-making venture.

He is now the president of the Occidental Petroleum Corporation, a company whose corporate personality has taken on the success, excitement and eclectic nature of its present chief executive.

When Dr. Hammer first became involved in Occidental in 1956, the company's stock sold for 18 cents a share and had a net worth of less than $50,000. On Friday, the company's stock closed at 88⅜ on the New York Stock Exchange and Occidental had assets of more than a billion dollars.

The resurrection of Occidental, a company that was ready to declare bankruptcy only 11 years ago, came about by pure chance. Dr. Hammer moved to California in 1955 to retire in the sun with the $6.5-million he had received from Schenley Industries for his J. W. Dant & Co., the manufacturer of the nation's No. 1 bottled-in-bond bourbon.

He soon became bored with the sun, sand and do-nothing routine. A friend approached him and asked him to finance two wildcat wells in Bakersfield, Calif., for $120,000. "I looked at the company, which was then selling at 20 cents a share, and told my friend it was not worth even the 20 cents a share," Dr. Hammer commented.

The friend told Dr. Hammer of the tax advantages in oil and the retired millionaire decided to take a fling. Both wells came in "much to my surprise," the doctor says.

The management of Occidental next asked Dr. Hammer for $1 million to obtain 11 oil leases in Los Angeles.

In 1957, Occidental asked Dr. Hammer to be president of the company. "My first thought was, well, I don't know anything about the oil business so I had better start hiring the people who do," he explained.

Dr. Hammer contends in his low-keyed but dynamic voice that this is the first principle of good business management: "Get the people who best know how to do the job and you can't go wrong."

He explained:

"I didn't even know who knew the oil business so I asked my bank, the Chase Manhattan, to give me the name of the person they thought was the most knowledgeable oil consultant. They told me about N. Van Wingen, a professor at the University of Southern California.

"I put him on the board and then asked him to pick the best oil man on the coast. He named Eugene C. Reed. Occidental didn't have enough money to hire Reed for a salary so I offered him opportunity through stock options instead."

This is Dr. Hammer's second principle of business management: Give people opportunity through incentives such as stock options and they will produce.

"I told Gene Reed this was a chance to make a million and he said, 'well, I always wanted to make a million,' and accepted." Mr. Reed, who recently retired as executive vice president, made his million many times over.

This formula of offering a prospective employe a chance at big money rather than a large salary attracted many other top oil people to the rapidly expanding company. "They left security to take the big chance," he observed.

Occidental's army of experts led by Mr. Reed and spurred by Dr. Hammer found gas and oil with amazing regularity in the California area. In 1960, the company went into the fertilizer business with the purchase of the Best Fertilizer Company.

In 1961, Occidental made what would prove to be one of the most important moves in the recent history of the oil industry. Dr. Hammer and his team went to Libya and asked for oil concessions. The Libyan Government said it would give the concessions if Occidental would also built a fertilizer plant.

Dr. Hammer approached the International Ore and Fertilizer Company, a worldwide agricultural chemical marketing operation, in an effort to make a deal on Libya's request. During the negotiations, Dr. Hammer decided to acquire the company.

In 1965, Libya opened its land area to competitive bidding by the oil companies. Much to the surprise of the major international oil giants, Occidental was awarded choice sites at a price considerably lower than some of the competing bids. Occidental's offer, of course, had included plans for a fertilizer plant.

Since 1965, Occidental's Libyan concessions have proved to be one of the world's major oil deposits, exceeding even the most optimistic estimates. In the words of a Wall Street analyst, "With one fell swoop, it placed Occidental in the class of the major petroleum giants."

While Dr. Hammer was making his way in the oil business, he was also spreading Occidental's wings to cover petrochemicals, sulphur, minerals and homebuilding. Most of the diversification came through acquisitions and almost every venture has proven profitable.

How does this jack of many businesses and master of what would seem all describe himself? "I am first and foremost a catalyst—I bring people and situations together."

Dr. Hammer organized his first million-dollar business, a wholesale chemical concern, while still a student at Columbia University's School of Medicine.

While waiting to begin his internship, Dr. Hammer heard about the famine in Russia following World War I. With some of the money he earned while a student, he bought a surplus field hospital and took it to the famine area.

Seeing that the people needed food, not medicine, he told Soviet officials: "I will bring over ships filled with grain if you will fill them with products I can sell in America." The Russian officials agreed. He became something of a hero in Russia and at the same time established a very profitable export-import business representing 38 leading American manufacturing companies. He obtained the first concession awarded by the Soviet Government, an asbestos mine in the Ural Mountains.

Why is Dr. Hammer still working 16 hours a day seven days a week when he has achieved both fame and fortune? "Believe me, I would pay Occidental to let me work" is the way he puts it.

[From the Washington (D.C.) Evening Star, Aug. 25, 1967]

"MEAT FOR WILDMEN": RUSSELL BRONZE GIVEN TO WHITE HOUSE

(By Betty Beale)

The White House has acquired a bronze by the famous cowboy artist of Montana, Charles Russell. It is entitled "Meat for Wildmen" and called by the donor the finest bronze Russell ever created.

The sculpture was rushed to Washington from New York yesterday to arrive on the day of the dinner commemorating Montana Sen. Mike Mansfield's 25 years in the Congress. The majority leader called the President to tell him of the offer of the gift by Armand Hammer, president of the Occidental Petroleum Co., and President Johnson expressed his pleasure in receiving it.

It all came about because the White House dinner for the Shah of Iran. Both Mansfield and Hammer were at that party and admired the western bronze by Remington that is spotlighted in the downstairs corridor.

Hammer reports the senator remarked somewhat longingly, "Wouldn't it be marvelous if someone would present to the White House a Russell bronze as a match for the Remington?"

Mansfield knew that Hammer had the largest collection of Russell sculpture in the world because he bought the whole contents of the artist's house. Hammer took the hint and called his brother Victor, of the Hammer

Galleries in New York; to ship the bronze down at once, and it arrived yesterday.

Mrs. Johnson told him at the dinner honoring Mansfield last night that she had walked around it, admiring it, and was so happy it was in the White House. She also told him she was going to put it where the 1.8 million persons who come to the White House every year could see it.

The sculpture, resting on a revolving stand five feet in height, is three feet long, two feet wide and one foot high, said Hammer. Only 10 bronzes were cast from the original wax model which is in Montana's Historical Museum.

It depicts Indians on horseback attacking a buffalo.

THE HUNGARIAN REVOLUTION OF 1956

Mr. GRIFFIN. Mr. President, today is recognized as the 11th anniversary of the Hungarian revolution of 1956.

It is, therefore, fitting that we look back to that heroic event and recall the historic happenings which, for a period of several days, held the world spellbound.

Eleven years ago Hungarians rose up against the Soviet-imposed Communist regime. What we were then witnessing was a spontaneous, popular outburst of protest against an alien, Communist dictatorship.

A new and free government was installed at the capital of Budapest. With human courage and the simplest, man-made instruments of battle, Hungarians had succeeded in throwing off the yoke of Soviet imperialism.

Mr. President, no event since then has quite equaled the drama of those days. The high, unambiguous aspirations of the Hungarian Freedom Fighters will live forever as a testament to man's never-ending search for liberty and dignity.

The struggle of that day carries great meaning for all Americans. For we were once again reminded that the ideals and rights enjoyed in this country are truly universal in scope.

The proud history of the Hungarian revolution will live as long as men are possessed of the natural instinct to be free.

Together with thousands of Americans and native Hungarians living in the United States, I pay tribute to the brave patriots who in 1956 raised the banner of freedom to its zenith.

VIEWS OF GEN. MAXWELL TAYLOR ON CONTINUED BOMBING OF NORTH VIETNAM

Mr. McGEE. Mr. President, U.S. bombing of North Vietnam, as Gen. Maxwell Taylor has written, "is accomplishing the purposes for which it was begun, not perfectly but in such measures to represent an indispensable element of our overall strategy."

General Taylor, in a forceful article defending continued bombing, points out anew that the purpose of this most controversial aspect of the war in Vietnam is to convince our adversary of the futility of his attempt to impose a Communist regime on the people of South Vietnam.

General Taylor's credentials to comment both upon the military and political aspects of the war, and of the bombing, are of the highest order. He does, in this article, which I have taken from the Sunday Star of October 22, 1967, recount the history of the bombing strategy, the reasons for it, and the results. I commend it to everyone's attention and, further, want to commend the Washington Star for publishing the article. The Star is among the newspapers which have editorially called for a cessation of the bombing attacks against North Vietnam, we may recall. So it is a matter of editorial fairness by its editors that has led the Star to publish General Taylor's article in rebuttal.

Mr. President, I ask unanimous consent that Gen. Maxwell Taylor's article citing the reasons for continued bombing of North Vietnam be printed in the RECORD.

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

THE CASE FOR CONTINUED BOMBING OF NORTH VIETNAM

(By Maxwell Taylor)

The basic case for the bombing of North Vietnam is the need to do everything possible by all available means to create a situation for the leaders in Hanoi such that, from considerations of self-interest, they will change their ways and cease the aggression against the South. Since air power is a unique asset on our side (just as guerrilla power is uniquely theirs), it is only commonsense for us to exploit this weapon to the maximum consistent with the unusual context of the Vietnam conflict. I would stress that the context is unusual, a fact which accounts for the departure from what many would call the normal use of air power as demonstrated in past conflicts.

The decision to attack the military target system in North Vietnam was taken in February, 1965, only after long debate and much heart-searching within our leadership which had lasted literally for years. I became personally involved in the issue on the occasion of a visit to Vietnam in October, 1961, as a member of a mission sent by President Kennedy to review the deteriorating situation which had resulted from the effects of the "War of Liberation" declared in 1959 by Hanoi against South Vietnam. By the evidence, we became deeply impressed with the growing threat to the Diem government and, indeed, to the security of the entire country posed by the accelerated guerrilla campaign. Reflecting upon the significance of the events which we were witnessing, we included in our report to President Kennedy the following remarks:

"While we feel that the program recommended represents those measures which should be taken in our present knowledge of the situation in Southeast Asia, I would not suggest that it is the final word. Future needs beyond this program will depend upon the kind of settlement we obtain in Laos and the manner in which Hanoi decides to adjust its conduct to that settlement. If the Hanoi decision is to continue the irregular war declared on South Vietnam in 1959 with continued infiltration and covert support of guerrilla bands in the territory of our ally, we will then have to decide whether to accept as legitimate the continued guidance, training and support of a guerrilla war across an international boundary, while the attacked react only inside their borders. Can we admit the establishment of the common law that the party attacked and his friends are denied the right to strike the source of aggression, after the fact of external aggression is clearly established? It is our view that our government should undertake with the Vietnamese the measures outlined herein, but should then consider and face the broader question beyond." We did not decide at the time of our report to recommend the use of air power "to strike the sources of aggression" but many of us had the possibility very much in mind as we watched the evolving situation in the following years.

A CRITICAL PERIOD

I arrived in Saigon as Ambassador in July, 1964, and inherited the political consequences of the overthrow of the Diem government in the previous November. How historians will eventuality appraise the significance of this event I do not know, but its immediate result was a period of critical political instability with coup following coup as governments were overturned by the unresisted pressure of power seeking minority groups.

To the Communist leadership in Hanoi and the Viet Cong, the disappearance of their principal enemy, President Diem, was a boon which offered them unexpected opportunities which they were quick to realize. From their point of view, the entire year of 1964 was a period of exploitation of the fall of Diem during which they tried to score dramatic military or political successes, hoping to clinch the victory which they now felt to be within their reach. On our side, we worked feverishly to shore up the government in Saigon and to increase the South Vietnamese forces—military, paramilitary and police—still hoping to be able to cope with the growing guerrilla threat with indigenous resources. We lived dangerously in this period, never sure from night to night when a new coup might overthrow another feeble government or when we might lose some important provincial town to a surprise attack or a military base to mortar fire.

Toward the end of 1964, the enemy began to take as prime targets the American bases and billets throughout the country and inflicted serious losses in the mortar attack upon the Bien Hoa airfield in November, the bombing of the American-occupied Brinh Hotel in Saigon on Christmas Eve and the mortaring of the airfield at Pleiku in February, 1965. In all, we were faced with a generally deteriorating situation characterized by continued political turmoil, minority conflicts both within the population and within the Armed Forces, mounting terrorism against U.S. personnel and deepening discouragement throughout South Vietnam. These adverse trends led me to conclude in late 1964 that the time had come when we must employ the unused resource represented by our preponderant air power to carry the war to the North and "to strike the source of aggression" four years after we had first seriously considered it.

THREE CLEAR PURPOSES

When, after the attack on Pleiku, the decision was taken to initiate the air campaign, it was done for the clear purposes which seemed valid at the time and which, in my judgment, remain valid today to justify the continuation of the bombing. The first was to encourage the people of South Vietnam by the knowledge that, at long last, the homeland of the enemy was being attacked in some small compensation for the heavy losses indicted upon South Vietnam through the long years of the guerrilla aggression.

The second purpose was to use air power insofar as air power could be effective to limit and make more difficult the infiltration of men and supplies from North Vietnam into South Vietnam. I would emphasize that no one involved in this decision thought then or thinks now that air power alone can stop the infiltration from the North. Our experience in World War II and in Korea has indicated clearly that there are limits to the effectiveness of air attacks in keeping determined men from moving supplies and equipment on the ground under air attack.

However, that same experience also indicated that air power can indeed set limits on the size of forces which can be maintained in combat and can restrict the tempo of that combat when the enemy lines of communication are under constant air attack.

The third purpose was political and psychological in nature—the need to remind the leadership in Hanoi that henceforth they no longer operated in a sanctuary free from attack and that, as time went on, their homeland would pay an increasing price for the continuation of the aggression against the South.

Those being the purposes of the air campaign, we may appropriately inquire to what extent they have been fulfilled. Secretary McNamara has answered that question with minimum words, saying: "Weighted against its stated objectives, the bombing campaign has been successful." It was clearly successful in 1965 in raising the morale of the South Vietnamese who were overjoyed when they first received the news of the initiation of the air attacks. One must add, however, that this kind of lift is transitory and today the bombing attacks on the North are so commonplace that they occur without much comment or reaction in the South. However, we should remind ourselves that if, for no good reason and in exchange for no clear reciprocal advantage, these attacks were significantly curtailed or stopped, there would be a most serious negative reaction throughout South Vietnam that could have serious effects upon the willingness of this long-suffering people to continue a struggle which, beginning as political subversion in 1954, is now in its 13th year.

INTERDICTION EFFECT

With regard to the interdiction effect of the bombing campaign, I would concede at once that, as expected, it has not succeeded in stopping infiltration from North to South. Although I have no particular confidence in the accuracy of our estimate of the daily tonnage required to support the enemy forces in South Vietnam, which the growing use of artillery and heavy rockets is greatly increasing, I would also concede that the bombing in itself is never likely to reduce the flow of men and supplies below the absolute minimum required to keep the present forces alive and operating at the currently low level of combat activity. On this point of combat activity, our information indicates that an enemy battalion does not average in combat much more than one day per month, a level of activity which contrasts sharply with the four to six days per week of activity of maneuver battalions on our side. So if the bombing has not stopped the infiltration, there is much evidence to indicate that it has succeeded in making the movement of men and supplies to the combat zone slow, difficult and costly. It substantially increases the number of men and tons which must be dispatched from the North to get one man or one ton into South Vietnam.

At the time of the Tet bombing pause in February of this year, we had photographic evidence of the eagerness of the enemy to take advantage of any suspension of the bombing to move men and supplies with impunity in maximum numbers with maximum speed. When the preannounced hour for the Tet suspension arrived, the North Vietnamese logistic system moved immediately into high gear, speeding ships, trucks, trains and aircraft from North to South with maximum tonnage to take advantage of a sky clear of bombers. It is estimated that the cargo moved in this period was at a rate 15 to 20 times greater than that normal under conditions of bombing. It was an impressive demonstration of the capacity and efficiency of the logistic system of the North and a reminder of the war-sustaining capability there which is held in restraint by our bombing.

A SECOND FRONT

With regard to the third purpose, that of imposing a heavy price on North Vietnam for the conduct of the aggression in the South, the most eloquent testimonial of effectiveness has been the concerted propaganda campaign waged from every Communist capital to force the U.S. to give up the bombing campaign. Knowing our long-standing desire for peace negotiations, the Communists have set as a price for discussions the prior cessation of the bombing, obviously the one action above all others which they would wish us to take. I shall not lengthen this article by repeating the widely published tabulations of bomb damage to communications, power, petroleum, and the supply system of North Vietnam which constitute the statistical evidence of the effectiveness of the bombing in reducing the war-making and war-sustaining capability of North Vietnam and imposing a heavy burden on the fragile economy. It has, in effect, opened up a second combat front which the North Vietnamese must defend at great cost. We estimate that over 500,000 people have been diverted from military or civil pursuits to contribute to air defense and to repair the damage caused by the bombing. This is an important diversion of manpower already greatly taxed to replace the heavy battlefield losses in South Vietnam. This second front opened and maintained by our bombers offsets to some degree the guerrilla battle front in the rear areas of South Vietnam. Both employ the bomb as a primary weapon, ours delivered by aircraft, theirs delivered by guerrilla terrorists. This analogy should be borne in mind when one considers the reciprocity which we should require in exchange for any suspension or cessation of the bombing.

One may observe that if, in relation to its purposes, the bombing campaign is so successful, it is odd that so many people are urging our government to end or to modify it. There is no doubt that the air campaign is by far the most controversial element of our entire strategy and there is certainly some grounds to think that there must be something wrong with it if it causes so much domestic and international criticism.

As I understand them, the critics fall into two classes—those who say the bombing campaign does too little and should be stepped up and those on the other flank of the argument who say the bombing campaign does too much and should be stepped down or stopped.

CASE FOR "HAWKS"

The case for the "hawks" who say we should bomb more targets and bomb them harder rests upon a question of judgment, namely, how fast and how far should we apply the pressure represented by our air capabilities. At the outset, our leaders deliberately decided to apply this pressure slowly and gradually in order to give ample time to the Hanoi leaders to reflect and to adjust their behavior. This gradualism in the use of military force was dictated by a number of concerns all of which would seem understandable and indeed commendable. In a world of high tension politics and nuclear arsenals, any responsible government should go slow in taking actions which might conceivably result in misunderstandings or over-reaction leading to the outbreak of major hostilities. In the particular case of North Vietnam, there has been the added reason that we wished to bring Hanoi to its senses in time and in condition to exert influence upon the terminal settlement in South Vietnam. We are often reminded that even if Hanoi ceased to exist tonight, there would still be over 100,000 armed men in South Vietnam who might continue the conflict almost indefinitely if left to their own hopeless devices. We can find many examples among the Japanese forces by-passed in our Pacific campaign of units which maintained themselves in the field for years without communication or assistance from the homeland. Such conditions, if reproduced in South Vietnam, would present a formidable long-term problem for the South Vietnamese and indirectly for us. Hence the preservation of Hanoi as a government in being, potentially capable of joining with us at some time in resolving the entire Vietnamese problem, would seem a clear advantage—at least as of now.

If one accepts this point of view, then the rate of increase of air pressure becomes a matter of judgment and those who criticize the slowness of the increase cannot prove their case any more than can those who defend the current tempo. Is it more effective to move rapidly through the target system to the point where little remains except Hanoi itself or rather slowly so that the enemy always has something of value to salvage if he will mend his ways? My own feeling is that the rate has been about right and that the important thing is not so much a further expansion of the target system as is the relentlessness with which we continue day after day to maintain the pressure on North Vietnam with a constancy enforcing the impression of the inexorability of ultimate defeat.

For those who would end or sharply curtail the bombing of the North, I would point to the serious consequences of such action. If the morale of South Vietnam rose upon the initiation of the bombing, it could fall disastrously low if, for no valid reason, we ended it. There would be a similar reaction among our own troops who at present are fighting magnificently in seeming oblivion to the doubts and misgivings which bedevil some Americans at home. Our leaders would find it very difficult to explain to them, or for that matter to their families, why they were being deprived of the protection represented by the bombing attacks on the logistic system of North Vietnam. Under such conditions, I would expect a wave of violent criticism in the U.S. which would far exceed the complaints which we are hearing now.

EFFECTS ON HANOI

The effect upon the Hanoi leadership would also be adverse to our interest. Ho and his colleagues would be overjoyed at a success which they would attribute to the international and domestic pressures generated by their propaganda and the weakness of the American Government. If the latter could be compelled to give up so clear an asset as the bombing, the Communist leaders would expect to be able to win any contested point if they were tough and patient enough about it. If they came to a negotiation table following such a concession, we could be sure of encountering nothing but hard-nosed, uncompromising positions. They would have no incentive to expedite negotiations and every reason to fall into the Panmunjom pattern of foot-dragging and stalling while we continued to suffer casualties inflicted by the guerrillas in South Vietnam. Having given up the important "blue chip" represented by our air campaign, we would be hard put to leave the negotiation table with an agreement even minimally satisfactory to our side.

One may object that these consequences would apply only to a complete and final cessation of the bombing but not to another pause which many think would be reasonably sure to result in negotiations. Even if one is skeptical about this possibility after the experience of the six previous bombing pauses, isn't it worth taking the limited risks involved and trying a pause for another reasonable period?

In replying, one is in the realm of opinion as always when undertaking to evaluate the consequences of some future event. However, to me at least, the disadvantages of another pause are quite clear and reasonably certain whereas the advantages are contin-

gent upon highly unlikely events. Even if the enemy did not exploit the pause to gain important military advantages, even if he opened discussions or negotiations during the pause, our act of having yielded to pressure in accepting the pause could create the effect on Hanoi described above and would make it harder ever to get a reasonable settlement at the peace table. Also in the present atmosphere at home and abroad, it would be much more difficult than formerly to resume the bombing if the pause produced no meaningful results and it would be very easy to drift from a suspension of the bombing into a de facto cessation with all the consequences forecast in our earlier discussion.

RECIPROCAL ACTION

Even if we gave up our bombing in exchange for some reciprocal action by Hanoi, we should be very careful with regard to the nature of this reciprocity. One often hears the suggestion that we should stop our bombing for the agreement of the other side to stop infiltration. This to me is a very dangerous bargain, since it will be most difficult to verify the fact of the cessation of infiltration except over a prolonged period of time. If, as seems likely, a cease-fire, total or partial, were in effect in the period, verification would be almost impossible since we depend largely upon captured prisoners and documents to give us hard evidence of infiltration. If under these conditions we would stop our bombing, we would never be sure whether we were getting value promised by the other side.

In this connection, I have often thought that a better reciprocal action in exchange for a progressive cessation of the bombing would be a simultaneous and parallel reduction of guerrilla incidents in South Vietnam. These incidents are known and recorded so that it would be quite possible to relate the sortie rate flown by our aircraft against North Vietnam to the number of guerrilla incidents in South Vietnam. Thus, we would have two scales of activity which could be moved up and down in relation to one another. This would have a certain logic since, as I mentioned at the outset, there is an analogy between the two campaigns being waged against the rear areas of North and South Vietnam—the one by our bombers, the other by their guerrillas.

The conclusion which I have derived from the foregoing considerations is that the bombing campaign against North Vietnam is accomplishing the purposes for which it was begun, not perfectly but in such measures to represent an indispensable element of our overall strategy. That strategy, we must remind ourselves, is for the purpose of changing the will of the adversary and bringing him to accept the impossibility of imposing a Communist regime on South Vietnam. If that strategy fails, we fail in our objective of an independent Vietnam free from aggression and able to choose its own government. To give up the element of our strategy represented by the bombing of North Vietnam without a countervailing quid pro quo would be a deliberate act of self-denial which could weaken our side at a time when it should be strengthened. Such an act would dismay our Vietnamese and Free World allies, would needlessly expose our troops and would stiffen the will of Hanoi to hold out for unacceptable conditions and to hang on until we give up. Thus, it would be a course of action contrary to our national interest and to the interests of all others desiring a prompt settlement leading to an enduring peace.

INFLATION PROBLEM: RISING COSTS, TAX INCREASE, THE WRONG MEDICINE

Mr. PROXMIRE. Mr. President, prices are rising too rapidly and they are likely to continue to go up too fast.

But a tax increase is exactly the wrong way to fight the kind of inflation we face.

The New York Times yesterday published an excellent analysis of the nature of the current inflation that is plaguing us. The analysis shows that it is rising costs, not excessive demand that is the prime culprit for increasing prices.

There are few shortages—no general shortages of factory capacity to produce all the goods we want, no overall manpower shortage, but there is, indeed, a shortage of skilled workers in some lines.

Most of the price increases that have plagued the economy have come from the rise in the price of food. This is true in both the Consumer Price Index and the wholesale price picture.

Under these circumstances, Mr. President, what assistance would a tax increase give us in fighting inflation. It will not keep down food prices. No one contends that it will.

It will not significantly assist in solving the acute problem we are suffering in some areas from the shortage of skilled workers. In the general areas of overall manpower and productive facilities, where a tax increase could, indeed, ease demand pressures, there is no shortage. There is, in fact, a surplus.

Mr. President, I ask unanimous consent to have the article in the New York Times printed in the RECORD.

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

PRICES OF GOODS AND SERVICES RESPONDING TO RISING COSTS—BUT IS IT INFLATION?

(By Douglas W. Cray)

A ranking economic villain, inflation, is back on page one again.

Almost daily one is confronted with the word that such and such an item is, henceforth, going to cost the purchaser more money.

And almost daily one is also confronted with a kind of strained hand-wringing from someone in Washington or elsewhere who keeps an eye on such things to the effect that these price increases are a threat; a threat that brings the specter of inflation a step or two closer.

As the respected Federal Reserve Bank of St. Louis capsuled it in its latest monthly economic review:

"Although strengthening of total demand has been accompanied by additional real output, prices have also increased. Price increases have reflected the rising costs associated with excessive demands for total product a year ago. Consumer prices increased at a 4 per cent annual rate from April to August after rising at a 2 per cent rate during the previous eight months. The recent acceleration was primarily in food prices. Prices of all consumer items except food have increased at a 3 per cent annual rate since April, virtually the same as the rate of the previous eight months."

There has been a similar flurry of activity on the wholesale price front. As the same bank put it: "Wholesale prices, reflecting in considerable measure developments in agricultural products and processed foods, have increased at a 2.3 per cent annual rate from April to August. This index had fallen at a 2 per cent rate from last August to April. Wholesale prices of finished industrial goods have risen at a 1.5 per cent rate since April, about the same as in the previous eight months."

That's the backdrop for the uneven price picture that has been drawing increasing attention in recent months from economists in Washington and elsewhere.

In addition to the more familiar indicators such as the consumer price index and the wholesale price index, economists also pay close attention to another key measure of the impact of upward price movements on the whole economy. This one is known formally as the "implicit price deflator for total gross national product." In ordinary consumer terms, this means simply an index of the price changes occurring in all the goods and services that go into the G.N.P.

In the third quarter of this year, this index stood at 117.7 up 3.3 points from its level in the quarter a year ago.

This plainly reflects the creeping up of prices. But whether it qualifies as "inflation" is another question.

There are a host of price-front examples—evidence that economists everywhere are putting into their data books or, as some put it, "cranking" into their computers. The input includes, to pick some current and completely random entries, the following:

Late last week Revere Copper and Brass, Inc., announced it was raising prices of all its copper products by 2 cents a pound, and all copper alloy products 1 cent a pound.

Owens-Illinois, Inc., on the same day announced that it would raise prices of most of its glass containers.

Last month, the Freeport Sulphur Company, raised sulphur prices. A few days later, the Allied Chemical Company increased its price for sulphuric acid.

In mid-September, the Rexall Drug and Chemical Company raised the price of polyethylene resins. The Union Carbide Corporation followed suit a short time later. This month, the Ethyl Corporation increased its price for polyethylene packaging film.

Six weeks ago, International Nickel, which produces 60 per cent of the Western world's nickel, raised its price for the metal by 8¾ cents a pound to 94 cents. Stainless steel companies followed and companies that produce nickel-bearing copper and brass alloys moved next.

General Motors raised prices on its 1968 models an average of $124 a car, or about 4 per cent. Chrysler and Ford also decided to charge more, although Chrysler subsequently announced a partial rollback, bringing it more into line with the others.

Generally all the companies' formal announcements have cited the pressure of increased costs.

In many of the above instances, "production" and "labor costs" have been fingered as the culprits; the reason why product prices were being raised.

Citizen X, raising the price of product Y, always has a reason why Consumer Z is going to have to pay more money for it. That reason, currently at least, inevitably seems to come to rest on "increased costs."

This, in turn, suggests that somebody else, back there up the line a bit, raised his prices too . . . ahead of Citizen X. That somebody could be either a producer of a raw material, that is, wheat, corn, copper, coal or whatever; or it could be the men who work the fields or mines, that is, labor.

It confronts one in the mid-inflation maze with the age old question of which came first, increased costs or increased prices?

The question endures as does the maze. Talks last week with the economists in Washington who keep closest track of price movements and the patterns that create elicited no definitive answers to this one, quite possible because none really exist.

But talk of such things as the behavior of the basic yardsticks—the Consumer Price Index and the Wholesale Price Index—did shed light on what's going on and where.

The talks also elicited skepticism that wage and price controls are just around the corner.

Some businessmen, wary of the risks to the economy from the continuing war in Vietnam, have deemed it prudent or sound management to raise posted, or catalogue,

prices now in order to be prepared for a freeze when, and if, it should come.

Government officials who would be most intimately involved in any such undertaking indicated there was not a shred of evidence at this point to warrant such fears.

These same officials did, however, call attention to a cost-push that exists now and promises to be much in evidence as 1968 gets under way. This cost-push is the shortage, in some sectors, of skilled labor.

Shortages, whether it be manpower or material, inexorably lead to increases, in economic terms, at least. Manufacturers, for example, actively seeking manpower to fill gaps in production lines are fully prepared to recruit (one cost) and train (another cost) the needed bodies. They are also prepared, as production continues apace, to pay (still another cost) whatever terms are finally agreed upon in labor contracts.

Thus the most widely known price indicator, the Consumers Price Index, stood at 116.9 in August, up 2.7 percent from last year. September figures are due next week from this market basket sampling of some 400 separate items that John Q. Public buys or might buy from his grocer's, automobile dealer's or haberdasher's stock.

One may skim through the assorted ingredients of this composite and come up with a shelf-full of inklings. Apparel prices, for example, are significantly higher this year than last year, reflecting among other things increased wages in the industry and, looking ahead, a short cotton crop. There has also been a perceptible widening of margins in the apparel industry at both the retail and wholesale level.

Also in the non-durable sector of the CPI one notes that footwear prices are, again, significantly above last year's levels—up 4.7 percent as of August, 1967, from August, 1966.

Here again there is a reflection of such things as increased prices for hides and skins.

REASONS FOR RISES VARY

Moving on to such other basics as gasoline, one also finds increases from last year, some of them vaguely tied by the marketers to the Suez Canal shutdown. In the view of some of the most seasoned economists in Washington, a more meaningful explanation for the bulge now being registered in gasoline prices is the absence this year of the retail "price wars" that have marked the gasoline station scene in recent years on both coasts.

As for the durable goods corner of the CPI, one readily notes the jump—2.7 per cent in August—shown this year in used car prices. Here there is, in the view of top Government officials, a "market situation"; a "situation" that includes such factors as the increase in the number of teenage drivers and the scarcity of late model used cars.

When one comes to "services" one encounters some even larger jumps, including medical costs—up 8.9 per cent in August from the same month a year ago. Medical costs are presently the subject of some Congressional scrutiny, especially in the area of drug prices.

But transportation services are up too, with local transit sharply higher along with automobile repairs, registration and license fees. The jump in automobile insurance, also a part of the Bureau of Labor Statistics' CPI "services" category has, to date, been much less this year than in 1965 and 1966.

Finally, in this increasingly affluent era, that CPI shows an increase of 3.8 per cent so far this year in men's haircuts. This, it is felt outside of barbershops, reflects the growing popularity of "styling," a more expensive way of saying, and obtaining, a haircut.

Matters are much the same on the wholesale price index, up 0.3 per cent in August and perhaps another 0.2 per cent in September. But the Bureau of Labor Statistics, and others, are hopeful of getting the necessary funds to refine its data on the wholesale price front.

It is well recognized, for example, that posted or list prices at wholesale market levels do not necessarily reflect actual selling prices. Discounts are commonplace, especially in aluminum at this point. As it stands now, the BLS wholesale price index measures only posted prices, not actual marketplace prices.

It has been suggested in some quarters that another reason businessmen have been publicly edging up their posted prices at the same time that they are not-so-publicly doing business at former prices is for the possible stock market-public relations value therein. Investors, it is felt by some, are likely to be attracted to the corporation that is, fashionably perhaps, in step on the price front, not lagging behind out of step.

Still, it is certainly true, that one hears fewer official and sturdy blasts these days from Washington about all of these individual steps in the price-rise picture. It appears to some observers that the Council of Economic Advisers has accepted, perhaps reluctantly, the creep-up to the extent that it hovers near the 3 per cent level and saves its full arsenal for those major breakthroughs beyond, say, the 3 per cent range.

All of which leaves one tracking "inflation" right back where one started from: with more questions than answers.

But as one knowledgeable Washington economist put it a bit wistfully last week: "The climate, insofar as prices are concerned, has clearly changed" . . . seasonally adjusted, of course.

ALSOP REPORT ON ALLIED PROGRESS IN VIETNAM

Mr. BYRD of West Virginia. Mr. President, one of America's most perceptive columnists, Joseph Alsop, has written a series of articles from Vietnam vividly describing the marked allied progress in that war-torn land.

His article showing the allied successes in II Corps is exemplary of the entire series.

II Corps covers about one-half of the strategically vital and fertile central region of Vietnam. Because of its geography the course of the war here is considered predictive of the progress in other corps areas.

Once large units of North Vietnamese troops roamed almost at will, strongly reinforcing the Vietcong's iron hold over the population.

According to firsthand reports by Mr. Alsop, this has all changed drastically.

The crack 3d and 5th North Vietnamese Divisions have all but crumbled into ruin and the 95th Regiment, desperately called in for replacement, has been caught, punished, and driven back to its hungry mountain refuge.

With the breakdown of the large North Vietnamese units Alsop notes that Vietcong control of the countryside has withered. Captured documents show the Vietcong has desperately called for reinforcements—which the Allies continually drive back. As Alsop vividly puts it, "the VC here are in a dreadful, probably irreparable mess."

The thrust of this and his other articles is that the conflict is being won on all fronts. His knowledgable report evidences that the only stalemate in Vietnam is in the total lack of progress by the enemy.

I ask unanimous consent that Mr. Alsop's article, published in the Washington Post, be printed in the RECORD.

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

VIETCONG IN A DREADFUL MESS IN REGION HELD BY II CORPS

NHA TRANG, VIETNAM.—"Pray God the United States never, never gets into this kind of a stalemate!"

The young intelligence colonel gave the shortest and most vivid possible summary of the situation here in II Corps, which constitutes about half of the strategically vital central region of South Vietnam.

Six months ago, when I was last in II Corps, the VC were already in a mess here—and a mess that was all the more interesting because it seemed to predict the course of the war in other corps areas. II Corps is still predictive, and now it is fair to say that the VC here are in a dreadful, probably irreparable mess.

II Corps is predictive because of its very special geography of its corps areas, to the west are the tumbled mountains of the Annamite chain and the wide savannahs of the high plateaus. Here are few people and resources. Along the seacoast on the east are fertile, alluvial rice plains, each embayed in mountain masses, and here, in these rice plains are just about all the population and resources.

It can be seen, then, that the enemy's big units—the North Vietnamese divisions and the supporting VC "main force" and provincial battalions—are bound to have a very thin time in II Corps whenever they lose effective access to the coastal rice plains. And this has made the costal big units specially vulnerable.

Hence the North Vietnamese regiments of the so-called B-3 front, in their Cambodian sanctuary beyond the western frontier, have merely been contained by the American 4th Division, which guards the high plateaus. Meanwhile, the lion's share of II Corps resources—the air cavalry, the Koreans, and other Allied units, as well as some good South Vietnamese outfits—have been employed to harry the enemy's big units out of the rice plains. The results are dramatic by now.

In Binhdinh Province, as already reported, what used to be the best North Vietnamese division in the South, the 3d, has all but crumbled into ruin. In Phuyen and Khanhhoa, the two regiments of the 5th North Vietnamese Division are in no better shape. And in the provinces farther to the south, although more limited resources have been available, the combined rollback and erosion of the enemy big units is also proceeding apace.

What is interesting about this process is not the fate of the big units. What is interesting rather is the effect on the VC control of the population and the VC base in the countryside, once the big units have been driven into hungry, ineffectual refuge in the mountains, where these "big brothers" can no longer give real support to their littie brothers in the plains below. This could be foreseen six months ago, when there was documentary evidence that the 18th North Vietnamese Regiment was retained in Binhdinh because of pleas by the province party committee. The committee warned that the whole VC structure would be endangered if this wretched regiment, then down to 600 men, went north to safer territory to refit and pick up replacements.

What was then merely foreseeable has now begun to come to pass in deadly earnest, however. Take Phuyen Province, once the domain of the 95th Regiment of the 5th North Vietnamese Division, plus the tough 30th VC main force battalion. Soon after the Koreans pushed down into Phuyen (where the VC used to hold everything up to the suburbs of the province capital) the 95th Regiment was so badly mauled that it fled into the high mountains to lick its wounds.

That was last December. By May, cap-

tured documents show leading members of the local party network were grimly complaining that VC control had been lost in whole districts of the vital rice plain; that dire damage had been done to the VC base in the countryside by defection, capture and loss in battle of great numbers of essential cadres; and that, in short, the situation in the rice plain was near-desperate.

For this very reason, beyond doubt, the 95th Regiment got a good many hundred replacements during the spring. The coastal big units in II Corps now enjoy almost absolute replacement-priority, it noted. And what then happened to the 95th in turn indicates the kind of result this priority has thus far everywhere produced.

In brief, when brought up to strength, the regiment was ordered to descend again into the rice plain, with the prime mission of staying there permanently to aid the local VC and the secondary mission of collecting rice for its own hungry requirements. It did so, preparing a strongly fortified position in the northwest corner of the main plain. It also did some damage that could probably have been avoided by more rapid response to the intelligence. Reinforcements came, but fairly late.

Even before the reinforcements arrived, however, the Koreans and the local South Vietnamese army units had caught up with the 95th; had punished it cruelly; had driven it out of its new fortifications; and had chased it back into mountain-refuge again. In the process, a Korean regiment also trapped the 30th VC main force battalion. And in prisoners and killed, including the battalion political officer and the second in command, the Koreans destroyed just over half this veteran battalion's total strength of about 300 men.

Driven by necessity, small elements to the 95th Regiment are still trying to return to the plain in search of rice, of which they are desperately short. The fight is not over. The damage recently done is only beginning to be repaired. But the essential fact to note is that the big units were called to the rescue by the VC party apparatus in the populous areas of Phuyen, and this rescue party ignominiously failed. If rescue was so badly needed, and there is no real hope of rescue, what will be the future of the apparatus?

ELEVENTH ANNIVERSARY OF THE HUNGARIAN REVOLT

Mr. DOMINICK. Mr. President, 11 years ago the free world was stunned as a brave people, struggling to secure the rights of free men, was ruthlessly and cruelly crushed under the heel of communism. In the years since the Hungarian revolt untold suffering has been endured by millions of people under the weight of the Communist system, but nowhere has the suppression, the elimination of freedom and the lack of justice been more complete than was experienced in Hungary.

Last month delegates from 18 American and European countries attended the Fifth World Congress of the Hungarian Freedom Fighters Federation in Ottawa, Canada. At that meeting the Freedom Fighters reaffirmed their position on several issues and I think we would all do well to examine those issues carefully and let them be a constant reminder of how precious our freedom is.

Two of those points bear repeating today. The Freedom Fighters stated that, despite misleading tactical changes, Hungary is still a colony of Moscow. It is significant that on November 7 the Soviet Union will observe the 50th anniversary of the Bolshevik revolution. Within that period of half a century the spider web of the Communist ideology has reached out to ensnare nearly one-third of mankind. Yet the Soviet propaganda mill asserts that the Western Powers are colonialists seeking to ever increase their sphere of influence. This indeed is an incredible assertion and a thin coverup for what has been the most ambitious effort to extend a political system ever witnessed.

The Freedom Fighters also pointed out that the policy of "building bridges" is a one-way road. A unidirectional funneling in which goods and goodwill are utilized by the Communist government with no benefit or change in life of the millions of oppressed Hungarians.

Mr. President, I have made many speeches in the past stressing this same point, and I again call attention to the fallacy of attempting to build bridges of trade to Communist nations without demanding concessions in return which would be helpful to the advancement of freedom throughout the world. In return for our trade I believe we should demand a religious freedom, or allowing American newsmen into Communist countries, or any number of other actions which would bring some small measure of freedom and hope to people such as the Hungarians.

Mr. President, on the 11th anniversary of the Hungarian revolt, I call on all free men to reassert their belief in the cause of freedom and once again pledge their support to the Hungarian people. Eleven years after the heroic effort of the Hungarians our admiration has not dimmed for those who did not fear death.

THE COMMITTEE PRINT ON SMALL BUSINESS CRIME PROTECTION INSURANCE

Mr. SMATHERS. Mr. President, on April 11 of this year, I introduced S. 1484, to provide a program of Federal assistance to small businessmen in obtaining insurance protection against criminal activity. At that time, I was convinced that such a program was necessary in order to supplement the insurance then available from the insurance industry.

As a result of the testimony at the hearings held by the Committee on Small Business and the Subcommittee on Small Business of the Committee on Banking and Currency, I have become even more convinced of the urgent need for a Federal program to help provide crime protection insurance for small businesses.

I am happy to report that the Small Business Subcommittee of the Committee on Banking and Currency, under the able leadership of the Senator from New Hampshire [Mr. McINTYRE] has been working steadily on this problem since the hearings held by it in mid-September. This has resulted in the publication by the Small Business Subcommittee of a committee print of a bill which would make crime protection insurance available to small businesses under a Federal program which emphasizes maximum participation by the private insurance industry.

I am gratified that the committee print, while adhering closely to the principles enunciated in my bill, S. 1484, would make the administrative implementation of a federally aided insurance program for small businesses even more expeditious. I am confident that the 31 cosponsors of S. 1484 will join me in commending the efforts of Senator McINTYRE'S subcommittee.

It is my hope that all Senators concerned with the plight of small businessmen who are trying to earn a living in our high crime rate urban areas will join me in urging an early consideration of this bill.

I ask unanimous consent that the committee print and a memorandum outlining its provisions, together with a list of the cosponsors of S. 1484, be printed in the RECORD.

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

COSPONSORS OF S. 1484

Senators Bartlett, Bayh, Bible, Brewster, Byrd of West Virginia, Case, Clark, Cooper, Fannin, Gruening, Hart, Inouye, Jordan of North Carolina, Kennedy of Massachusetts, Long of Missouri, Mondale, Monroney, Montoya, Morse, Moss, Nelson, Pell, Proxmire, Randolph, Scott, Smith, Sparkman, Tydings, Williams of New Jersey, Yarborough, and Young of North Dakota.

S. —

A bill to assure small business concerns of the availability of insurance against property losses resulting from criminal activity

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 "Small Business Crime Protection Insurance Act of 1967".

FINDINGS AND PURPOSE

SEC. 2. (a) The Congress finds that criminal activity has caused acute hardship and serious economic loss to small business concerns in many areas of the Nation; that such hardship and loss threaten the continued vitality and existence of small business enterprise in such areas; and that there is an immediate need to assure small businesmen of the opportunity of obtaining insurance against property losses resulting from criminal activity to complement vigorous programs of crime prevention activities at all levels of government and society.

(b) It is the purpose of this Act (1) to authorize the institution of a small business crime protection insurance program through the cooperative efforts of the Federal Government and the private insurance industry; (2) to assure that the Federal assistance authorized in connection with such program will be provided only to the extent, and for so long as, it is necessary to enable small business concerns to obtain such protection on reasonable terms and conditions; and (3) to encourage small business concerns and State and local governments to improve and modernize their standards of crime deterrence and protection.

DEFINITIONS

SEC. 3. As used in this Act—

(1) The term "Administrator" means the Administrator of the Small Business Administration.

(2) The term "small business concern" has the same meaning as when used in section 7(a) of the Small Business Act.

(3) The term "criminal activity" means robbery, burglary, arson, vandalism, and such other crimes as the Administrator may by regulation prescribe.

AUTHORITY TO INSURE AND REINSURE

SEC. 4. (a) In order to carry out the purposes of this Act, the Administrator is au-

thorized to provide, upon such terms and conditions as he may prescribe, insurance and reinsurance against property losses by small business concerns resulting from criminal activity.

(b) The authority conferred by this section shall be subject to the following conditions and limitations:

(1) No insurance or reinsurance shall be provided under this Act covering risks against which adequate coverage is available from other public or private sources on reasonable terms and conditions.

(2) No insurance shall be provided under this Act, if the protection sought to be provided by such insurance can be achieved through the reinsurance authority conferred by this Act.

(3) No insurance or reinsurance shall be provided under this Act to protect small business concerns from property losses due to criminal activity, unless such concerns conform to such minimum standards with respect to crime deterrence and protection as the Administrator shall by regulation prescribe.

(4) No insurance or reinsurance shall be provided under this Act to protect small business concerns in any locality from property losses due to criminal activity, unless the Administrator determines that there is being carried out in the locality a program (conforming to standards and criteria established by the Administrator) to reduce the incidence of, and provide increased protection against, criminal activity.

(c) In the exercise of the authority conferred by this Act, the Administrator shall make continuing surveys of areas in which small business concerns are receiving the benefits of insurance or reinsurance under this Act with a view to determining whether in any such area, as the result of the institution of effective crime deterrence and protection programs or otherwise, adequate insurance coverage is available to such concerns without the assistance authorized under this Act. If, as the result of any such survey, the Administrator ascertains that the incidence of crime in any such area has dropped, he shall take whatever steps he deems practicable to increase the insurance industry participation in the program being carried out in that area under this Act, and decrease the participation of the Small Business Administration. If the Administrator ascertains that adequate insurance coverage is available in the area to small business concerns on a reasonable basis without the assistance authorized under this Act, he shall no longer make such assistance available in that area.

PROPERTY AND LOSS LIMITS; RISK CLASSIFICATION

SEC. 5. The Administrator, after consultation with the advisory committee established under section 12, shall provide for the determination of types and location of property of small business concerns with respect to which insurance or reinsurance shall be made available under this Act, and the nature and limits of loss or damage in any area which may be covered by such insurance or reinsurance. The Administrator, after consultation with such advisory committee, may, from time to time, issue appropriate regulations regarding the classification, limitation, and rejection of risks assumed under this Act.

DIRECT PRIVATE INSURANCE

SEC. 6. The Administrator shall use his best efforts to encourage private insurance companies to undertake the issuance of insurance policies covering property losses by small business concerns resulting from criminal activity. In this regard, the Administrator shall exercise a liberal loan policy in extending loans to small business concerns for the purpose of improving their standards of crime deterrence and protection if, as a result thereof, the small business concern shall then become eligible for such insurance coverage on a reasonable basis with no additional assistance under this Act, or shall thereby meet the minimum standards as prescribed by section 4(b)(3) of this Act.

REINSURANCE AUTHORITY

SEC. 7. (a) The Administrator shall, whenever he determines such action to be in furtherance of the purposes of this Act, provide reinsurance to private insurance companies to cover excessive losses under policies issued by them insuring small business concerns against property losses resulting from criminal activity. The premium rates and terms and conditions applicable to such policies shall be subject to approval by the Administrator having due regard for the purposes of this Act. The Administrator shall provide a method of ascertaining that portion of a loss paid by an insurance company which is to be deemed excessive for the purpose of reinsurance under this Act. In this regard, the Administrator shall be entitled to review all claims paid by the insurance company under policies issued by it under the program authorized by this Act.

(b) The Administrator shall negotiate with insurance companies for the purpose of establishing fees for reinsurance offered to such companies under this Act. Such fees shall be based on a consideration of the risks involved and shall, insofar as practicable having regard for the purposes of this Act, be adequate in the judgment of the Administrator to produce sufficient proceeds over a reasonable period of years to pay all claims for losses.

INSURANCE AUTHORITY

SEC. 8. (a) The Administrator shall provide insurance against property losses by small business concerns due to criminal activity whenever he determines that adequate coverage at reasonable rates is not otherwise available to such concerns.

(b) The Administrator shall, from time to time, establish a schedule of premium fees for insurance policies issued under this section. Such fees shall be based on a consideration of the risks involved and shall, insofar as practicable having regard for the purposes of this Act, be adequate in the judgment of the Administrator to produce sufficient proceeds over a reasonable period of years to pay all claims for losses. All fees so established shall be uniform for similar risk within a given area.

POLICY AND PROGRAM LIMITS

SEC. 9. The aggregate amount of insurance policies and reinsurance agreements outstanding at any one time under this Act shall not exceed $.

FUNDS

SEC. 10. (a) There are hereby established in the Treasury two revolving funds as follows: (1) an insurance fund which shall be available for the payment of proved and approved claims for losses under, and other nonadministrative expenses arising in connection with, insurance issued by the Administrator under this Act; and (2) a reinsurance fund which shall be available for the payment of proved and approved claims for losses under, and other nonadministrative expenses arising in connection with, reinsurance issued by the Administrator under this Act.

(b) Fees collected by the Administrator for insurance issued under this Act shall be paid into the insurance fund. Fees collected by the Administrator for reinsurance issued under this Act shall be paid into the reinsurance fund. In addition, appropriations are hereby authorized to be made to such funds, as capital thereof, in such amounts as may, from time to time, be necessary or appropriate, which appropriations shall remain available until expended.

(c) Business-type budgets for each of the funds established by subsection (a) shall be prepared, transmitted to the Congress, considered, and enacted in the manner prescribed by law (sections 102–104 of the Government Corporation Control Act (31 U.S.C. 847–849)) for wholly owned Government corporations.

CLAIMS PAYMENT AND JUDICIAL REVIEW

SEC. 11. (a) Under such regulations as the Administrator may prescribe, he shall arrange for prompt adjustment and payment of valid claims for losses covered by insurance or reinsurance under this Act.

(b) Upon disallowance of any claim against the Administrator under color of any insurance or reinsurance made available under this Act, or upon refusal of the claimant to accept the amount allowed upon any such claim, the claimant may institute an action against the Administrator on such claim in the United States district court in which a major portion (in terms of value) of the insured property of a business concern is located. Any such action must be begun within one year after the date upon which the claimant receives from the Administrator written notice of disallowance or partial disallowance of the claim. For the purposes of this section, the Administrator may be sued and he shall appoint one or more agents within the jurisdiction of each United States district court upon whom service of process can be made in any action instituted under this section. Exclusive jurisdiction is hereby conferred upon United States district courts to hear and determine such actions without regard to the amount in controversy.

ADVISORY COMMITTEE

SEC. 12. (a) The Administrator shall appoint an advisory committee without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, which shall consist of not more than fifteen persons selected from among representatives of the insurance industry, State insurance officials, and from among members of the public. The advisory committee shall advise the Administrator in the preparation of any regulations prescribed in accordance with this Act, with respect to policy matters arising in the administration of this Act, and shall perform such other duties as the Administrator may, from time to time, assign to such committee.

(b) Members of the advisory committee shall, while attending conferences or meetings thereof, be entitled to receive compensation at a rate fixed by the Administrator, and while so serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

POWERS

SEC. 13. In the administration of this Act the Administrator may exercise any of the powers conferred upon him by sections 5 and 6 of the Small Business Act.

ANNUAL REPORT

SEC. 14. The Administrator shall include in his annual report to the Congress a comprehensive statement concerning the operation of the insurance and reinsurance programs authorized by this Act, together with such recommendations for legislation to improve the operation of such programs as he deems necessary or desirable.

AUTHORIZATIONS FOR APPROPRIATIONS

SEC. 15. There are hereby authorized to be appropriated such sums as may be necessary and appropriate for the carrying out of the provisions of this Act other than those for which appropriations to the revolving funds are authorized by section 10(b).

MEMORANDUM ON COMMITTEE PRINT: SMALL BUSINESS CRIME PROTECTION INSURANCE

Under this Committee Print the Administrator of SBA is authorized to provide insurance and reinsurance against property losses by small businesses resulting from criminal activity, when such insurance or reinsurance is not available from private or other public sources at reasonable rates. The direct insurance would be offered by SBA only if the protection cannot be obtained through the reinsurance provisions of the Act. Insurance or reinsurance would be provided if the small business concern conforms to certain crime protection measures as SBA shall prescribe and would be provided in those areas in which there is being carried out an SBA approved program to reduce criminal activity.

The Committee Print provides that SBA shall make continuing surveys of areas covered by the Act to determine if conditions are such that adequate insurance can be obtained from private sources. If such insurance is available, he shall no longer make assistance available under this Act in the area.

SBA is authorized under the Committee Print to provide for the determination of types and locations of property for which insurance or reinsurance can be obtained under this program and the nature and limits of loss or damage in any area which may be covered by such insurance or reinsurance.

The Committee Print directs the SBA to institute a liberal loan policy for loans to small businesses for improving their crime deterrence and protection.

The Committee Print authorizes SBA to provide reinsurance to private insurance companies with respect to policies issued by them under this program. Rates and terms applicable to such policies shall be subject to SBA approval. Fees for reinsurance shall be negotiated by SBA and the private insurance companies. Such fees should be adequate, insofar as practicable, to produce sufficient proceeds over a number of years to pay all claims for losses. The SBA is empowered to review all claims paid by insurance companies under this Act.

SBA is also authorized under the Committee Print to provide insurance to small business concerns when it is unavailable from private sources at reasonable rates. SBA shall establish a schedule of rates and fees to be charged for insurance it issues under the Act. Such fees shall be adequate, insofar as practicable, to produce sufficient proceeds over a reasonable number of years to pay all claims for losses.

The Committee Print establishes the amount of insurance and reinsurance which may be outstanding at any one time under the Act. It establishes an insurance fund and a reinsurance fund at the Treasury and provides authorization for appropriations needed for these funds. It provides for claims payments and judicial review for the disallowance of any claim under the Act. It establishes an advisory committee of 15 members to advise the SBA in the preparation of regulations and policy under the Act.

THE HUNGARIAN REVOLUTION

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the RECORD a statement prepared by the Senator from California, who is necessarily absent today.

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

STATEMENT BY SENATOR MURPHY

In Vietnam today, young Americans are engaged in combat with an enemy seeking to impose its form of government by force upon the people of another nation. Eleven years ago on this October 23, young Hungarians fought to break the domination of their country by the same kind of enemy. The uniforms are different, the scene of battle is different, but the foe in Hungary in 1956 and the enemy in Vietnam in 1967 are of the same stripe. Americans fight in Vietnam to assist the people of South Vietnam from being overrun by Communists, Hungarians fought in Budapest 11 years ago to throw off the Communist yoke.

The Hungarian revolution of 1956 electrified the world. It shattered once and for all time the myth that the peoples of Eastern Europe were satisfied with the stifling domination of the Soviet Union that had been their lot since the close of World War II. It showed in dramatic fashion that freedom dies hard within the hearts of people, and it demonstrated that an enslaved nation will explode when squeezed too hard by Communism's straitjacket.

The passage of time has dimmed the memories of Hungary's short-lived attempt to attain the status of a free nation, but one thing has not been forgotten. This is the bravery of Hungarians who fought with the crudest of weapons against the mighty army of the Soviet Union.

It is pertinent, Mr. President, to briefly recount the events of October 23–November 4, 1956, in Hungary. Those were proud days, not only for Hungarians but for freedom-loving people everywhere. We should not forget that during this period there existed a free Hungarian government, one that withdrew from the Warsaw Pact, attempted to negotiate for the removal of Soviet troops from Hungary and sought United Nations' recognition of its status. During this period, thousands of Hungarians were freed from political imprisonment, including Joseph Cardinal Mindszenty.

Beginning with demonstrations by factory workers and students in Budapest, the revolt enjoyed quick success. Then Russia clamped down, crushing the fight for freedom on November 4 with attacks in strength on Budapest and other large Hungarian cities. The valiant freedom fighters were unable to stand up to the might of Soviet armies and the light of freedom that had been lit on the streets of Budapest was extinguished.

It is to the credit of the United States, Canada and other Free World nations that immigration gates were opened for the admission and resettlement of more than 150,000 Hungarian freedom fighters who fled across the border to Austria. The Hungarian refugees who settled in the United States have become useful, productive and patriotic citizens. These refugees understand completely the evils of Communism, demonstrated by their unswerving support of the American effort in Vietnam.

The Fifth World Congress of the Hungarian Freedom Fighters' Federation was held in Ottawa, Canada, from August 31 to September 4, 1967. The organization by resolution declared that Hungary at present "is still a colony of Moscow, in spite of misleading tactical changes." It reaffirmed its demands that Russian occupationary forces be removed from Hungary and that Hungary be given the right of self-determination through free elections. I support the Hungarian Freedom Fighters' Federation in those views.

JOHNSON-LEE DISCUSSIONS A MARKED SUCCESS

Mr. INOUYE. Mr. President, the bonds of friendship and mutual respect between Singapore and the United States have been strengthened by the useful discussions this week between Prime Minister Lee and President Johnson.

President Johnson's concern for the problems of all nations in Asia—large and small—led to a development of close personal rapport between these two champions of a free Asia.

Prime Minister Lee expressed agreement with the fundamental precepts underlying our entire Southeast Asian policy: Regional cooperation in an area which has known dissension and discord; the right of every nation in Asia to choose its own way of life free from outside interference—an ideal being defended there today; an honorable settlement in Vietnam which, in the words of their joint statement, will "enhance the prospects of peace and security for the rest of South and Southeast Asia."

President Johnson thus has enlisted the continued support of a trusted ally in his efforts to help Asia break the chains forged by generations of oppression.

The spirit of cooperation and mutual understanding which marked their dialog is the keystone to a vibrant, free Asia.

Regional cooperation, not rival competition; mutual accord, not rank discord: These are the building blocks of a prosperous Asia.

Their agreement to work toward implementation of these principles marks the Johnson-Lee talks with success.

THE 50TH ANNIVERSARY OF BALTIC DECLARATIONS OF INDEPENDENCE

Mr. WILLIAMS of New Jersey. Mr. President, 1968 will mark the 50th anniversary of the declarations of independence by the three Baltic nations of Latvia, Lithuania, and Estonia. When the revolution freed the Russian nation from the fetters of czarist rule, these Baltic States fulfilled their national dreams of self-government and declared independence from Russia. It is this act, of hope and determination, which we in the U.S. Congress call attention to.

In the brief time before the start of World War II the peoples of these nations formed their own democratic governments, rebuilt their war-shattered lands, and fostered the national customs and freedoms which they held so precious. Unfortunately Soviet Russia stepped in to interrupt liberty and peace, under the umbrella of shameful agreement with the Nazi aggressors. The Russian invasion and occupation in 1940 marked the end of independent progress in Estonia, Latvia, and Lithuania, and ushered in deportation, starvation, and tyranny.

Mr. President, it is important that we draw attention to this half century mark since the Baltic States proclaimed independence, especially when the last quarter of this time has been endured without this independence. It is our sincere hope that one day soon these three nations will again have the independence and freedom they proclaimed in 1918 and which they so justly deserve.

THE COPPER STRIKE'S 100 DAYS

Mr. BENNETT. Mr. President, yesterday the State of Utah celebrated an unenviable and very damaging milestone. One hundred days ago Sunday the employees of the Kennecott Copper Corp. went out on strike.

Today on the 101st day of the strike I shall not attempt to discuss the merits of the relative positions of management and labor. That is not my function as U.S. Senator. I do believe, however, that I should call to the attention of this body and of the parties involved, that there is a very significant public interest here which has been ignored and which to date has been damaged severely. The impact of the strike on the economy of my State is tremendous.

To date, Utah's economy has lost $37,673,000 and in a population of a million people, this kind of economic injury is severely felt. The average employee has lost $1,968 in wages in the 101 days since the strike began. Furthermore, based upon the initial offer of the company an employee will have to work 18.92 years to make up the lost wages. If an additional 10 cents per hour could be negotiated over the initial offer, an employee would still have to work nearly 9.5 years to make up the difference.

These figures, Mr. President, point up the futility of the strike and the fact that thousands of copper employees in my State and throughout the Nation, are no longer benefiting from the strike nor do they have any prospect of real eventual economic improvement.

It is my understanding that contract talks which have been conducted on a sporadic basis during the past several weeks were called off over the weekend and the differences between the unions and management are such that a settlement at this time is very remote indeed.

Seldom in the history of my State has a situation existed where the invocation of section 208 of the Taft-Hartley law was more justified. I with five of my colleagues, have sponsored a Senate resolution designed to inform the President of the United States that it is the sense of the Senate that the Taft-Hartley law be invoked and this crippling strike now affecting the entire Nation be ended at least temporarily.

In light of the present improbability of a settlement, I think that hearings on my resolution are now mandatory. The time has come when the standoff between management and labor should give way first, to the views of the strikers themselves and secondly, to the public interest. In a recent poll published Sunday, October 22, in the Salt Lake Tribune, 70 percent of the copper workers expressed a desire to return to work while negotiations continue. Many of these people are on welfare and any nest egg which they may have accumulated is now gone. The copperworkers are ready to go back to work and I do not believe they should be prevented from doing so.

It is time that the union leaders in Pittsburgh and the management officials who are negotiating this contract realize that the primary interest to be met at this moment is that of the employees and the communities wherein they work. By this, I am not saying that either side must make concessions. What I am saying, Mr. President, is that we must have the Taft-Hartley law now.

There are several reasons why the copper workers must get back to the mines, smelters and refineries. They must again start earning a wage to sustain their families and wives and children. The use of the Taft-Hartley law by the President would hopefully spur negotiations between labor and management.

Another critical reason is that our copper supply is being rapidly exhausted.

I am told that domestic firms including those supplying war material have had to turn to purchasing copper from overseas companies, thereby easing the pinch in their manufacturing or in keeping orders current. However, at the same time they and we as taxpayers are paying a premium price, often as much as 33 percent more, for the copper, than would be required under the last domestic price.

In other words, not only are 45,000 persons out on strike, many perhaps wondering where their next rent money is going to come from, but the cost of copper-made products is certainly going to reach inflationary levels which will eventually deal these same strikers and the users of coppers a double economic blow.

Surely, Mr. President, we have reached a point where strategic factors dictate the use of the Taft-Hartley law by the President of the United States. The Salt Lake Tribune published an editorial on Sunday, October 22, which greatly illuminates the entire matter. I ask unanimous consent that it be included in the RECORD at this point.

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

WHY NOT NEGOTIATE WHILE MEN WORK?

As long as contract talks between the Kennecott Copper Corporation and the United Steelworkers of America were underway the hope existed, futile though it may prove to be, that a settlement might be reached. But when the talks were broken off last week, it became obvious that no progress had been made and that the two sides might be even further apart than when the joint sessions began.

So the strike, now in its 100th day, will continue until meaningful negotiations become possible.

Kennecott accuses the union of blocking such negotiations by insisting on company-wide bargaining. The Union, while professing a willingness to bargain locally, demands a "satisfactory and simultaneous" agreement covering all Kennecott workers. And that is just another way of saying "company-wide bargaining."

Now Kennecott has taken the issue to the National Labor Relations Board by filing a charge of unfair labor practices against the union on the grounds it introduced an extraneous issue ("satisfactory and simultaneous" agreement) which does not involve wages, hours and other terms of employment.

The Union, in reply, said it welcomed the opportunity to submit "all the facts" to an impartial government agency.

The NLRB's findings might clear the air, but they are not likely to speed settlement of the strike. These hearings take time and the damaging effects of the nationwide copper strike may well bring direct Federal intervention, perhaps in the form of a Taft-Hartley injunction, long before the NLRB can hand down a decision.

It is sometimes said that things have to get worse before they get better.

But how much worse can the effects of the copper strike become?

Utahans are painfully aware of the damage the strike has done to the economy of their state. Tax revenues are falling. Welfare costs are rising. Business is being curtailed. And with each passing day, the economic picture becomes gloomier and gloomier.

Nationally, the story is the same. For all practical purposes, the copper industry is shut down. Factories using copper in their products are badly squeezed. The war in Viet Nam makes heavy demands on the copper supply. How long can this process of deterioration continue before the Federal government intervenes?

A Presidential decision to invoke the Taft-Hartley Law on the grounds the strike threatens the nation's health and safety would send the strikers back to work for 80 days. That would not of itself bring a settlement, but it would certainly clear the way for meaningful negotiations. And the history of Taft-Hartley indicates that, with few exceptions, an injunction is followed by a settlement.

However, if the union and company so decide, no injunction would be necessary to send the strikers back to work and permit the resumption of copper production. The mood of Kennecott employees, as revealed in a survey by Bardsley and Haslacher, Inc., points in this direction. Seventy percent of the rank-and-file employees favor returning to work while negotiations are carried on the research firm reports. It is also significant that fifty percent of those interviewed called the strike and its settlement their most important family problem.

We urge the union leadership to study these findings carefully. After 100 days of stalemate, the leadership would do well to consider a new approach. A gesture of good will, like a back-to-work decision, might be just what is needed to break the impasse. It certainly would be welcome by the people of the community.

MILWAUKEE JOURNAL SUPPORTS NEW FEDERAL BUDGET

Mr. PROXMIRE. Mr. President, change is always difficult, even when the case for change, in the public interest, is clear and compelling.

In the case of changing the basis for reporting the Government's financial plan and program through its budget, that change will be especially difficult.

Recently, the Milwaukee Journal editorialized that to most Americans the Federal budget system "annually produces little more than a mountain of paper thickly shrouded by fiscal fog."

Frankly, Mr. President, I think that the same impression is held by many Members of Congress. Of course, we have a principal responsibility to act on that budget.

Recently, a Presidential Commission has proposed some interesting and useful changes that would provide a single budget that would be highly useful to the public and to Congress in evaluating and directing the enormous Federal Government.

All of us in Congress have a duty to study this recommendation. It could greatly enhance our performance for the benefit of the taxpayer and all Americans.

The Milwaukee Journal recently discussed the new budget proposal in a highly competent editorial that concisely suggests some of the reasons it deserves consideration by Congress.

I ask unanimous consent to have the editorial printed in the RECORD.

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

[From the Milwaukee Journal, Oct. 22, 1967]

BUDGET THAT MAKES SENSE

To most Americans, the federal budget system annually produces little more than a mountain of paper thickly shrouded by fiscal fog. One reason is that the government actually operates with three budgets, none of which provides a truly revealing picture of income and outgo.

There is great merit, therefore, in the proposal of a presidential commission to replace the three with one comprehensive document that would give taxpayers, and probably many congressmen, a much clearer notion of what they are buying, how they are paying for it and what the overall impact will be on the economy.

The administrative budget, the one most commonly referred to each year, is an antiquated accounting concept dating to President Garfield. It ignores nearly one-fourth of receipts. It excludes, for instance, the massive trust funds for social security and highways, which take in more money than they pay out.

The inevitable result is confusion, as federal expenditures and receipts are greatly underestimated and deficits are heavily exaggerated. If businessmen followed this horse and buggy method of accounting many would appear bankrupt. Furthermore, public fascination with the administrative budget encourages every president to use bookkeeping tricks to make him appear as prudent as possible. This merely piles deception atop distortion.

The two other budgets—consolidated cash budget and national income accounts budget—tend to give a more complete picture, but each has shortcomings. The special commission proposes to combine the most illuminating features of all three budgets.

The major question is one of timing. President Johnson may hesitate to install a new system in an election year and provoke fresh charges of "gimmickry." Further, realistic budgeting could show a deficit larger than currently anticipated under existing methods of projection. This, too, is a deterrent to a changeover in 1968.

Nevertheless, the traditional way of figuring the budget is a conspicuous failure of popular government that the nation should not tolerate much longer.

IN PRAISE OF MORGAN DUBROW—FATHER OF DICKEY-LINCOLN PROJECT

Mr. MUSKIE. Mr. President, since the first proposal for the development of the Dickey-Lincoln School hydroelectric project in Maine, Mr. Morgan Dubrow of the Interior Department has been an invaluable friend to New England.

Mr. Dubrow's expertise on multipurpose water conservation projects was crucially important to the Maine congressional delegation in our work to gain congressional authorization of Dickey.

Without his enthusiasm for the project, and his convictions on its value, Dickey may never have reached President Johnson's desk or the Congress.

His analyses of Dickey's benefits and feasibility have withstood the stiffest campaign against a Federal power project ever raised by the private power industry. His findings have been substantiated by the only special House study of a Federal power project in memory. His conclusions have been justified by the Bureau of the Budget, the Army Corps of Engineers, the Federal Power Commission, and every other agency which has reviewed Dickey's merits.

In short, no Federal project has ever received as much preconstruction study as has Dickey, and the fact that Mr. Dubrow's analyses have stood up against this unprecedented review demonstrate both his professional skills and the value of the project itself.

In a recent article published in the Portland Sunday Telegram, Washington correspondent Donald R. Larrabee reviews Mr. Dubrow's work for Dickey and recognizes his contribution to the project, and I ask unanimous consent to have it printed in the RECORD.

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

[From the Portland (Maine) Sunday Telegram, Oct. 8, 1967]

DUBROW: FATHER OF DICKEY

(By Don Larrabee)

WASHINGTON.—The name of Morgan Dubrow probably doesn't mean much to anyone in Maine, even the most ardent supporters of the Dickey-Lincoln School hydroelectric power development for which he has labored a great deal during the past six years.

But it is doubtless true that without Dubrow's personal and professional involvement in the Upper St. John River project, the Dickey plan would not have moved to its present advanced state of approval in Congress.

Dubrow has been the Interior Department's chief engineering adviser on Dickey from the beginning. He has been through every major private vs. public power controversy in the past quarter-century, having been associated with the Bonneville Power Administration and the Bureau of Reclamation, as well as the Corps of Engineers and the Federal Power Commission.

As Interior's top man in engineering and hydrology, he was asked in 1961 to head up an evaluation study that led to the Dickey-Lincoln School proposal. At the time, the Maine Congressional Delegation's long battle for Federally-assisted water resource development had received a setback from the International Joint Commission which questioned the feasibility of the Passamaquoddy Tidal Power project.

Sen. Edmund Muskie prevailed on President Kennedy to order a review of the Commission's report by the Interior Department. Secretary Udall handed the job to a team headed by Dubrow. Out of this study two years later came a package deal which substituted Dickey and Lincoln School sites on the St. John river for the old Rankin Rapids site. For years, Rankin Rapids was regarded as the ideal power site because it would have used the full flow of the Allagash.

It was this decision that made it possible for the Interior Department to work out its partnership plan with Maine to preserve the superb recreational areas of the Allagash from flooding.

Looking back on this history, the mild-mannered Dubrow fairly erupts these days when he hears outcrys from those who say the Government has not considered conservation aspects in its pell-mell rush to build New England's first Federal power dams.

"Why," Dubrow said, "we could have produced about $3,500,000 a year more in power from Rankin Rapids but we would never have been able to preserve the Allagash as a free-flowing stream for recreational use. Secretary Udall made an absolute decision that we were going to protect it.

"One of the first things we did was to look at the conservation question. At the original meeting, the Secretary made it crystal clear to me that despite substantial additional power benefits from Rankin Rapids, he considered himself the keeper of the Nation's wild rivers and the Government official most responsible for conservation. The Secretary laid down the ground rules that we were to come up with a reasonable substitute that would preserve the Allagash."

It is often overlooked but the Interior Department, rather than the Corps of Army Engineers, has carried the ball for Dickey in the Johnson Administration. This is the agency that handles transmission of public power but it is also the Department most involved in preserving our natural resources and environment. And it is headed by an ardent conservationist, Udall, who has seen the Allagash and the St. John River and believes in the proposal now awaiting final planning money from Congress.

Congressman William Hathaway is surprised by the recent surge of conservationist opposition to the Dickey project. When the matter was before Congress for authorization two years ago, there wasn't a witness against it from such groups as the National Parks Association, the Sierra Club, the Izaak Walton League or the Wilderness Society. These organizations are vigilant, active and vocal in their opposition to hydroelectric projects which threaten recreational and scenic resources.

"I'm flabbergasted," Dubrow remarked a few days ago. "For anyone to say we haven't paid attention to conservation is sheer madness." He said the Fish and Wildlife Service has made basic studies on the fisheries and protective language will be written into the treaty agreement with Canada which is now in the final drafting stages.

As soon as the Army Engineers receive the first construction funds, a comprehensive recreation plan for the Dickey and Lincoln Reservoirs will be developed, according to Dubrow. The project is expected to flood some 135 square miles or 86,000 acres of timberland. In its stead, there will be a huge lake for fishing and other forms of recreation.

The Agriculture Department, in a separate report on the Dickey project two years ago, foresaw one additional benefit for Maine farmers deriving from the flood control aspects of the project. Assistant Secretary John Baker noted that the plains along the St. John River between St. Francis and Van Buren were so prone to flooding that several thousand acres of high quality farm land had been abandoned by owners.

The Dickey project is expected to give a high degree of flood protection to the whole river plain and this should make it possible to develop and improve the flood plain land for more intensive agricultural use.

LYNDA BIRD CHOOSES WEST VIRGINIA GLASS

Mr. BYRD of West Virginia. Mr. President, I have recently noted in the press that the President's daughter, Miss Lynda Bird Johnson, who is soon to be married to Marine Capt. Chuck Robb, has chosen as her crystal, glass produced in my own State of West Virginia.

This crystal, called "President's House," is manufactured by the Morgantown Glassware Guild, Inc., of Morgantown, W. Va.

West Virginia is the home of a number of fine glass producers as well as several of the Nation's largest sheet glassmakers. However, it is the fine, handblown glass to which I refer today.

This product is a link with the past, for the art of blowing glass and crystal has changed little over the centuries.

Strong men with strong arms and lungs are as needed today as hundreds of years ago to give molten glass its initial shape. Similarly, no machine can replace the skill and precision of the human hand and human eye at knowing the precise curve to give a glass goblet

or vase so that it becomes a work of art—functional, yet beautiful.

I am proud that Miss Johnson has chosen a West Virginia crystal, and I hope that it serves her well through many happy years of marriage.

I ask unanimous consent that an article entitled, "But What Will She Wear?" published in the New York Times of October 18, 1967, be printed in the RECORD.

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

[From the New York Times, Oct. 18, 1967]

BUT WHAT WILL SHE WEAR?

(By Enid Nemy)

The fashion guessing game, apparently a favored White House amusement, is once again at a peak. This time, it is occasioned by the forthcoming marriage of Lynda Bird Johnson to Capt. Charles S. Robb of the Marine Corps.

The President's elder daughter, who has revealed some intimate details of her romance and engagement in an article in McCall's magazine to be released next week, is reluctant to discuss less personal subjects. The designer of the bridal gown for the Dec. 9 ceremony, and the trousseau plans, are shrouded in secrecy.

The White House policy of silence, which has resulted over the years in rumors, ensuing denials from press secretaries and a merry round of sleuthing more normally associated with mysteries than with first families, is confined primarily to anything connected with the world of fashion. It does not apply to the accouterments that will grace the table of the newlyweds.

A White House announcement yesterday confirmed that Miss Johnson had selected Chantilly flatware by Gorham for her silver pattern ($41.50 for a four-piece table setting of knife, fork, teaspoon and salad fork). The Louis XV design was originally introduced by Gorham in 1895 and, according to a company spokesman, "is ornate but restrained and has been the most popular pattern we've had in the last 30 years." It is the pattern her mother uses.

JEWELER REFUSES TO TALK

The announcement added that Miss Johnson had chosen the Tuxedo pattern by Lenox for her china and The President's House pattern by the Morgantown Glassware Guild of West Virginia for her crystal.

The Tuxedo pattern, an all-white service with a narrow gold rim, and another circle of gold near the rim, is $37.95 for a five-piece place setting of dinner, salad, bread and butter plates and cup and saucer.

The President's House, an unadorned tulip-shaped crystal originally selected by Mrs. John F. Kennedy and still used in the White House, is $1.60 a glass.

There was no information forthcoming on any part of the wardrobe planned for the wedding. "Lynda wants, as every bride does, her dress to be a surprise to the groom," said Mrs. Marta Ross, a White House press spokesman.

However, there is reason to believe that some serious approaches have been made regarding her wedding dress. One of the companies said to be in the forefront of the bridal sweepstakes is the House of Bianchi in Boston. The family-operated concern, founded in 1949, is the closest approach to a custom wholesale house. Bridal gowns sell for $175 to $800 (average price is $325) in stores across the country.

Phyllis Bianchi (Mrs. Bernard Lange), president, head designer and daughter of the founder, refused any comment when told of the report. But other sources insisted the concern had been at least asked to submit sketches for consideration.

Miss Bianchi, whose spring and summer collection is now being shown in New York, currently favors high stovepipe necklines, an easy line with a suggestion of fit under the bust and fabrics like silk and wool that have some body. She prefers ivory to white and often designs a dress and coat costume to wear during the ceremony. The coat, which is fashioned to look like part of the dress, can then be removed for the reception.

Although Miss Johnson obligingly posed last month displaying her engagement ring, the White House has not disclosed where the yellow gold band with three diamonds was purchased.

PATTERNS OF CHINA AND CRYSTAL

Harry Winston, the New York jeweler who is said to have been commissioned to do both the engagement ring and the wedding band, would neither confirm nor deny the reports. "Any announcement will have to come from the White House," he said.

Miss Johnson, a slim (size 8 or 10), tall (5 feet 9 inches) brunette partial to somewhat more make-up and hair than are currently fashionable, is no stranger to the manufacturing edifices on Seventh Avenue.

She is as fond of clothes as most 23-year-olds and more able to indulge herself than most. A recent shopping expedition during which she spent $4,000 for 25 fall and winter outfits was not unusual, according to manufacturers.

"She's in and out of here all the time," one of them reported.

"She gets one, two or three outfits here each season," said another, who added that her visits had been more frequent since she joined the staff of McCalls magazine last year at a salary reported to be less than $10,000 a year.

The eight middle-priced houses chosen by Miss Johnson on her last shopping safari here (she returned for one day of fittings after her recent Acapulco vacation) were unanimous in their opinion that the clothes she bought then were not for her trousseau.

"They were all wool or a similar fabric," said Pat Sandler, the designer for Highlight, where she bought two outfits ($300). "Unless she's going North, she certainly wouldn't use them for a honeymoon."

The dress to be worn by Mrs. Johnson at her daughter's wedding is also the subject of speculation. Two of her favored designers—Adele Simpson and George Stavropoulos—said they had not as yet been approached and Mollie Parnis, a third, said, "I can't discuss whether I've been approached."

A RESPECTFUL REPLY TO CRITICS BY ALLAN GERDAU

Mr. McGEE. Mr. President, this morning's New York Times contains an advertisement written and paid for by Mr. Allan Gerdau which is, as he himself puts it, "a respectful reply to critics."

Mr. Gerdau has great faith in our American system and in our present leadership, as his letter indicates.

He has written:

Opponents abroad and—to a lesser, but even sadder and more dangerous extent—dissidents at home not only do not state truthfully and simply the objectives of our country and our leaders that we elected to fulfill them, but they misrepresent and distort.

This statement is no denunciation of those who disagree. It is, indeed, a respectful answer in which a private citizen has stated his belief and has pointed out some of the distortions and misrepresentations which he feels are lessening allegiance to our Nation and are serving to encourage our opponents.

Mr. President, I ask unanimous consent that Mr. Gerdau's advertisement be printed in the RECORD.

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

[From the New York Times, Oct. 19, 1967]

DEEP THANKS FOR THE FRIENDLY LETTERS, INCLUDING A REMITTANCE, HELPING THIS RESPECTFUL REPLY TO CRITICS

(Re my letter New York Times, Sept. 28, 1967)

A nation, or individual, that does not take a stand, is not worth a damn!

Our country has taken a stand.

Nobody knows if our chosen position is the infallibly perfect one.

Nor must it be inevitably wrong, as some would have us believe.

No longer is it the time for us civilians to decide whether we should fight on this or that hill, or fight at all. The fact is, that we ARE fighting. A policy decision to stand has been made. Our four last Presidents have supported this stand.

Knowing the seriousness of military decisions and the disasters that might ensue from military defeat, our founders wisely gave to our elected leaders the responsibility—first, to gather all information and facts possible regarding any danger to our freedom. Then, if they found the danger critical, in deliberation with their aides, to act decisively and promptly to prevent the danger from overwhelming us.

It is one thing to dispute, to vacillate, and to make mistakes in peaceful times. Then, generally, we can correct errors when discovered. Defeat, when we are fighting, may not give us a second chance. That is why our system gives so much authority to leaders who are responsible for our protection.

When our leaders debate military matters in public there is a grave danger that we civilians will take our relatively meager knowledge too seriously. Emotions are beginning to influence many of us into behaving as if *we* had the understanding, the noble intentions and love of peace and that our leaders have less or none of these.

One ex-boy-scout leader wrote me that any boy scout leader would make a better general than Westmoreland and that we should remove him.

Our citizens may not give this opinion their support, but do not let us fool ourselves. A terrifying number of citizens who may not even have a boy scout's training, are recommending the removal of our leaders. The immobilization of our leaders and lack of united effort that our opponents so urgently seek, *we* may bring about by permitting the nonprofessional to usurp the function of leadership.

It is one thing, for the bleacher buffs in baseball to know who should pitch, how to pitch, and how to run. They make baseball more fun. They add to the zest. They do little, if any, harm. God bless them! Actually, however, they do not really want to make the decisions themselves. They prefer to leave decisions to professionals and then have the pleasure of roaring.

Not so with the bleachers in our national life. Not only can they harm us, they can bring us defeat. Military decisions are best left to the military under the Commander-in-Chief. The protection of our nation has been bought with their valor. They will not betray us. Our defeat is far more likely to come from our lack of proper support to our leaders, than from our leaders' lack of ability or willingness to defend us.

"Dilettantism," said Carlyle, hypothesis, speculation, and a kind of amateur search

for Truth; toying and coquetting with Truth—this is the sorest sin."

During our past crises, by luck or voting intelligence, we have provided ourselves with able leaders. Our present leaders are possibly one of the best-informed and effective teams we have ever had in the field to protect our safety. To undermine our own professional strength in the midst of a fight is not reasonable conduct.

In times of stress, we have always had protestants and dissenters, which endangered our country. As one man wrote me: "Washington had his Tories; Lincoln, his Copperheads; Wilson, his Firstists; Roosevelt, his Fascist. Never, never were they right—no never."

The conquest of a free and friendly nation by outside military force, is a deadly threat to us, even without considerations of honor. Just because our friend seems miles away seems to make it easier for us to be more indifferent than if he were in Staten Island. In today's world he is only seconds away from us. And if we were to demonstrate that distance cools our loyalty and our pledges our smaller friends must accept enslavement.

Many believe if their friendly neighbor is murdered or attacked, it is no concern of theirs, even regardless of a pledge—"pull down the shades, to hell with the neighbor. Just fortify your own house. When the next neighbor is attacked, again pull down the shades; again strengthen your own house."

To desert your friends at such a time, even miserably to dishonor your pledge deviously or candidly, might not be so bad materially for the moment. But, our national neighbors are not just murdered. They are forced to join the attack against us. By force the number against us is increased. Worse yet, they may no longer communicate with us or the free world. Imprisoned. To climb the prison wall means death.

Our aims and policies are so genuinely friendly, and even kindly to mankind, that our opponents do not dare announce them to their people simply and truthfully. They do not dare announce that we wish all nations to have their own customs and own forms of government; they do not dare announce that we hate war almost above all else, with only one exception—we hate loss of freedom for ourselves and our allies more; they do not dare announce that we fight only when external force is used against us, or an ally.

Opponents abroad and—to a lesser, but even sadder and more dangerous extent—dissidents at home not only do not state truthfully and simply the objectives of our country and our leaders that we elected to fulfill them, but they misrepresent and distort.

Distortions and misleading statements have been important factors in bringing about many wars. Distortions also injure our internal unity.

Subsequently I shall illustrate by example some distortions of the present.

In the past we wished to grow peacefully and in good-fellowship with the Germans. Their leaders preferred to misrepresent our policies and aims. Only thereby could they induce their citizens to fight us. They even misrepresented *their* intentions and methods.

We did not fight to enslave the Germans, nor to force our methods or government upon them. Victory enabled us to prove our friendly intentions. Former opponents have become our friends.

The same happened in Japan. Again we have become friends. Again they have retained their own customs and own government.

Many believe that the two world wars could have been prevented, had we, a united people, simply, clearly and convincingly stated that our nation would fight as one, together with all freedom loving nations against conquest by foreign military force. Our present leaders have not made this mistake. Clearly they have announced their determination to resist any armed aggression against our nation or against a friendly ally. Our present leaders are proving to the world that we mean what we say. This is very important. While our leaders are protecting our honor and safety we, as a nation, have to prove that once our nation decides to fight, we fight as one.

It is well known that the Communists expected us, long ago, to break up through riots and civil rebellions. They have been surprised, mightily, that this did not happen among free men. They almost gave up hope. Now, suddenly, they have become encouraged by our dissensions—while our armies are fighting.

About the surest way to bring attack from a bully is to let him know or hope that you will not stand. Or, if there are several, that they can divide their intended victims. Among the surest ways to defeat an army is to kill its spirit. One of the best ways to kill its spirit, is to have it believe that its cause is considered only a minor one at home and to receive half-hearted support.

Another method of undermining is to confuse the issues or pretend that we fight for any other cause than an urgent need to protect our nation.

When our professional look-outs spot an approaching army, it is dangerous for those who are not on the lookout to deny the fact. In our present struggle, the facts are even more simple. Attack, and invasion—from the outside against a friendly nation—were begun.

Our leaders do not ask for surrender. *We* shall not surrender.

Our commanders hate war at least as much as the rest of us. They plead and plead for a friendly exchange between our opponents and ourselves. All we seek, is safety from outside attack against us, or against a friendly ally. Our opponents decline to discuss matters in a friendly atmosphere. Instead they demand unconditional surrender of part of our armament. History has given us the right answer for that one—General McAuliffe's "Nuts" to the Germans. To be fair to our opponents, they do not demand that we turn over part of our forces to them. They only ask that we tie one arm behind our back, while they attack the other. "Nuts"!

Our nation believes in reciprocity. To get nothing in return, is not reciprocity. Our belly is full with hopeful but unrealistic concessions. If there *is* reciprocity, let our present opponents spell it out.

It almost seems that there is a diabolical and cunning influence from some source over our opponents. There seems to be an intentional demand which they know in advance is a military stupidity. Their demands seem to be so one-sided, that they can have only one purpose—the increasing of debate and dissension in our land.

I shall now refer to present distortions and misrepresentations that tend to lessen allegiance to our leaders and encourage our opponents:

1. "Our nation is hated." Of course our nation is hated. Every nation is hated by someone. Even the spiritual leaders of the world's great religions have been hated. But, what a distortion of truth! No other nation has more respect and more good will from the outside world than ours.

(I have been around the world many times, to Australia and the Far East about nineteen times. I have lived abroad for many years. Since my international merchant training commenced in 1916, I have known no nation to grow more in the respect and devotion it receives from the world at large.)

2. "We are hated in Viet Nam." While dictating this reply, I received an unexpected visitor from South Vietnam. He called to thank me for my reply to Mr. Roth. The visitor added, that we must not be surprised if we are hated by North Vietnam, and even by many in South Vietnam. To them, we look like the French. He explained that it is a totally new experience for an Asiatic nation that was colonialized to have a powerful Western nation fight for the welfare and freedom of the Asiatic nation. That we wish them to have the same benefits from freedom as we wish for ourselves is hard for them to believe.

3. "We wish to force our customs and government on the South Vietnamese." How often do we hear this among our own people even though it is not in the minds of our leaders. History disproves the charge.

4. "The English fought harder, because bombed." There is no more courageous or better fighter, in my opinion, than the Englishman. But did they not also fight harder because they monthly became stronger—or hoped so to become? They knew to yield meant conquest by the foe. The German is not considered a cowardly fighter—but was his fighting capacity improved by bombing, by the destruction of his war-making machines?

5. "Civilians are killed." Of course, the lives of civilians are endangered, when living close to military targets. Of course, when new inventions enable a larger range to reach arsenals and targets far beyond former capacities—more civilians are endangered. Would more lives be spared, if these military targets increased their production of destructive armaments? Furthermore, I doubt if any commanders have ever tried in battle to protect civilians more than ours in this war. We have been slow to apply our power, and increased our own deaths thereby.

6. "Doves and Hawks." Nice, playful names for games—but mischievously misleading in our troubled times. We all long for peace—we are all a peace loving nation—we wish to give and receive friendship. We all want to defend our homes. We are not Doves nor Hawks—our bird is the Eagle.

Cheers to our leaders who know the facts and dedicate their lives to protect us. Deep thanks that they are not dismayed when we are slow to give them the support that loyal citizens owe in battle.

Many wanted to remove Washington, Franklin was accused of theft, Lincoln was almost impeached, Grant was slandered. But their devotion to our country did not falter. May the burden of our present leaders be similarly bearable, while we rally to their support.

We can select victory. We can select defeat. We cannot have half victory, or half defeat.

Nor will the world judge us half victorious or half defeated.

Our preference is to join with our opponents in full victory for mankind, but defeat we shall not accept.

ALLAN GERDAU,
President, Tontine Emporium, Inc., 82 Wall St., New York.

HIGHWAY TRUST FUND CUTBACK

Mr. JORDAN of Idaho. Mr. President, on October 8, 1967, the Secretary of the U.S. Department of Transportation sent a telegram to the Governor of the State of Idaho indicating a cutback on Federal aid highway trust funds for fiscal 1968. It is my understanding that similar telegrams were sent to the Governors of each of our States.

The reason for considering such cutbacks, according to Secretary Boyd was due to congressional discussions on substantial reductions in Federal expenditures.

This proposal, understandably, caused our Governor, Hon. Don Samuelson, great concern. Less than a year ago, ac-

tion similar to that now under consideration was taken by this administration. The confidence that a participating State and those who are paying for the funding of such programs through gas taxes and other taxes is being taken.

How can we plan in advance, Mr. President? How can contractors who have hundreds of thousands of dollars invested in specialized equipment and trained personnel prepare bids and enter into contracts for surveys and construction of highways with such threats as this being used twice in 1 year?

These funds are trust funds set aside for a specific purpose. They are not in the same category as the usual appropriated funds. It may well be that a delay in the program is temporarily deflationary, but the end result will be more inflation. Where men and equipment must seek other contracts, it will cost more money to have them return to half completed work.

I have been advised by personnel in the Department of Transportation that no decision on this matter has been made yet. I, for one, believe the decision should be made at once, that this whole proposal should be dropped and that we proceed without further delays and interruptions on this highway program which is so essential to our economy and our safety.

Mr. President, I ask unanimous consent that a copy of Secretary Boyd's telegram to Governor Samuelson on August 8, Governor Samuelson's reply, and a copy of my letter to Secretary Boyd be included in the RECORD at this point.

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

HON. DON SAMUELSON,
Governor, State of Idaho,
Statehouse, Boise, Idaho.

DEAR GOVERNOR: In view of recent Congressional discussion on substantial reductions in Federal expenditures, it may become necessary to impose ceilings on the Federal-aid highway program in the immediate future. If this action becomes necessary, I would propose to establish quarterly ceilings on the obligation of Federal-aid highway funds effective November 1, 1967.

Under consideration are three alternative levels of reduction in your authority to obligate Federal-aid highway funds for new projects for the next 12 months. The alternative levels of reduction nationally and for your State are: $2.2 billion, $1.0 billion, and $600 million.

Procedurally, each State would receive a quarterly ceiling which would be 25 percent of its annual apportionment of Interstate and ABC (primary, secondary and urban) apportionments (at a $4.4 billion national rate) less a quarter of its share of the total reduction. Any reduction would be prorated among the States in the same ratio as the apportionment of Interstate and ABC funds.

Under this procedure, your State could submit new Federal-aid projects for approval up to the obligational ceiling for each quarter. Within the ceiling, projects could be submitted for (1) preliminary engineering, (2) acquisition of rights-of-way, and (3) advertising for bids for construction.

Existing unobligated balances would not be a factor because the quarterly ceiling on obligations would be 25 percent of your annual apportionment of funds less your share of a selected reduction.

It is my desire to receive from you as rapidly as possible your comments as to the impact this will have upon the programs of your state as well as on your economy. I also would like to receive your comments and/or suggestions on the above proposed procedure for carrying out a reduction in the Federal-aid highway program in the event it is necessary. Your cooperation is appreciated.

ALAN S. BOYD,
Secretary of Transportation.

BOISE, IDAHO,
October 10, 1967.

ALAN S. BOYD,
Secretary, Department of Transportation, Washington, D.C.:

Reurtel 8 October 1967 concerning possible imposition of ceilings on F. A. highway program for fiscal '68. Direct response to two questions asked as follows: (1) Obligation authority ceilings set forth in alternate proposals would reduce Idaho highway program for remaining portion of fiscal '68 by (A) 80 percent: (B) 39 percent: and (C) 31 percent. (2) Should any reduction in the F. A. highway program be undertaken at any time, reduced apportionments should be directly proportional to full apportionments. Existing unobligated balances from prior releases should remain available for use.

Any of these proposals would have an extremely serious impact on the economy of Idaho. It would create chaos in the construction industry where highway program represents twenty five percent of Idaho heavy construction work and accounts for about thirty percent of heavy construction employment. Supporting heavy equipment, materials, bond, insurance and financing institutions would incur commensurate loss of business. Professional and technical personnel will leave highway field for more stable employment. Schedules and commitments for utility relocation: local government agreements and related work: and, the orderly relocation of business and residential properties would be seriously disrupted. Your testimony before Joint Senate and House Public Works Committee on 27 February 1967 stated that "a full annual program level of 4.4 billion will be put into effect with the start of the new fiscal year on July 1". As late as 20 June 1967 a wire to the Department of Highways from E. H. Swick for F. C. Turner, director of public roads, stated that "The 4.4 billion rate of fund availability suggested by Secretary Boyd in his testimony of February 27 before the House and Senate Public Works Committees will be realized."

This wire further stated that "trust fund balances are estimated to be adequate to sustain the release of rates indicated herein." Based on these assurances, a special session of the Idaho Legislature increased the State tax on gasoline and diesel fuel, to become effective 1 January 1968, so as to be in a position to utilize all Federal aid funds available to Idaho. Action as suggested by your wire of 8 October is not consistent with earlier commitments and cannot be considered to be in good faith. A substantial portion of highway user taxes is already diverted from the Federal aid highway trust fund to other purposes at the Federal level. There can be no valid reason for considering a holdback on that portion which does go to the trust fund where it is held "in trust" for a program so vital to the safety, economy, and stability of our country. The matter should be dropped immediately.

DON SAMUELSON,
Governor of Idaho.

U.S. SENATE,
COMMITTEE ON INTERIOR AND
INSULAR AFFAIRS,
Washington, D.C., October 23, 1967.

HON. ALAN S. BOYD,
Secretary, Department of Transportation, Washington, D.C.

DEAR MR. SECRETARY: You recently sent a wire to Governor Don Samuelson of Idaho advising that consideration is being given to a possible holdback or cutback of federal aid highway trust funds for fiscal year 1968. You asked about the possible impact on the state if certain alternatives were to be placed in effect.

On October 11th, Governor Samuelson replied to your inquiry indicating clearly the serious impact such action by your Department would have not only on our highway program in Idaho, but on the total economy of our state. I fully agree with Governor Samuelson. These are funds "held in trust" for the furtherance of a vital program which goes to the very heart of our national safety. A cutback of such funds is not justified and if carried out could only lead to further inflation when and if this essential program is continued.

The states, as well as those who pay gasoline and other taxes to make this program possible will lose faith in the federal participation if actions such as now contemplated are paraded before us as threats each time a reduction in federal spending is proposed by Congress.

I hope this proposal will be dropped immediately so our highway program can proceed without further interruption.

Sincerely yours,

LEN B. JORDAN,
U.S. Senator.

A CONSTITUTIONAL AMENDMENT TO RESTORE THE POWER OF THE POLICE

Mr. TOWER. Mr. President, in the recently published report of the President's Commission on Law Enforcement and the Administration of Justice, "The Challenge of Crime in a Free Society," a supplemental statement by seven of the Commission members set out certain goals for reform in the enforcement and administration of the law in the United States.

This statement shows a clear and desirable need for the adoption of Senate Joint Resolution 22, proposing an amendment to the Constitution of the United States to provide that the voluntary admission or confession of the accused in a criminal prosecution shall be admissible against him in any court sitting anywhere in the United States, and that the ruling of a trial judge admitting an admission or confession as voluntarily made shall not be reversed or otherwise disturbed by the Supreme Court or any inferior court established by Congress or under its authority if such ruling is supported by competent evidence. I am pleased to be a cosponsor of this amendment.

Mr. President, an adequate opportunity must be provided the police for interrogation at the scene of the crime, during the investigation and at the station house, with appropriate safeguards to prevent abuse.

The achievement of the proper balance between the rights of the individual and those of the society as a whole is admittedly a tremendously difficult task. In the initial stages, at least, the law-enforcement officers of this Nation are charged with the maintenance of this balance. It is the policeman who is first on the scene of a crime; it is the policeman who must attempt to piece together the often incoherent or contradictory statements of witnesses in an attempt to get at the facts; it is the policeman who must sometimes face the open hostility of the crowd of onlookers, and it is

the policeman who must detain the suspected offender. All of these activities are carried on in the world which is familiar to those who enforce the law—be it the dimly lit alley in a city, the streetcorners of the town, or the highways which span this country. The law-enforcement officer, then, does not have the serenity of the judicial chamber as a place in which to determine the proper course of action, nor is he allowed the restrospective view of a carefully reconstructed series of events as an aid in formulating a constitutionally correct course of conduct. He must enforce the law in the present tense and make his decisions in seconds, and not after months of reflection. How can the law-enforcement officer carry out his duties in such a way as to achieve the results which justify his existence—compliance with the law by the individual members of the society which has made itself subject to that law?

Certainly one of the key factors in successful enforcement of the law is the right of the policeman to interrogate a suspected offender on the street, or at the scene of the crime or at the station house. Often the investigators of a recently perpetrated offense have little or no substantive information with which to begin their quest for the truth. Crimes such as kidnaping necessitate immediate action in the form of interrogation if the victim is to be safely returned. In many instances, interrogation benefits the innocent as much as the guilty, because potential suspects are quickly exonerated. For all of these reasons, it may be said that the right to question suspects is an essential part of law enforcement.

On the other hand, there must be for the individual suspect safeguards against the abuses of the right of interrogation. These protections have existed since the formation of this Nation in the Constitution of the United States. The fifth amendment, which provides protection against self-incrimination, and the sixth amendment, with its assurance of counsel, afford the individual rights which are as essential to the individual as the right of interrogation is to the policeman.

In the final analysis, the determination of the relative rights of the individual and society through its law-enforcement officers is made by the judiciary, and particularly through the U.S. Supreme Court. The current disposition of the Court toward the balance of rights can best be seen in the case of *Miranda* v. *Arizona* (384 U.S. 436 (1966) which sets out the following standard relative to the questioning of suspects:

A suspect must not only be warned of his rights to remain silent and that any statement made by him may be used against him at trial, but also that he has the right to request the assistance of counsel which must be provided to him before he can be asked any questions at the scene of the crime or elsewhere. These rights may be waived by the suspect if done "voluntarily, knowingly, and intelligently," but the suspect may later indicate that he wishes to remain silent or have the assistance of counsel, in which event the questioning must immediately cease.

In the light of the circumstances under which a policeman must attempt to carry out his duties, a standard such as that in Miranda effectively precludes the use of interrogation by law enforcement officers, except in the exceedingly rare case in which a suspect would waive the protection so readily extended to him by the Supreme Court. What we have seen as a result of these Court actions is a sacrifice of the rights of society in favor of those of the individual. When a suspect requests the assistance of counsel, how many could be expected to then undergo interrogation when, as Mr. Justice Jackson has so aptly put it:

Any lawyer worth his salt will tell the suspect in no uncertain terms to make no statements to police under any circumstances.

The proposed amendment to the U.S. Constitution, while taking into account the inviolable rights of the individual, would also guarantee the basic right of security to our society by removing the present barriers to the right of the representative of that society to question those suspected of a crime.

Mr. President, the legitimate place of voluntary confessions in law enforcement must be reestablished and their use made dependent upon meeting due process standards of voluntariness. Prior to the overextension of constitutional guarantees to the individual by the Supreme Court, the standard for the admissibility of a confession was whether or not it was made voluntarily by the suspect.

Obviously, the confession made under circumstances of intimidation or coercion was not to be admitted since it clearly violated the right of the individual to avoid self-incrimination. Barring such violations, however, the generally accepted view that voluntary confessions were a desirable part of the criminal process certainly seemed justified in view of the difficulties inherent in the enforcement of law.

With the advent of Miranda, it became obvious that where there could be little expectation of interrogation, it would be reasonable to expect that confessions would be done away with altogether. The dissenting opinion of Mr. Justice White in Miranda itself points out that—

[T]he result [of the majority holding] adds up to a judicial judgment that evidence from the accused should not be used against him in any way, whether compelled or not (*Miranda* v. *Arizona*, 384 U.S. 436, 538 (1966)).

There can be little doubt that the standard imposed upon the law enforcement officer by virtue of the Miranda case results in the virtual elimination of the use of confessions as one of the indispensable elements of the functioning of our legal system. In the relatively short time since this case was decided, there have been numerous examples of the effects of such a standard. Criminals of the most despicable sort have been set free to endanger our society.

For example, two defendants with long criminal records won dismissal of murder charges because they had not been informed of their rights to counsel before they confessed. The State supreme court justice, noting that for the second time in a 10-day period he was forced to dismiss a murder charge because of a Supreme Court decision, stated:

These defendants have records for robbery, assaults and drugs, as well as other crimes. In the very near future I expect to see the defendants back again in this court. I hope it won't be for murder. As I see the smirks on their faces, I know that they are getting away with murder.

A Federal judge made this statement after releasing a man tried for murder:

On three separate occasions, this man voluntarily confessed foully killing his wife and throwing her body on a dump . . . he led police there. Yet the U.S. Court of Appeals has seen fit to throw the confessions out . . . tonight felons will sleep better.

In another case, a man who admitted slaying his wife and five children walked out of a courtroom a free man because the only available evidence against him was his own confession.

It is interesting to note that some of the strongest criticism of the Miranda doctrine has come from judges themselves. These men, who must administer the judicial system in this country, see what the majority of the members of the U.S. Supreme Court cannot or will not see—that to proscribe the use of the voluntary confession constitutes the most extreme example of the intentional aberration of our system of criminal law and procedure in the history of this Nation.

The amendment (S.J. Res. 22) would reinstitute the test of voluntariness as the criterion for the admission or rejection of confessions in criminal cases.

The vital question which has been raised by the combination of the recent trend of Supreme Court decisions and the ever-increasing rate of crime—the latter having the propensity to increase in relation to the continuing incomprehensibility of the former—is whether the law enforcement agencies of this Nation can effectively discharge their responsibilities without a change in the existing constitutional provisions. Unfortunately, at a time in our Nation's history when the need for law enforcement has heightened, we cannot turn to the courts for guidance. Therefore, we must for the good of our society, bring about a resurgence of police powers which can only accrue to the benefit of the Nation as a whole. The responsibility for this undertaking must be assumed by Congress and the States, through ratification of the proposed amendment (S.J. Res. 22) to the U.S. Constitution.

COMMUNITY SERVICE AIDS AND SOCIAL SERVICE VOLUNTEER PROGRAMS

Mr. HARRIS. Mr. President, the National Association of Counties has endorsed my amendment No. 400, cosponsored by several other Senators, intended to be proposed to H.R. 12080. I am grateful for this support, and I ask unanimous consent that a letter to me from Mr. C. D. Ward, general counsel of that distinguished organization, be printed in the RECORD.

There being no objection, the letter

was ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION OF COUNTIES,
Washington, D.C., October 20, 1967.
Senator FRED R. HARRIS,
U.S. Senate,
Washington, D.C.
(Attention: Mr. Leslie R. Kreps.)

DEAR SENATOR HARRIS: I appreciated the opportunity of discussing with Mr. Kreps our support of Senator Long's foster care proposal, S. 2470. I was also pleased to have Mr. Kreps bring to my attention your amendment relating to community service aids and social service volunteer programs.

In December of last year, the National Association of Counties held its first welfare conference, and I feel you would be interested in knowing that one of the specific recommendations directly relates to your own proposal. The recommendation was titled "New Welfare Employment Criteria" and reads as follows:

"Whereas the present federal and state classification and qualification staffing requirements for welfare and social workers often result in the wasteful application of professional talent to sub-professional tasks and often precludes the employment of competent persons to perform many welfare tasks, the National Association of Counties urges and recommends that the federal government foster and encourage the states to experiment in the use of sub-professional classifications.

"Whereas it is difficult to obtain necessary caseworkers under the present mandated classifications and qualifications, we recommend in the interest of home rule and greater efficiency that the fixing of such classifications and qualifications be vested in the local unit of government administering such relief, consistent with Civil Service as established in each State."

On behalf of the National Association of Counties, I should like to express our support for your amendment and to advise you that this letter may be utilized for such purpose.

Very truly yours,

C. D. WARD,
General Counsel.

TRIBUTE TO AN INDUSTRIOUS REPORTER

Mr. PROXMIRE. Mr. President, the Department of Defense earlier this month moved to plug a gaping hole in its procurement procedures by ordering that a clause be included henceforth in all firm fixed price contracts involving certified costs or pricing data giving the Pentagon explicit right of access to the contractor's actual performance records in order to provide assurance that defective cost or pricing data had not been submitted prior to consummation of the contract.

If the postaudit authority established by this recent administrative action is exercised effectively, it could mean a savings to the taxpayers of millions of dollars a year because it would go a long way toward ending the enormous losses to the Government in overcharges on defense contracts.

A healthy share of the credit for the Pentagon's recent action must be given, I believe, to an able and industrious reporter for the Cleveland, Ohio, Plain Dealer, Mr. Sanford Watzman, who in a superlative series of articles last spring put the spotlight on the Pentagon's failure to enforce the 1962 Truth in Negotiations Act, which requires that contracting officers obtain current, accurate, and complete cost data from contractors. This law is the taxpayer's only defense against the establishment of unreasonably high cost levels in negotiated contracts.

Mr. Watzman's articles, which drew on obscure, almost-forgotten reports by the Comptroller General of the United States, prompted the Economy in Government Subcommittee of the Joint Economic Committee, of which I am chairman, to probe into this area during hearings last May on Federal procurement procedures. The testimony of the Comptroller General was both instructive and shocking. He disclosed at the hearings that the loss to the taxpayer because of overcharges on defense contracts ran into the millions just on the very small sampling of contracts audited by his agency, the General Accounting Office. This would indicate that the actual loss on all contracts could conceivably be in the billions of dollars.

Following the hearings, I introduced a bill (S. 1913) to provide the Pentagon with explicit postaudit authority—a move first suggested by Mr. Watzman. The purpose of this bill was to establish a policy that the Comptroller General contended could be established independently by the Pentagon simply by amending the Armed Services procurement regulations. The Comptroller General recommended this course to the Defense Department some time ago but no action was taken on the recommendation. Postaward audits of the actual records of performance, the Comptroller General concluded, often provided the best means of verifying that the data submitted prior to the award was accurate, current, and complete.

The memorandum issued last month by Deputy Secretary of Defense Paul H. Nitze appears to establish through administrative action just the authority recommended by the Comptroller General and the authority my bill would establish in law. If Secretary Nitze's order is effectively and fully implemented, there will be no need for passage of my bill. But the Defense Department's record of enforcement in the procurement area, either of administrative regulations or of statutes such as the Truth in Negotiations Act, does not encourage optimism. To the extent that my bill can be credited with bringing about the Nitze order, Sanford Watzman deserves a large share of the credit. And he will deserve credit, too, for the ultimate savings to the taxpayer, if the Nitze order is effectively implemented.

REPORT OF PANEL ON ELECTRICALLY POWERED VEHICLES

Mr. MAGNUSON. Mr. President, I have just received the report of the Panel on Electrically Powered Vehicles which was set up by the Department of Commerce early this year in a joint-sponsorship agreement with several other executive branch departments and agencies. The panel has studied the critical problem of automotive air pollution and its control with particular emphasis on the development and use of new low-polluting propulsion systems.

I am happy to report that I find the results of the study, published in the report entitled "The Automobile and Air Pollution—A Program for Progress—Part I," a thoughtful and significant addition to our discussion of methods to insure that the benefits of advancing technology will be used for the good of the entire Nation.

The panel, of which Richard S. Morse, of the Massachusetts Institute of Technology, is the chairman, is composed of a group of eminent industrial, academic, and technical experts who have generously contributed their time and energy to collect and review the latest available information and to offer their conclusions and recommendations for desirable public action. The Nation is fortunate to have at its call such dedicated citizens who willingly come together in a voluntary effort to help formulate important matters of public policy. These men whose names I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks, deserve our congratulations for their fine effort.

The report contains many important conclusions and recommendations which should be given serious consideration by both the executive and legislative branches. Of particular interest to me is the recommendation that the Federal Government use its procurement policy to stimulate the development and use of devices and vehicles which will lower pollution, for I have urged on several occasions that such a creative approach in Federal purchasing can be an important instrument in achieving this objective. I am pleased that the panel has highlighted this area for consideration. An extension of this recommendation to create a program which will assure that private industry will rapidly strive to develop and use the latest systems for the control of pollution should also be an important part of any Federal activity designed to reduce air pollution and encourage the creation of new and more effective means of transport.

I also note that the report recommends that the Federal Government should increase its support for research, development, and demonstration in mass transportation programs. I have long been an advocate of policies which will help this Nation create the advanced transportation systems which are urgently required by our citizens in crowded urban areas. There is no doubt that our urban population will continue to increase, and it is therefore essential that we take every reasonable step to study, test, and develop the most effective means of transportation for both goods and people.

The panel report also contains a recommendation that the Federal Government initiate a 5-year, $60 million, program to seek information from which to develop future emission standards and to support additional research. The areas singled out by the panel as deserving particular attention include the examination of alternative energy sources for vehicles, and the development of new vehicular propulsion systems, emission control devices, and special purpose urban cars. A program of this type may be essential to enable the Government to find the most effective means for counteracting the polluting side effects of our present personal transportation systems, so I believe

it is important that we give it our careful consideration. For it already is becoming unpleasantly clear that in the future we shall need vehicles, particularly in our urban areas, which are virtually nonpolluting.

In summary, Mr. President, I think this report should provide the basis for some new and meaningful steps by the Federal Government in its attempt to control pollution and develop new transportation systems. The Department of Commerce and the other supporting agencies deserve our congratulations for preparing, so promptly, this excellent analysis. I urge that it be given serious and detailed consideration.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Washington?

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

PANEL ON ELECTRICALLY POWERED VEHICLES

Richard S. Morse, Chairman, Alfred P. Sloan School of Management, Massachusetts Institute of Technology.

Manfred Altman, Director, Institute for Direct Energy Conversion, University of Pennsylvania.

Edward H. Blum, Princeton University, (Now with Rand Corporation).

Rolf Eliassen, Professor of Environmental Engineering, Stanford University.

James W. Ford, Director, Economics Office, Ford Motor Company.

Everett Gorin, Manager, Process Research, Research Division, Consolidation Coal Company.

Carl E. Heath, Section Head, Government Research Laboratory, Esso Research and Engineering Company.

Seymour W. Herwald, Group Vice President, Westinghouse Electric Corporation.

Edward O. Johnson, Manager, Engineering-Technical Programs, R.C.A. Electronic Components and Devices.

Peter Kyropoulos, Technical Director, Styling Staff, General Motors Technical Center.

Alan G. Loofbourrow, Vice President, Quality and Reliability, Chrysler Corporation.

David V. Ragone, General Atomic Division, General Dynamics Corporation (Now Professor of Metallurgy and Material Science, Carnegie-Mellon University).

Robert C. Shair, Vice President, Research and Development, Gulton Industries, Inc.

Philip Sporn, Retired President, Director, American Electric Power Company.

Charles W. Tobias, Chairman, Department of Chemical Engineering, University of California, Berkeley.

Myron Tribus, Dean, Thayer School of Engineering, Dartmouth College.

Paul T. O'Day, Executive Secretary, Office of the Assistant Secretary for Science and Technology, U. S. Department of Commerce.

ELEVENTH ANNIVERSARY OF THE HUNGARIAN REVOLUTION

Mr. LAUSCHE. Mr. President, 11 years ago today the Hungarian people reacted against Soviet political and military occupation of their country. Soviet troops ignited the flames of revolution when they fired on defenseless students who were peacefully demonstrating on October 23, 1956. Hungarians—young and old, workers and intellectuals—rallied to the students' cause, risking their lives for freedom. After years of oppression and subjugation by the Soviets, Hungarians wanted the right to determine what men should govern their country through general, free, and secret elections with the participation of several political parties; the withdrawal of Soviet troops from Hungarian soil; investigation and correction of all political and economic trials; complete freedom of speech; and vast improvement of the economy of the country—all privileges which we in the United States enjoy as ordinary rights of citizenship and freedom.

By the end of October peace had returned to Budapest as Hungarian freedom fighters achieved their goals. Imre Nagy was named Premier and installed a new cabinet in which the power of the Stalinists was greatly reduced. Nagy announced that Soviet troops would soon leave Budapest, and Soviet representatives returned from Moscow with a declaration complying with most of the demands made by the revolutionaries.

On November 4, 4 days after evacuation of Soviet troops from Hungary had apparently begun, these forces reentered Budapest—10 armored divisions, reenforced by aerial attacks by Mig fighters. All over Hungary, patriots hurried to protect the newly won freedom against such an onslaught of military might. Radio appeals to the free nations of the West and to the United Nations went unheeded as diplomacy bogged down in the redtape of words and vetoes. Hungarian freedom, however, with its dwindling store of rifles, ammunition, grenades, Molotov cocktails, sticks, and stones could not for long protect itself against the endless stream of Red tanks and automatic weapons. Soviet forces crushed this Hungarian revolt but not the people and the spirit which fostered it.

Mr. President, on this 11th anniversary of the start of the Hungarian revolution it is appropriate that we pause to pay homage to the brave men and women who died in Hungary for the cause of freedom. It is appropriate that we join with those Hungarians who were able to flee their country and find friends and comfort here in America and with those who are still in Hungary in a silent prayer that one day soon, Hungarians will realize that freedom which was so dearly won and lost in 1956.

ARMS SALES POLICIES

Mr. McGEE. Mr. President, C. L. Sulzberger, writing from Brasilia, took a look at American arms sales and the policies which govern them, particularly as these apply to our neighbors in Latin America. In the New York Times for October 18, Sulzberger makes a number of points, but his chief one is that we cannot, by refusing arms, hope to prevent their acquisition. Other nations, notably France, are willing and able to provide them, and in the field of aircraft will, in fact, sell faster, larger aircraft.

The implications are many, both short and long term, as Sulzberger points out. His column should be read by those whose intentions are good but whose realism is clouded when it comes to this question. 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:

FOREIGN AFFAIRS: ANOTHER POKE IN THE EYE

(By C. L. Sulzberger)

BRASILIA, BRAZIL.—U.S. arms policy in South America is about to get another poke in the eye with a blunt stick, this time in Brazil. We have only to thank our own befuddled approach to the question of selling weapons to friends.

Bruised by Congress on numerous issues, the Defense Department thinks it can avoid an arms race on this continent by withholding modern equipment from our friends, above all jet aircraft. Our friends, however, don't share this pleasant belief. They listen to our advice, make their own decisions and buy elsewhere.

WHERE BUT PARIS?

The obvious place to buy is France. French arms merchants are energetic, backed by their Government, and prepared to extend generous credit. Furthermore, the Israeli Air Force was French-equipped and, since it chewed up the best Soviet matérial the Arabs had, South American generals were favorably impressed.

When Washington refused to sell Peru our F–5 fighters, Lima bought a batch of France's Mirage-V supersonic jets. Simultaneously, Argentina purchased fifty French tanks, compounding our frustration because, quite apart from trying to discourage a hemispheric armaments race, the U.S. doesn't relish losing markets to de Gaulle.

Now an even worse disappointment is shaping up. Brazil the greatest South American nation and our most active ally here, wants to purchase about twenty U.S. F–5's. These aren't really supersonic and, indeed, were conceived as counterinsurgency planes for developing nations. Nevertheless, Washington refuses approval.

For months Brazil's President, Marshal Costa e Silva, has argued his case, even in personal correspondence with President Johnson, but Secretary McNamara, who fears Congressional resentment, maintains a virtual veto. Meanwhile France pushes its aircraft as an obvious alternative.

Last August Brazil was ready to take Mirages, which are more expensive than F–5's and virtually twice as fast. Paris offers excellent terms, including willingness to construct an aviation factory here and promise of earlier delivery than we could offer if we were ready to do business.

Costa e Silva is under pressure from his officers. This regime was first installed by army coup three years ago, and its main dynamic remains military. There is nothing even remotely Nasserist about it. but the rationale is similar. Nasser told me in 1955 that he had to buy arms from Russia when we refused them because his only organized backing came from officers and, if he refused them materiel, they might withdraw support.

Here read "France" for "Russia." The military establishment, which is pro-American and mildly liberal, looks to Costa e Silva for new weapons. The air force has only three serviceable but outmoded jet fighters and fifteen jet trainers. It complains that training crews on obsolete equipment makes them unfit to cooperate with the U.S.A. in an emergency.

The political implications to a largely military regime are clear. Costa e Silva has shown patience with our position, but is being urged to give an answer before Aviation Day next week. Meanwhile, a new French sales mission is awaited as Paris pushes further into the market.

Our basic arms policy has been unrealistic, if nobly motivated. By withholding modern weapons we hope to discourage armaments races and to encourage the spending of defense funds on development. But, while philosophically sound, this simply won't work without a monopoly—which we don't have.

We refused to sell aircraft to Israel and South Africa because we didn't want to offend the Arabs and the new Negro repub-

lics. France sold to both and nevertheless became more popular with the Arabs and many African states. Meanwhile Israeli prowess with French equipment spurred French arms sales.

WEAPONS WANTED

Many South Americans resent our restrictions and question what the U.S. alliance is worth if it doesn't allow access to weapons. And the diplomatic implications are obvious. Long-term spare parts and training commitments are involved. Furthermore, in some countries on this content the military is the real political power, while in all it lurks behind the scenes.

Our intentions are good, but in practice they are self-defeating. Congress doesn't want lands we help to waste funds on weapons, but, after all, those aren't our colonies and make up their own minds. It is good that Washington has reversed itself on Brazil in time, for elsewhere in South America U.S. diplomacy was banging barn doors on horses already grazing in France.

ALF LANDON PROPOSES NEW APPROACH TO LABOR-MANAGEMENT DISPUTES

Mr. PEARSON. Mr. President, in a recent tribute to Alf M. Landon on his 80th birthday, I took note of his continuing active participation in public life and ever fresh and cogent discussion and analysis of the great public and political issues of the day.

Today, I want to call to the attention of my colleagues Mr. Landon's latest contribution, a proposed new approach to handling labor-management disputes which affect the national interest.

Mr. Landon originally unveiled an outline of his new approach to the difficult problem of emergency strike legislation last July. This idea has now become a fully developed proposal which merits serious consideration.

He suggests first that the research facilities of the Federal Mediation and Conciliation Service be greatly strengthened. When, on the basis of this research, the Director of the Service certified that a bargaining impasse existed in a given industry, a three-man arbitration panel would come into being roughly 6 months before the expiration of the existing contract and would attempt to mediate the dispute before it assumed crisis proportions.

The panel would also be empowered to make nonbinding recommendations which the disputants would have 30 days to consider. If they did not accept its recommendations, they would suffer the loss of the protection of current labor laws and the right to receive Government contracts. Thus, while they would have the option of refusing to settle their differences, they would pay a heavy price for their intransigence.

Mr. Landon would also give the parties the right of immediate appeal of the board's decision through the Federal court system.

Mr. President, this proposal was outlined in a speech by Mr. Landon before the Kansas State Federation of Labor at Topeka October 19, 1967, and I ask unanimous consent to have it printed in the RECORD.

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

LABOR, MANAGEMENT, THE PUBLIC—ALL IN THE SAME BOAT

These are indeed troubled times. Trouble in Asia and Africa—trouble in the old world—and trouble in the new world.

Mankind is seeking new solutions to age-old and unsolved problems—and new problems created by automation—electronic energy and power—and the space age.

Growing industrialization has changed the agrarian economy in America into an industrial economy in my lifetime.

I can remember when the advocates of reducing the twelve-hour day to the ten-hour days were called radicals.

Then came the eight-hour day. I remember talking to a superintendent of a blast furnace about that. He said the eight-hour day might be all right for other industries. It can't work in the steel industry.

Steel was the last big industry to hold out against that. President Warren G. Harding persuaded big steel to adopt the eight-hour day.

A year later, I was talking to this same man. He said he wouldn't go back to the ten-hour day if he could.

Then came the Wagner Act—which I supported. However, it has not been the hopeful solution of our industrial relations problems which rank close to our complex international relations crying for solutions.

The Wagner Act begat the Taft-Hartley Act. The Taft-Hartley Act begat the Landrum-Griffin Act.

The Eisenhower board was busy reversing the decisions of the Roosevelt-Truman board. The Kennedy-Johnson board is now busy reversing the decisions of the Eisenhower board.

The reason for that is the social and economic thinking of the appointees to those agencies. Appointees change with the administration in power—state or national. While the legislation does not change—the interpretation of it does. That creates chaos for management, labor, and the public.

For ten years or more, we have been diverted from arriving at a workable, fair and equitable solution of our complex industrial relations problems by an organized campaign for so-called right-to-work legislation.

It has been adopted in 20 states and is still a pending issue in others.

I opposed this purely negative legislation when it was pending in the Kansas legislature. I opposed it when it was submitted as a Constitutional amendment in 1958.

Now a new trend is developing that is a great threat to collective bargaining as a corollary of democratic processes—that I have always believed in—and that is compulsory arbitration by President Johnson.

Let us take a look at how that has been developing—step by step. In 1963, President Kennedy asked Congress for legislation providing for compulsory arbitration by a board either appointed by the president—or selected by the Congress—or to final decision by the I.C.C.—to settle the railroad firemen and enginemen's threatened strike. At the request of their union, I made a statement at that time which it used—that I was opposed to compulsory arbitration either by a president—or by Congress. As between the two, I would take the Congress.

The board was established. It made its findings. They are still awaiting final court decisions interpreting that board's decisions as to how many men a railroad train crew should consist of—after some four years.

This litigation has cost the Brotherhood of Locomotive Firemen and Enginemen at least a half million dollars in legal fees and court costs alone—and it is far from settled yet. The Circuit Court of Appeals two months ago remanded the case back to a Federal District Court Judge of the District of Columbia for correction of his former decisions that he had taken three years to make. Within the last few weeks, the railroad attorneys filed pleadings in that Circuit Court of Appeals that involve further delays. Eventually this arbitration board's decision will reach the Supreme Court of the United States.

Then President Johnson personally postponed the threatened railroad strike in 1964. He claimed credit for its settlement.

Up to this very day, the questions involved in the threatened strike by all of the operating railroad brotherhoods are still unsettled and still pose a more explosive situation in the nation's railroad transportation system.

In his State of the Union message to the Congress in January, 1966, President Johnson said he would send to the Congress a recommendation for the permanent solution of industrial-labor problems. He failed to do that.

The President also did not even mention that most highly critical one of all our problems in his State of the Union message in 1967. When questioned by reporters later why he had omitted any reference to labor-management problems and their solution in that message, the President said he would send a special message on it later.

Well, it is late—and growing later with the passage of time—and we have had only piecemeal recommendations from the President to the Congress on that most important and crucial question before the country—or piecemeal use of the awesome power of a president to personally force the settlement of major industrial disputes.

President Johnson personally settled the threatened steel strike in 1964—and the airlines strike in 1966. He settled the second steel strike in 1965 by locking the representatives of labor and management in a room—sending them their meals—telling them not to come out until they had reached an agreement settling the strike.

In August, 1967, President Johnson allowed the questions involved in the railroad machinists' dispute to continue to develop with increased emotions, bitterness and bad feelings—until the deadline was finally reached when he could—in the role of meeting a national emergency—once again ask the Congress for compulsory arbitration.

Thus the President took another step in the direction of establishing compulsory arbitration by a president when that was all the choice he gave the Congress. The Secretary of Labor had the gall to insult the intelligence of the American people by saying that policy of President Johnson was not compulsory arbitration.

Mr. Wirtz called it a "decision in finality." He is right. There is no right of appeal by either side. Neither was there any right of appeal by either side in the Brotherhood of Locomotive Firemen and Enginemen's case, except for interpretation of the meaning of the board's language.

This was pure naked settlement by the awesome power of a president. It is eroding the principle of collective bargaining—and democratic processes, to boot.

Former Governor Henry J. Allen once told me of his interviewing Mussolini. The Fascist dictator handed him a book on the Kansas Industrial Court Act of 1919, saying, "Here is where I got my industrial policies." There was one highly important difference. Mussolini did not permit any right of appeal.

There have been five major labor dispute decisions made in the last four years either by direct presidential power or by compulsory arbitration legislation initiated by the President.

I agree with Mr. H. E. Gilbert, President of the Brotherhood of Locomotive Firemen and Enginemen—and with Mr. George Meany, President of the AFL–CIO—that if compulsory arbitration or a "decision in finality"

is to become the way of settling our industrial disputes, nationalization of big corporations can well come about.

Therefore, it is high time to be thinking of alternatives.

Last July—in a National Educational Television Network interview—in response to a statement that compulsory arbitration was the only solution of our complex industrial problems, I disagreed. In reply to the question of what were the alternatives, I said I've got one in mind that I am willing to try out. At least, it's something to think about.

1. I'd create a Court of Equity on top of our present Labor Board. Leave the present Labor Board as it is to do the paperwork, the administrative work, and so forth. This Court of Equity could be five or seven—bipartisan—with the most rigid conflict of interests tag.

2. There must be a right of appeal from that Board's decision, and I'd make it direct to the Circuit Court of Appeals Three Judge Court, and then to a jury of laymen.

Now, the right of appeal is a precious one that we've got to maintain intact, but eliminate the costly—often deliberately created—delays.

That proposal stimulated discussion of this critical national problem—which I hoped it would.

For the purpose of further discussion, I think well of a simple solution of this pressing problem that was suggested to me.

First, a federal statute providing that six months or so before the expiration of a union contract—where no agreement on its extension has been reached—an arbitration board of three be named—one by each side to the dispute.

The key man—the chairman—either to be selected from the heads of state universities by drawing his name from a hat—or, as a suggestion to think about, why not name the National Director of the Federal Mediation and Conciliation Service? He already has an existing staff and a fund of research with experience. The board, once organized, could select such additional research staff as it desired.

Congress could give the Federal Mediation and Conciliation Service the power and funds appropriate and, in broad outline, the mechanics would be:

1. a) Collate in each region the economic and other data pertinent to the problem which other government agencies are collecting; b) Collate any private studies in line with (a) above.

2. Upon an impasse, the Regional Director certifies to the National Director, who then forms an arbitration board consisting of himself and representatives from management and labor.

If there are more cases for this arbitration board than can be handled promptly by the National Director, he then could draw the name of the head of one of the state universities as a substitute.

Second, this board to have all the powers of subpeona of any court for all the records involved in its decision.

Third, when the decision is reached, it is not "a decision in finality." It can be appealed by either side direct to a Three Judge Federal Circuit Court of Appeals. Then to the Supreme Court of the United States.

Fourth, in order to further eliminate costly delay, a statutory requirement that this arbitration board's decision is placed immediately on the top of the court's calendar—to be heard and decided forthwith.

Fifth, that any moneys or fringe benefits that are due the employees or their heirs under the board's decision dating back to the expiration of the contract be put in escrow and be payable with six percent interest added when the judicial proceedings—if any—are terminated.

Sixth, because the public interest as a whole is involved—the cost of the arbitration board's proceedings to be paid by the national government—when federal questions are involved. When purely local questions are involved, the state government should assume this responsibility.

Seventh, language that required interpretation to be referred back to the arbitration board—not the courts.

Eighth, and finally, I come to a very critical question. If there is no settlement and no acceptance of the board's findings within thirty days, this new arbitration board could have the authority to enforce its decisions by the same provision now existing in our Civil Rights statutes—to-wit:

If a party and/or parties fail to accept voluntarily this method of settling labor-management problems, then they could be deprived of the use, benefit and services of existing labor laws and the right to receive contracts from the government. Or, if either party does not choose to accept this method of arbitration, they should not be forced to do so. If they prefer direct action, then they inevitably will face the growing trend for compulsory arbitration with "decisions in finality."

Labor is confronted with an unfriendly public when that public is inconvenienced.

I first suggested starting six months ahead of the expiration of an unrenewed contract with the thought

(a) that this would be helpful before feelings and emotions were aroused,

(b) that it would give all parties—including the public—the opportunity to become familiar with the problems of that particular industry, and

(c) it might be worth considering that either labor or management could participate in this proposed arbitration board's hearings with the right to withdraw at the end of ninety days.

After that, neither party can withdraw until the hearings are completed and the board's decision is made and announced.

Then, as I have previously listed, either party should have the right to appeal direct to the Circuit Court of Appeals and the Supreme Court of the United States—or to face inevitable further congressional legislation.

If this plan was in effect, it would eliminate pooling subsidizing of one line of industry by other lines of the same industry where the one shut down by a strike receives financial help from all. That will help settle major strikes.

Some eighty years ago, Edward Bellamy published a fascinating book called Looking Backward. The book was a best-seller for several years, although today it is virtually forgotten outside of our colleges. Nevertheless, the book still influences thinking.

Bellamy's hero went to sleep in 1887 and awoke in the year 2000 to find that the economic squabbles of his day had led to the development in the 20th century of three big trusts—labor, industry and government. Because labor and business could not settle their differences and because the American people were getting squeezed in between, the government finally stepped in to eliminate business and labor. In other words, nationalization of big business.

Unfortunately, not being a witness to the results of the concentration of power in the hands of government in the 20th century, Bellamy was not aware that totalitarianism tends to destroy rather than preserve.

I tell you this story because it is quite relevant to what has been happening in the United States in industrial-labor disputes—that is coming to a head faster than is realized

This proposal I have just discussed with you is not a "decision in finality" on my part. I simply throw it out for discussion and consideration with the hope that labor will realize this is no time to continue a negative position of sitting on their hands. Undoubtedly other provisions will occur that should be included in the legislation to make it constitutionally realistic—workable—and fair and equitable to all three parties involved—unions—corporations—and the public.

We now have a hodge-podge of legislation governing labor-management relations so that it is a field day for the lawyers, with their hands in the pockets of both labor and management.

At least, I am proposing guidelines for a national board of arbitration by statute, where there are none now. It should expire at the end of five years to see how, in the light of trial and error, it works out in practice.

It is high time we face up to the real tests we are having now.

Arbitration—except for these recent incidents of compulsory arbitration with no actual right of appeal—has not been used heretofore except for interpretation of disagreements over the meaning of the language of a contract.

Both sides have got to realistically approach a fair and equitable solution—or compulsory arbitration with no right of appeal is here.

Under this plan, all parties must put their cards on the table at the start, instead of at the end, as is the case now. If that was established, there would be fewer cases pursued to the point of arbitration.

The arbitration board I am talking about would deal with major industrial disputes with guidelines where there are none now. Its membership could constantly change with each case. The only permanent officer would be a secretary to organize the proceedings—when, as and if required. It makes use of experience with the present arbitration procedures provided by contracts over grievances at the local level, in the light of trial and error experience. It makes use of experience with that machinery.

Now both sides' strategy is not to put all their cards on the table—at least to start with. When they know that will be the case before the expiration of the contract, that may well stimulate more negotiated settlements of major industrial disputes.

In the last four years—prior to the present disputes—every major labor-management dispute settlement has been forced either by the President personally—or by compulsory arbitration set up by him.

More and more, it is becoming evident that there is urgent need that we start thinking about some more positive solutions in the design of democratic processes to our complex industrial problems than this purely negative right-to-work legislation—and—even worse and more destructive of collective bargaining—compulsory arbitration—based on Fascist "decisions in finality"—that is the very antithesis of our precious democratic processes.

FEDERAL MULTIPURPOSE WATER CONSERVATION PROGRAMS

Mr. MUSKIE. Mr. President, the distinguished junior Senator from Montana [Mr. METCALF], as a Member of the House of Representatives and as a Senator, has been an articulate advocate of Federal multipurpose water conservation programs, in his region and across the country. His book, "Overcharge," underscores the inadequacies of the private power industry and the resulting cost to the consumer. It also demonstrates his expertise in the field of power generation.

Senator METCALF recently spoke in Portland, Maine, where he discussed the importance to New England of the Dickey-Lincoln School hydroelectric project on Maine's St. John River.

His remarks are especially significant now when Senate-House conferees are considering Dickey's future. I ask unanimous consent that Senator METCALF's talk to the Maine Oil & Heating Equipment Dealers Association appear in the RECORD at this time.

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

SPEECH BY SENATOR LEE METCALF BEFORE MAINE OIL & HEATING EQUIPMENT DEALERS ASSOCIATION, PORTLAND, MAINE, OCTOBER 11, 1967

I had the opportunity to become acquainted with an important resource issue in this region when I served with your Senator Ed Muskie on the Public Works Committee. That is the committee which authorizes projects built by the Corps of Engineers, such as the Dickey-Lincoln project.

As I listened to the testimony, read the Record and noted the votes on Dickey-Lincoln, I was reminded of a similar situation in the Nineteen Fifties. I was on the House Interior Committee then, and the big multi-purpose dam proposed in that era was Hells Canyon, on the Snake River which forms the boundary between Idaho and Oregon.

The real issue there was not public power versus private power. The issue was full development—maximum use of the river for power, flood control, pollution abatement and other beneficial uses of water—versus partial power development through low dams which would forever preclude maximum use of the river's potential.

The private power companies were for the partial development, by themselves, of this great river. And they won, through the kind of saturating, nationwide lobbying that is a hallmark of the power companies, which constitute the largest industry in this country.

The tactics they used were similar to those being used against Dickey-Lincoln. The arguments are much the same. In fact, I think somebody went through those old Congressional Records of the Nineteen Fifties, struck out the words "Hells Canyon," inserted "Dickey-Lincoln" and passed them around.

Senator Muskie, who is the leading authority in Congress on air and water pollution abatement, tells about the new ways to recycle water, to use it over and over again. Well, we can both tell you that some of those power company speeches have been recycled time after time. Their pollution content by now is rather high.

Thanks to the leadership in the Congress of both Senators Muskie and Smith, Dickey-Lincoln was authorized, and planning money for the project was included by the Senate in the public works appropriation bill.

There will be a tremendous effort by the utility lobby to get the Senate-House conference to delete these funds, or get Dickey-Lincoln voted on separately and killed in the House. Your Congressional delegation—Senators Muskie and Smith and Congressmen Hathaway and Kyros—strongly supported by Governor Curtis, have done a magnificent job for Dickey-Lincoln. But they need all the help you can muster for them, in view of the formidable opposition.

Just a few days ago I received a letter and packet of material from Albert Cree, head of Central Vermont Public Service Corporation and Chairman of the Electric Coordinating Council of New England. It consists of leaders of the New England power companies, which are fighting Dickey-Lincoln because they want to keep their tight, high-cost monopoly as it is.

I told him that I supported Dickey-Lincoln, because I believed it was in the interests of both the consumers and the power suppliers, the investor-owned utilities as well as the municipal and cooperative systems. I cited the example in my region, where the power companies have fought public power projects for decades, yet benefit substantially from them. They buy large blocks of power from these projects, at the same rates charged the municipals and co-ops.

These natural sites for multi-purpose dams—and Dickey-Lincoln is one of the few good ones left—provide substantial additional public benefits, for pollution abatement, recreation, and municipal and industrial water.

Let me tell you how these multi-purpose Federal dams help business. When Yellowtail Dam in Montana was completed in Nineteen Sixty-Six none of us realized how quickly that water would be desired by industry. One major industry has already applied for a substantial quantity of water for development of a new industry nearby. More applications are expected. In addition, last winter that dam prevented millions of dollars in flood damage following devastating cloudbursts of the type that occur only once in a century.

The main reason the big power companies want to kill Dickey-Lincoln is that they want to kill off the small city-owned and rural electric cooperative power systems. They don't like those little yardsticks of comparison.

Public power systems have a preference for purchase of power from Federal dams. In actual practice, however, private industry and private utilities buy one-third of the output of the Federal power plants. They obtain almost three times as much of the Federally produced power as all the rural electric cooperatives together. Remember that, the next time you see a power company advertisement complaining about the Federal power program and the allegedly unfair advantages it provides for preference customers.

In one of the most arrogant maneuvers I have seen during more than thirty years in public office, power companies around the country are now trying to keep city and cooperative power systems from participating in the big nuclear generation and long-distance transmission systems. The public paid, through taxes, more than two billion dollars for development of practical nuclear power. Now the private companies want to have it all to themselves.

And in the forefront of this group of subsidy-seeking investor-owned utilities is the Electric Coordinating Council of New England, which includes the three principal I.O.U.s in this State—Central Maine Power, Bangor Hydro-Electric and Maine Public Service.

I do want to mention two developments in Washington which will be of particular interest to you, as a group of businessmen who are often subjected to unfair competition from utility companies. One is the study underway by Congressman John Dingell and his House Small Business Subcommittee. He has sent out detailed questionnaires on utility subsidies. Hearings on this subject are scheduled to get underway in January. They will provide an excellent forum for small businessmen such as yourselves.

The other study was initiated by Senator Muskie, as Chairman of the Government Operations Subcommittee on Intergovernmental Relations, of which I am a member. Last year he invited each of the state utility commissions to answer a questionnaire dealing with its make-up, staff, budget, policies and jurisdiction. The tabulation and summary were printed last month as a committee print. It is entitled "State Utility Commissions."

It has been well-received as a valuable reference for legislators, regulators, teachers and business, as have previous studies prepared by Senator Muskie's subcommittee.

This is largely a statistical study. There is no comment from the subcommittee. It is a factual account, from the commissions themselves.

I have great sympathy for these state commissions, many of them overburdened with work and short on staff and funds. Let me tell you some of the things which they reported to Senator Muskie.

These commissions are responsible for regulating hundreds of huge monopoly utility corporations, plus thousands of smaller companies. In transportation you have quite a bit of competition. The customer does not have a choice, though, as to where he gets his electricity, or his telephone. His interest is supposedly protected by these commissions. Yet some of them don't even have an attorney, or an engineer, or an accountant, or perhaps but one or two persons in those categories. Salaries are low. In many cases all these commissions can do is ratify the proposals put before them by the utilities. Thus, the rate-paying public is regulated by the utilities, although the unending utility advertisements, whose cost is passed on to the customers, try to make you believe that the utilities are strictly regulated.

So what happens when a relatively small industry, such as oil heat, goes before a commission to air its grievances about sharp practices by the giant utilities? These commissions don't have enough resources to do the jobs already assigned them, let alone take on new investigations.

The public probably has less accurate information about utilities and regulation than any other area of government. The Muskie and Dingell subcommittee studies have helped fill an unmet need, and laid the groundwork for better government and more equitable treatment of minority members of the energy industry.

THE HUNGARIAN UPRISING

Mr. TOWER. Mr. President, today marks the 11th year since the courageous uprising against the ruthless Communist regime in Hungary. On October 23, 1956, and the 12 days which followed, the world watched as the Hungarian people fought for and seemingly obtained control of their country and the right of self-determination only to have their hopes for freedom crushed by an incredible use of Soviet military might.

Although Communist tyranny added more than 20,000 lives to its growing list of atrocities, the Hungarian men, women, and children demonstrated by fighting and dying that subjugation will never destroy the spirit nor the desire of men to be free.

On this, the 11th anniversary of the Hungarian revolution, we express our admiration for the courage and determination of the Hungarian people.

TIMELY WARNING ON DANGERS OF LAND PURCHASES IN BRAZIL

Mr. WILLIAMS of New Jersey. Mr. President, during hearings on the Interstate Land Sales Full Disclosure Act, which would regulate the sales of undeveloped land, evidence was presented which indicated that many unsuspecting Americans were being duped into buying tracts of land in Brazil. At that time we were told by the Department of State that it was extremely difficult for a foreigner to obtain clear title to land in Brazil, and that in some instances

foreign ownership was illegal under Brazilian law.

Unfortunately the sale of Brazilian land to Americans continues. A story in the October 11, 1967, issue of Times of the Americas, a weekly paper devoted to news of Latin America, describes the efforts of the Brazilian Government to stop these illicit sales. I ask unanimous consent that this useful story by Francis L. McCarthy, UPI Latin American editor, be printed in the RECORD.

This story is certainly clear evidence of the need for legislation to regulate the sale of undeveloped land in interstate commerce.

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

BIG LAND SWINDLE IS UNCOVERED IN BRAZIL

(By Francis L. McCarthy)

A massive land swindle has been unearthed in Brazil with hundreds of Americans in the Midwest, Southwest and West the victims of unscrupulous salesmen to the tune of millions of dollars.

Complaints from American citizens in Texas, Indiana and Utah, among other states, are pouring into the U.S. Embassy in Rio de Janeiro and the federal government in Brasilia. They range from charges of fraud and irregularities in registrations and transfers to outright absence of any title to lands bought.

The scandal has reached such proportions that the government has ordered a military inquiry and the American Embassy officially urged "caution and prudence" in the further purchase of lands in the Brazilian interior.

The Ministry of Justice said last week that the background of all persons engaged in selling land in the interior to Americans is being carefully studied and the guilty face legal punishment and expulsion from the country.

Governments of Bahia and Golás states are searching out the addresses of all Americans who have bought land in the interior. The purpose is to call upon them to appear in person to prove ownership.

Hundreds of thousands of acres have been sold to American citizens in these two states alone, according to authorities.

A federal police spokesman in Brasilia told UPI that dozens of cases of irregularities in registration and transfer have been uncovered in Bahia and adjoining Goiás alone.

"Dead men and non-existent persons have been used to facilitate the transfer of lands from speculators to American buyers," he said.

He listed these irregularities in sales of land to Americans which made the transactions illegal: Little if any formal compliance with the legal formality of properly surveying properties and getting sale approval from Brazil's Agrarian Reform Council; sales by squatters of lands not properly registered and the need to show they have been compensated before being dispossessed; sale of Indian lands owned by the federal government as trustees for the indigenous tribes without prior government approval.

In many cases Americans have paid $3.15 an acre for land the speculator bought for $.50 cents. The land was unimproved and had, at best, cloudy title, the spokesman said.

ADDRESS BY SECRETARY OF TRANSPORTATION BOYD BEFORE VIRGINIA CONFERENCE ON WORLD TRADE

Mr. SPONG. Mr. President, I had the pleasure of accompanying Secretary of Transportation Alan S. Boyd to Norfolk last week to attend the Virginia Conference on World Trade.

Secretary Boyd delivered a most interesting address, highlighting the various duties and programs of his new agency. I believe his speech would be of interest to every Member of the Senate, and I ask unanimous consent that excerpts from his remarks be printed in the RECORD.

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

EXCERPTS OF REMARKS BY ALAN S. BOYD, SECRETARY OF TRANSPORTATION, PREPARED FOR DELIVERY TO THE VIRGINIA CONFERENCE ON WORLD TRADE, AT THE GOLDEN TRIANGLE MOTEL, NORFOLK, VA., OCTOBER 19, 1967

I am flattered to be in Norfolk at a meeting on international trade, but I approach this task tonight with some misgivings. After all, inviting someone to come from Washington to Tidewater Virginia to talk about world trade is not unlike sending someone from Washington to St. Louis to describe baseball. You are the experts, and the best we in Washington can hope to do is play a satisfactory supporting role.

I am happy also tonight to be in the home country of Bill Spong, a fellow who we're proud to have in Washington. I don't know whether Senator Spong still admits it or not, but I like to remember that we were schoolmates together—law school students on the grounds of the University of Virginia.

Back in July, Mr. Bowditch[1] wrote me a letter inviting me to this meeting. The letter began—and I quote—"Dear Secretary Boyd: Being a native Virginian, you are aware of the efforts our Commonwealth has made to strengthen its position in foreign trade in recent months." I am really a native of Florida, but I came anyway in the hope that a degree from Charlottesville and a friend named Spong will ward off any charges of misrepresentation.

I said a moment ago that you are the experts in international trade. I can document that. From the beginning—from the establishment of that first permanent British colony in the New World early in the 17th Century—Tidewater Virginia's very existence has been world trade. You sent Pocahontas to England—she may have been the first touring Miss America, or at least the first Tobacco Queen—and by sending her you convinced the Court of St. James, through Pocahontas' charms, that the New World was something more than a land of savages. You sent Mr. Jefferson to Paris and he sent back the plans for the Maison Caree, which became also the plans for your State Capitol. All the while, you were shipping tobacco and lumber and naval stores—the list goes on—and today it includes sophisticated as well as basic products—food products, textiles, metal products, machinery, and literally mountains of coal. Governor Godwin has said, "We are shipping lenses and pharmaceuticals to Germany, soy beans and textiles to Japan, and poultry and eggs to South America." It would not surprise me if Virginia were, in fact, carrying coal to Newcastle.

Recently you've also been sending out teams of Virginia salesman, led by Governor Godwin, to tell the world about Virginia's products. Your energy has paid off, as I'm sure it will continue to do. The planners and the economists in the Department of Transportation tell me that within the next eight or nine years the international trade of the United States, in annual tonnage, will more than double. That's a healthy increase. From what I hear, dynamic, sales-conscious Virginia is going to seize its fair share of the increased profits.

And so one of the first things I want to do tonight is commend you—indeed, to thank you on behalf of the nation—for your achievements in international trade. Your motives, as you seek foreign markets, are largely concerned with the economic life of Virginia—with the expansion of industries and with attracting new industries; with utilizing your ports; in the end, with improving the lot of your citizens.

Yet when you go out in search of markets, even if you go primarily as Virginians, the advances you make are advances for the entire nation. You are serving a national goal. You are contributing to the national wealth. And your contribution is more than economic. In any marketplace at least in the long view, the most productive relationship between buyer and seller is a relationship of mutual respect and mutual understanding. When you, as Virginians and as Americans, establish new trading ties with Europeans, or with Africans, or Latin Americans or Orientals, you have established new lines of understanding and respect between the United States and the rest of the world.

For a long time now, I've been going about the country talking about a Department of Transportation. I did it first as an advocate of an idea—the idea that the country needed a Department of Transportation. That was before Congress, last year, authorized the establishment of the Department.

In the days before the Department was born, I made many promises. One was that if a Department of Transportation were established, and if it were given the tools to work with, the expenditure would be the greatest investment this country has ever made.

Well, the Department is now six and a half months old. And I stand by my promise. I think that with your help, we're going to effect substantial savings of money for shippers, for transporters and for the Federal Government. And in the meantime—again with your help—I think we're all going to get out of the bargain a better transportation system.

What is the Department of Transportation?

The Department is a recognition by Congress and by the President that transportation needs to be regarded in the 1960's not as railroads here, and highways there; airplanes up there, and ships out there; but as a coordinated system for the safe, efficient and the economical movement of people and goods. Our job at the Department level is to coordinate the various transportation agencies—to help them work together, and in harmony with others, to serve national purposes.

We are not in business for the purpose of providing pat answers to every problem. We look to the cities and states for guidance, and to groups of states which are willing to work together to solve regional problems. We will ask local governments to make their own decisions about transportation problems. And we are hoping that industry, more and more, will offer answers to the transportation questions that the cities, the states and the Federal Government identify. And as a matter of fact, especially where international trade is concerned, we in the Department of Transportation expect quite often to be pulling back the long arm of the Federal Government. If you will pardon the expression, transportation is on the move in this country; and there will be times when the most important contribution we can make will be to get the Federal Government out of the way.

What do we mean, in the Department of Transportation, when we talk about coordinating transportation: Coordination is a murky word open to all sorts of interpretation. But let me try a definition: Coordinat-

---

[1] W. H. Bowditch, President of the Virginia State Chamber of Commerce.

ing transportation means bringing the various kinds of transportation together in a single, functional whole—what engineers call a system. It means looking at the various modes of transportation without pre-judging them. If a product moves first by conveyor belt in the factory and then by truck and then by rail and then by steamship, we are willing to look at the conveyor belt and the truck and the railway car and the ship as equals—as partners, if you will, in a transportation system. There are differences between the vehicles. But they are all vital to the mission involved, and that mission is getting merchandise from one place to another. We think there's a certain timeliness about our willingness to regard the various modes of transportation as equals.

Our transportation landscape today has four major categories of vehicles—water carriers, trains, motor carrier and airplanes. The ships and barges are, of course, the grandfathers of the lot. Then came the railroads. In the last century the nation bent over backwards to accommodate itself to the railroads and speed their development. As a reward for its efforts, the railroads helped unify the nation and gave us cheaper, speedier transportation than we had ever known.

Then, early in this century, came the trucks. We were wise enough and foresighted enough to tailor many of our regulatory policies and our public spending policies to the development of the automotive industry, and again we have been rewarded. Later, the airplanes came along, at first barely capable of hauling a few bags of mail, now tough, reliable cargo carriers. The nation again modified its laws and its promotional powers sufficiently to allow for the growth of the airplane. What we have today, therefore, is a strong inventory of transportation choices—vehicles ready to take your produce and your products to customers around the world.

In the Department of Transportation, we're going to try to be as modern as any of the most advanced cargo-carrying brothers and sisters in this transportation arsenal. Modern, that is, in the sense that we approach transportation with no pre-conceptions about which mode is best; and modern in the sense that we're unflustered by the probability of change. None of our transportation industries is fledgling any longer. None of them needs to be coddled. What they do need is whatever assistance we can give them in working together to give the nation point-to-point, door-to-door, *coordinated* transportation service. They need an environment which will allow them, with as little government meddling as possible, to do the kind of job which you as traders and travelers need from them.

The people who built the ports of Virginia knew what we mean now when we talk about coordinating transportation. Your Hampton Roads complex did not become a major port simply because it was a handy outlet for nearby manufacturers and mine operators. Your ports became important nationally only when you coordinated your capability for ocean shipping with other modes of transportation—that is, when your ports gained access by highways and rail lines to the manufacturing and mining centers to the west. Today, you have the biggest port complex in the nation which does not have at its doorstep a manufacturing cluster.

But the fact that most of your cargoes originate at points hundreds of miles inland represents a challenge as well as an accomplishment. For the farmers of Virginia, and the manufacturers of Virginia, the potential for profitable international trade is all the more attractive because of the convenience of Virginia's ports.

And now I'd like to talk to you about facilitation. Facilitation is a word we toss around quite a bit in the transportation business, but like that other word we use—coordination—facilitation doesn't mean much until you put it to some use. We want to put facilitation to use on behalf of world trade, and we think it can mean a great deal.

In the field of transportation, this word facilitation means exactly what it seems to mean. It means making transportation more facile, making travel easier and the movement of cargo more efficient by eliminating whatever impediments stand in the way. It means knifing through redtape. It means eliminating unnecessary paperwork. It means reducing the amount of time that passengers have to stand in line at an airport or the amount of time that a valuable shipment has to lie on the dock. Facilitation means accommodating our legal requirements and our regulatory habits to improved transportation technology such as the technology of containerization. It means, in short, making transportation easier and less expensive

I'm particularly interested in a phase of the facilitation effort which I like to think of as the paperwork rebellion. In our Department, we have an Office of Facilitation which is devoting a lot of energy to the job of reducing the amount of paperwork required in international trading. But I am happy to say that the government is by no means carrying the entire load. Just a few months ago a group of private companies which are concerned with the problem of excessive paperwork established a new organization known as NCITD—the National Committee for International Trade Documentation. The committee will have a professional staff. It has the whole-hearted support of international shippers and domestic and international carriers. We in government are gearing up to cooperate effectively with the committee and with any other groups which share with us a concern about the impediments to free international trade.

I'll give you some examples of the problem of documentation—a problem which President Johnson has characterized by saying that our international trade is conducted on a sea of redtape. The problem is that a manufacturer who wants to ship his products abroad must complete literally yards of forms—some of which are remarkably complex, others of which duplicate each other. The problem is that because of our legal structure, carriers are unable to quote single-factor rates for shipping goods from, say, an inland American city to an inland city in Europe. The problem is that a ship entering an American harbor must file nine separate forms and a ship leaving a harbor must file an additional five forms.

We think those 14 forms required for entering and clearing a harbor can be reduced to one. The international treaties which permit it have been ratified, and we're now working on that single form. We think the time has come for carriers to be able to quote through-rates for international, intermodal shipments. We think the number of forms that a shipper must file can be reduced substantially. We think industry and the government can devise a uniform commodity code that could be understood by truckers and railroads and ocean carriers; and most of all, perhaps, through government-industry cooperation, with a willingness on both sides to see just how much can be done.

If we can reduce the paperwork involved in international trade, the level of exports should rise accordingly. Paperwork is expensive. Too many American manufacturers, large and small, limit their export business simply because of the cost of the paperwork made necessary by our quaint shipping habits and our antiquated laws.

Let's take a look, for example, at the small Virginia manufacturer exploring a potential market abroad. He makes an inquiry about shipping costs, and he's likely to be asked right away whether he wants to be charged by cubic feet, by the hundred weight, the long ton, the short ton or the metric ton.

All he wants to do is ship his goods at the lowest cost possible, and he hasn't the time or the wherewithal to make himself, in the process, an expert on the complicated shipping business. We believe it is the job of industry to give the shipper the most economical, uncomplicated service possible, and the job of government to help create a transportation environment in which this can be done.

I'd like to mention two other programs we've begun in the Department of Transportation. The first of them is being carried out by a small organization which we call the Office of International Industrial Cooperation. Its job is to learn, by all available means, what transportation technology developed in other nations would be of value to the United States. And its job is to work out the agreements which we believe can lead to significant economies of both time and money as we in this nation seek to solve our transportation problems. This office is now working through established international organizations, and with individual ministries of transport in Western Europe and Japan, with an eye toward putting into effect an information exchange program for all kinds of transportation technology. We have found the Europeans and Japanese to be enthusiastic about our ideas for cooperation—and understandably. In all the developed nations of the world, millions of dollars are spent each year for transportation research and development. If we can pool some of your resources, every nation involved can profit.

The other new program which I want to mention has to do more directly with internation trade. I'm sure many of you have recognized that the developing nations of the world are becoming customers for your exports. The ability of these nations to buy our products is tied closely to the success of the technical assistance programs which the United States and other more prosperous nations are conducting. The Agency for International Development in the State Department administers the technical assistance programs of the United States. It is a surprise to many people that the agency spends about a third of a billion dollars a year on transportation projects abroad.

We of the Department of Transportation intend to become the advisor to the Agency for International Development on transportation matters. We hope to bring to those technical assistance programs which involve transportation the same broad, coordinated approach to transportation planning that we intend to apply to federally assisted public transportation programs in the United States. The result, we feel, will be not only savings of money in our assistance programs, but also a more orderly growth of transportaton systems in the developing nations of the world.

A MOST LOYAL UNIVERSITY OF WYOMING FOOTBALL FAN

Mr. McGEE. Mr. President, as Senators whose States are represented in the Western Athletic Conference know, the University of Wyoming football team is undefeated and is steadily making ground in the weekly ratings of major teams by the news services. This, of course, is of immense interest to me and to those who work in my office. We had, in fact, considered ourselves as being among the most loyal Cowboy fans anywhere in the United States.

But we have been put in the shade, it seems, by George Ferris, of Memphis, Tenn. I ask unanimous consent, Mr. President, to have printed in the RECORD an

Associated Press dispatch taken from last Friday's Evening Star which details the lengths of Mr. Ferris's loyalty to the Wyoming Cowboys.

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

PHONE CALL COSTS FOOTBALL FAN $55

RAWLINS, WYO.—George Ferris of Memphis, Tenn., is a University of Wyoming football fan.

Ferris was unable to attend last week's Wyoming game with Utah in Salt Lake City so he telephoned his sister, Mrs. Nancy Vroman of Rawlins. He asked her to tune in radio station KRAL broadcasting the game, turn up the volume and place the radio near the telephone receiver.

Ferris listened to the game—won by Wyoming 28–0—for about 3½ hours.

Telephone company officials estimate the call cost him about $55.

SESQUICENTENNIAL OF LYME CONGREGATIONAL UNITED CHURCH OF CHRIST, BELLEVUE, OHIO

Mr. LAUSCHE. Mr. President, the Lyme Congregational United Church of Christ, of Bellevue, Ohio, of which the Reverend Will Cook is pastor, in this year of 1967 will be celebrating its 150th anniversary.

The church had its beginning on July 17, 1817, with 10 members. It is located in Huron County, which constituted a part of the Firelands. The episode of the Firelands is more richly colored than any other historical development in the State of Ohio.

The western portion of the reserve of Connecticut, 25 miles wide, was known as the Firelands. Though it was a part of New Connecticut, it was from the outset quite distinct from the tract bought and sold by the Connecticut Land Co. In 1792 the general assembly set aside and quitclaimed this half million acres to the citizens of the Connecticut shore towns who had suffered property losses at the hands of British troops during the Revolutionary War. The Firelands, therefore, have their own story and have retained an individuality separate from the rest of the reserve.

No region in the State of Ohio, perhaps, is more richly colored by its past history than Erie and Huron Counties. It was known in Connecticut as the Sufferers Lands, in Ohio as the Firelands, and in the official documents of the incorporation of the Sufferers as "the half million acres of land lying south of Lake Erie."

To live in that area in the early years of the 19th century required ruggedness, stamina, work, faith, and belief in one's country. It was a land of trees, swamps, and wildlife. The forests had to be cleared, the lands drained, cabins built, wells drilled, and labor pursued.

After these pioneers first established their homes, they immediately proceeded to establish their institutions of government, of learning, and of worship.

The Lyme Congregational United Church of Christ, established in 1817, has had a substantially continuous existence for 150 years. Its Sunday school is the oldest in Ohio with a continuous organization.

Mr. President, we should find inspiration in the manifest stability of the people living in that area who through all of the changes—good and bad—of 150 years have persevered in keeping the Lyme Congregational United Church of Christ active and cultivating high level moral conduct, fidelity to government, and faith in the Lord.

THE LATE MOST REVEREND CELESTINE J. DAMIANO, ARCHBISHOP-BISHOP OF CAMDEN, N.J.

Mr. WILLIAMS of New Jersey. Mr. President, I wish to pay profound tribute to the Most Reverend Celestine J. Damiano, archbishop-bishop of Camden, N.J., whose untimely death occurred on October 4.

Archbishop Damiano had a distinguished career of service to the Roman Catholic Church before he came to New Jersey. He served as a Vatican observer to the United Nations and was apostolic delegate to South Africa before taking over as the spiritual leader of Roman Catholics in the Camden area.

During his tenure, 30 new churches were begun and three major high schools were established. The Camden area contains many living memorials to Archbishop Damiano, but he was best known to me not for the churches and schools which were erected during his time in Camden, but for his concern for the people of his diocese. Under his direction, the neighborhood apostolate, aimed at combating poverty, was begun. He launched the House of Charity program, which ministers to the sick and the infirm of body and mind.

My own personal experience with Archbishop Damiano was in his firm and unswerving support for measures to better the lives of migratory farmworkers, often against opposition. He initiated social programs and supported legislative measures to provide economic opportunities and better living conditions for farmworkers and their children.

Archbishop Damiano's death came at the age of 55, a relatively young age. But he had already accomplished more than most men who live out the full span of their years. At his passing, we share the grief of his family, his friends, and those whose spiritual leader he was.

PROPOSED PANAMA CANAL TREATIES

Mr. BAKER. Mr. President, the Nashville Banner, in a recent editorial, made some very pertinent observations about the proposed Panama Canal treaties. The Banner editorial is based on comments on the proposed treaties by Brig. Gen. James D. Hittle, USMC, retired, director of national security and foreign affairs for Veterans of Foreign Wars. General Hittle's qualifications to speak out on this subject are apparent. James Stahlman, the distinguished president and publisher of the Banner, has himself had a long and deep interest in the affairs of this hemisphere and his newspaper is an important voice in matters affecting our hemispheric relations. I feel that the opinions expressed by the Banner and General Hittle merit careful notice by the Senate. I ask unanimous consent that the Banner editorial of September 18, 1967, be printed in the RECORD.

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

PANAMA CANAL TREATY A THREAT TO HEMISPHERE

Brig. Gen. James D. Hittle, USMC, (Ret.) recently spotlighted the inherent dangers involved in abandoning U.S. control over the Panama Canal through negotiation of a new treaty.

The general, director of National Security and Foreign Affairs for the Veterans of Foreign Wars, made two points:

Fidel Castro is counting on U.S. relinquishment of the Canal Zone as a basis for scuttling the deal whereby Cuba now is bound to recognize this nation's right to maintain its naval base at Guantanamo.

A pull-out from Panama would be the first step by which the Russians hope to attain control of the Caribbean.

Gen. Hittle's warning is not idle speculation. It is grounded in fact. Havana Radio (Castro's mouthpiece) more than a year ago bluntly stated that "the standards of modern times apply everywhere, and Guantanamo—just as Panama—is an anachronistic survival of colonialism."

It now is evident that Premier Alexei Kosygin and Castro are covertly working to promote the pending Panama Canal Treaty as a prelude to demands that we also get our military forces off that Cuban base. With a Panama pull-out as a precedent, they can be expected to renew their tirades for that.

Gen. Hittle's apprehension is shared by other able military leaders who agree that control of the Caribbean by Russia would pose an intolerable threat to Western Hemisphere defenses.

As Gen. Hittle put it: "Once we agree to relinquishing control over it (the Canal) we have lost our freedom of action in protecting our strategic lifeline and the whole hemisphere."

One thing Congress should bear in mind in the consideration of any one of the several Panama Canal treaties before it for action is that success of the Red scheme to nose us out of the Caribbean hinges on U.S. ratification. With that trophy tucked under their belt, Kosygin and Castro could then proceed to put Operation No. 2 into action—an effort to boot us out of Cuba.

It should be quite clear that ratification of the proposed Panama Canal Zone treaty would move the world closer to the day when Russian submarines would be able to prowl Caribbean waters in comparative safety.

It is a canny Communist trap to avoid.

THE HUNGARIAN REVOLUTION

Mr. PROXMIRE. Mr. President, the anti-Communist demonstrations led by students in Budapest on October 23, 1956, marked the beginning of a revolution that has had a profound effect on the Hungarian nation, the Communist bloc, and on free men throughout the world. From those relatively innocent beginnings, there has grown a new national feeling among the Hungarian people, and a new awareness of the real meaning of democracy among all the peoples of the world.

When the Hungarian puppet regime called in the troops and began to fire into the crowd that October day, the first faint soundings of the death knell of communism were heard. Admittedly,

there have been no monumental changes in Communist dominance over the subject people behind the Iron Curtain, but there has been established a definite precedent for the expression of dissatisfaction with the Communist dictatorship.

By the morning of the 24th of October, the revolt was in full swing and spreading to the countryside. The world quickly realized that this was not just a bunch of rambunctious students demonstrating, but was a real rejection of Communist bondage. Within 2 days, the revolt had gripped the entire nation of Hungary and was implanted in the hearts and souls of the Hungarian people. For a few short days, there appeared to be some chance that a free Hungarian nation might rise from the ruins of the brief but courageous revolt, but Russian tanks and troops reentered the nation on November 2 and restored the Communist equivalent of peace and order.

There have been subtle changes made as a result of the revolt of 1956. The lot of the peasants has improved. There is more economic freedom. The Hungarians sent to Siberia have been, for the most part, returned, and there has been a relaxation of some of the press and speech laws. But there are also those demands that were never met: the demand for free elections, an end to Russian occupation, restoration of the Hungarian national symbols, and the end of a Russian dominated secret police that monitors the actions of every Hungarian. The Hungarian Revolution has not ended as long as there are unfinished tasks in the liberation of the people of Hungary and the other captive peoples of Eastern Europe.

Freedom and liberty are not strangers in Hungary. The Hungarians have fought for freedom and have stood against tyranny before. The events of 1848 and the resultant drive for independence are proof enough that this nation cherishes its liberty. The heroic stance of the freedom fighters against the Russian tanks in 1956 have amply demonstrated to anyone who doubted the Hungarian thirst for freedom that the Hungarian people have kept alive their desire to be free.

On this anniversary of the revolt of the Hungarian people against their Russian overlords, let us rededicate ourselves to the cause of freedom and to those who now languish behind the Iron Curtain.

The Hungarian revolt was not in vain and it serves as a constant reminder of the cost of freedom and of the value of liberty.

CAN WE STICK IT OUT IN VIETNAM?

Mr. McGEE. Mr. President, Prime Minister Lee Kuan Yew, of Singapore, who visited in Washington, D.C., last week, presents us with a good picture of how we Americans are viewed in Asia. As Chalmers Roberts wrote in this morning's Washington Post, Lee came to Washington with his purpose rather bluntly stated. He wants to know whether the United States has the will to stick it out in Vietnam. He wants to know if the Americans are, to use his terms, going to stay on the bus to the end of the road, as he thinks we must.

This, of course, is a major concern in all Asia, for the developing nations there realize that their well-being is inextricably tied to our determination to see it through.

I ask unanimous consent that Chalmers Roberts' column entitled "Washington Probe by Lee Kuan Yew" and the lead editorial of the Sunday Star of October 22, 1967, which assesses the "we cannot win" attitude of some administration critics but arrives at the dominating truth that the United States has a vital role to prove that the road to Communist domination will not be found in so-called wars of liberation, be printed in the RECORD.

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

[From the Washington Post, Oct. 22, 1967]

WASHINGTON PROBE BY LEE KUAN YEW

(By Chalmers M. Roberts)

Not within living memory has a visiting head of government made so bluntly evident the purpose of his mission to Washington as did Singapore's Prime Minister Lee Kuan Yew last week. From President to press Lee let Washington know he had come to find out whether the United States has the will to stick it out in Vietnam.

He left the impression on departure that he has considerable doubts. He found the President introspective, complaining about Congress and critics, taxes and budgets, rather than lifting his eyes to the horizon Lee seeks to perceive.

Lee made it evident, despite pleas from such persons as Sen. Charles Percy (R-Ill.) that Asian nations do more to help with the war, that there will be no Singapore participation until and unless, if then, the United States has convinced him of its will. And that, he said, candidly, will be after he sees how the presidential election is fought and how it comes out next year.

The effervescent Lee, just turned 44, is a Cambridge-educated lawyer and Socialist who admires British diplomatic skill despite Britain's past sins in Asia. By contrast, he said two years ago that, while Americans are "a highly intelligent, well-meaning people," the Johnson Administration "lacks the depth and judgment and wisdom which comes out of an accumulation of knowledge over a long period."

Despite that statement President Johnson has been touting Lee because he has also said that "if Vietnam goes, the rest goes" in Asia. Some officials here last week were foolish enough to mistake such sentiments as meaning that Lee is "with us all the way." Nothing could be further from the truth.

Lee's view boils down to this: Singapore is one of many small states in Asia which feel the massive psychological weight of China. In the past, European powers, the British, French and Dutch, offered a counterweight to China in Asia. But the European powers are going or gone from Asia and the only possible substitute is the United States.

After World War II the United States had an opportunity to provide that counterweight, but it paid little attention to Asia, so Eurocentric is the American attitude. And so China was lost whereas Western Europe was saved. Then in a belated effort to contain Communist China the United States stumbled into the Vietnam war.

The United States could have gotten off the bus, to use his metaphor, in 1958 or 1961 or as late as 1963 after Diem's fall by coming to an accommodation with the Vietcong. But since it did not, choosing instead what has become a major war, the fate of all the small and large nations alike in Asia are now deeply involved in the outcome.

Given the mess the United States has let itself get into, as Lee sees it, it must stick it out. Ho Chi Minh so distrusts and dislikes President Johnson he certainly is not going to arrange a peace conference which would help the President's election campaign. So there is nothing for the Americans to do but show they are determined to stay on the bus to the end of the road. Then, and only then, will Hanoi talk settlement.

Lee constantly refers to himself as an ethnic Chinese, which he is though he did not learn Chinese until he became an adult. While he says that the Peking regime hates him for making a success of his Socialist regime, he feels that China is bound to be a great nation. Anyway, why shouldn't the Chinese be great?

Furthermore, he adds, the Chinese are clever. Hence they are not going to march into Southeast Asia with their armies. Rather they will work through local Communist parties (the first cell was set up in Singapore the year he was born, 1923, notes Lee). A Vietcong-North Vietnamese victory would massively increase the influence of these parties, in Lee's view.

The "critical" question—"critical" is a favorite word—thus is whether the United States will be clever about Asia, backing those leaders who want to modernize their nations and creating a more sophisticated policy than simple containment of China. Central to this question, as Lee sees it, is whether the United States has gotten over its Eurocentrism. He is not at all sure.

Lee Kuan Yew, or "Harry" Lee as he is popularly known at home, is a man of the future. He sees his fate tied to America's role in Asia but he has plenty of complaints about how we play that role. He is far from "with us all the way" but the United States could do with a dozen more Lees.

[From the Washington Star, Oct, 22, 1967]

IS U.S. "VICTORY" IMPOSSIBLE IN VIETNAM?

The statement that it is "impossible" for us to win a "military victory" in Vietnam is being repeated by so many people that it is beginning to assume some of the aspects of a truism. But it isn't necessarily true. And it is a contention that should not be unthinkingly accepted.

Even in the literal sense, a military victory is not impossible. For we have the military power that would be required to destroy the enemy. But for a variety of reasons, including the danger of touching off World War III, we have no intention of trying for a military victory as that term was used in the second World War. So it becomes a matter of definition. If the meaning of military victory is a victory which will permit us to achieve our aims, or our principal aims, in Vietnam, then such an outcome is by no means an impossibility. In fact, there is considerable evidence that, however slowly and painfully, we are in the process of winning that kind of military victory now.

For one thing, our military commanders are confident of allied ability to handle anything that the Viet Cong and the North Vietnamese can throw into the fight. The enemy has not won an important victory in a long, long time. His main force units have been pulled back or cut to pieces. He is having increasing difficulty in bringing in replacements to rebuild those units. If the North Vietnamese were hoping for a spectacular, even though localized, success against the Marines in the First Corps area, that hope has faded away. For the Marines, engaged in a kind of fight to which they are not accustomed, dug in at Con Thien, took everything the enemy could hurl at them, and, at least in the belief of the Americans in

Saigon, inflicted very heavy casualties on the attackers. Now, with the monsoon season under way, there is scant likelihood that the Communists will or can resume that assault. In fact, the expectation among our military leaders is that the enemy in the future will rely on guerrilla warfare waged by small units. This can be a very tough and nasty business. But it is also something that can be dealt with. And if it comes to this, it will surely signify that we, not the Communists, are winning the war.

There are a few other straws floating around. A recent dispatch from Saigon quoted a "senior" American official as saying that "striking" progress has been made in the pacification program and that further gains can be expected. We hope this is right, for the pacification program is the companion piece to the military phase of the war. Success in the former is as essential as success in the latter, and we have a long way to go. But if pacification progress is being made, that, too, is an indication that we are indeed winning the kind of military victory we set out to win.

Another hint may be found in a report from Hong Kong which appeared last week in the Washington Post. The gist of it was that the Viet Cong's political arm, the NLF, has set up a group to unite Americans calling for an end to the U.S. "aggressive war in Vietnam," and also to encourage American troops in Vietnam to desert. A small thing, perhaps, but also something that quite conceivably could be the reaction of a combatant who knows that the actual fighting is going against him.

As opposed to all of this, we suppose the people who say that a military victory is impossible might cite the attitude of Hanoi. Just last week, after Secretary of State Rusk had repeated our own government's desire to negotiate a settlement and had expressed his bafflement at Hanoi's continuing refusal, the North Vietnamese official newspaper came out with another rejection. Nhan Dan said all U.S. peace offers are "sheer deceptions," and restated Hanoi's minimum demand for peace talks—recognition of the Viet Cong and withdrawal of all American troops from Vietnam.

Does this adamant refusal to negotiate mean that Hanoi thinks it is winning the war? Maybe so; probably not. But it is, or at least it appears to be a fact, and it cannot be brushed aside—especially by the we-can't-win people. For if we can't win in a military sense, and if Hanoi won't negotiate, what do they propose that the United States should do?

They do not say. But the answer seems obvious enough. We simply must stay in this war and "win" it—win in the sense and to the extent that the purposes for which we have been fighting are finally achieved.

Some of the things Dean Rusk said at his press conference last week resulted in a great fluttering of wings in the dovecote. He was accused of switching his ground, or conjuring up a brand new justification for our fight in Vietnam in the form of an imaginary "yellow peril." Dean Rusk of course did not speak of or even hint at a "yellow peril." That racist phrase was put in his mouth by his critics. What he did say was this: "Within the next decade or two, there will be a billion Chinese on the mainland, armed with nuclear weapons, with no certainty about what their attitude toward the rest of Asia will be."

This is unquestionably true. And it is simply nonsense for anyone to charge that the secretary, in mentioning this fact, was inventing some new excuse or justification for what we are trying to do in Vietnam.

The fact is that Communist China, judged on the basis of its own statements, is a threat to peace in Asia and in the Pacific. Mr. Rusk did not invent this threat last week. It was clearly recognized during the Eisenhower administration, when the SEATO treaty was negotiated and ratified by the Senate. It was a basic reason for our decision, again with approval by Congress, to defend Formosa. It certainly was at least one consideration in President Kennedy's move to step up our assistance to South Vietnam. And it has been a very large factor in the subsequent decisions taken by the Johnson administration.

It is true that other reasons have been given for going to the aid of the South Vietnamese. Among these are treaty obligations as well as commitments—commitments bearing upon the reliability our our government's word. The President has said and rightly so, that we will not accept a dishonorable settlement in Vietnam. But there is nothing inconsistent between justifications of this nature and Dean Rusk's allusion to the threat posed by a nuclear-armed China. All of them are valid reasons, and all of them have been in the picture for a long time.

Of course, if one believes that we must begin now the adjustments of attitude which will be necessary if we are to reduce or liquidate our commitments in Asia, as has been suggested, then there is no need to be concerned with winning in Vietnam.

We do not accept this. Like it or not, the United States has and will continue to have a real and vital national interest in a peaceful Asia. And an essential first step in protecting that interest is to prove now, in Vietnam, that the road to Communist domination will not be found in so-called wars of liberation.

MILWAUKEE DESERVES A NATIONAL LEAGUE BASEBALL FRANCHISE

Mr. PROXMIRE. Mr. President, Milwaukee's claim to a major league baseball franchise is unquestionably the best of any city in the country.

This is true not only because Milwaukee built a beautiful and spacious stadium expressly to accommodate a professional team and that the team was removed from the city after 13 years—to leave it the only city that had ever been left wholly without a baseball franchise, until Kansas City lost one for just 1 year—1968, but also because Milwaukee deserves a team for another reason.

This city has proved that it will support baseball, and with great enthusiasm. Its record of support for 13 years was superlative—more than 1,500,000 people for those years.

Mr. President, I invite the attention of Senators to one of the most persuasive statements of the merits of Milwaukee's claim made recently by Editor Lloyd Larsen of the Milwaukee Sentinel in an article entitled "Big Chance for National League To Help Itself and All of Baseball."

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

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

BIG CHANCE FOR NATIONAL LEAGUE TO HELP ITSELF AND ALL OF BASEBALL

(By Lloyd Larson)

When National league owners get together to pick two expansion cities, they will be reminded of some facts favorable to Milwaukee. Among them: Milwaukee averaged more than 1,500,000 in attendance for 13 years . . . four times went over 2,000,000, something only New York (Yankees) and Cleveland had done before . . . the all-time high here was approximately triple the city's population . . . Milwaukee's attendance record, from the standpoint of percentage or stadium capacity, probably will stand forever in baseball.

To people in this city and state, those are powerful arguments that should convince National Leaguers beyond all question of doubt that this territory is a logical choice.

All that has to do with local self interest, of course. But there is another, much more important reason why Milwaukee should be welcomed back into the fold. For in doing so, the National league would be performing a great service to baseball in general and the older of the big leagues in particular. That's right—a great service to the sport as well as the league. A much needed service, too.

PREDICTION CAME TRUE

I told National League owners three years ago at their historic meeting in New York that baseball would create new enemies and feed ammunition to old ones by such acts as pulling the rug on Milwaukee.

That's exactly what happened. The Nationals and all of baseball did take a beating because of what they did to the "miracle" city. And they are still getting their ears pinned back for the things going on in baseball. If anything, the pace is being stepped up again because of what writers throughout the country concluded was a badly bungled expansion job by the American league.

So here's a grand opportunity for the Nationals to counteract the critical blasts by admitting, like big men do, that they made a mistake in the case of Milwaukee and telling the world that they are not interested in recriminations, but want only to let bygones be bygones and get off to a new start.

WHY NOT REDUCE ROSTERS?

A vital consideration, too, is the never ending threat to baseball at the congressional level because of the controversial reserve clause. Giving Milwaukee its due could ease that threat—perhaps even eliminate it.

Certainly, a new franchise will mean much to this city and state. But, to repeat, a remarriage will benefit the National League and baseball will benefit just as much or more.

Talent shortage—an age old problem—naturally comes up when they get into expansion. But this need not be as serious as alleged. In fact, in seeking the solution, some adjustments loom up that may prove helpful in the long run.

Say that the player limit is reduced from 25 to 22—or perhaps even 21. That would make 60 or 80 of the present regular squad members available for expansion club development.

Some managers naturally will scream and insist they can't get along with 21 or 22. But there are others that say it can be done. Why not give it a whirl?

So what if it would mean the end of using three or four pitchers in one inning and seeing a string of pinch hitters and pinch runners on the other side? The baseball played would be just as good. And it might even be more interesting and the time of a game might be reduced by 10 or 15 minutes. That in itself isn't a bad idea.

DISCRIMINATION AGAINST SOVIET JEWS

Mrs. SMITH. Mr. President, I wish to associate myself with those who have made such appropriate and pertinent observations condemning the discrimination against Soviet Jews.

I am deeply proud to be a citizen of a nation where there is not such despicable discrimination.

HOUSE COMMITTEE SEVERELY CRITICAL OF FDA PROCEDURES ON SITE SELECTION FOR HEADQUARTERS LABORATORY

Mr. TYDINGS. Mr. President, on October 20, the House Committee on Government Operations severely critized the Food and Drug Administration for "a serious lack of concern for economy and efficiency in selecting sites for laboratory facilities." The House committee report confirms the case I have been making concerning FDA collaboration in efforts to locate in Madison, Wis., the new FDA laboratory which, for reasons of economy and efficient administration, belongs in the Washington metropolitan area.

As Senators know, this facility was originally to be placed in Beltsville, Md., and the FDA maintained that that location was the most desirable from the standpoint of economy and efficiency. The Senate Appropriations Committee confirmed that the facility should be in the Washington area. The FDA, moreover, said that the location of the facility outside Washington would result in substantial added costs.

Despite this evidence, Commissioner Goddard later told a congressional committee that location of the facility outside Washington would be acceptable.

The report of the House committee cites this inconsistency in FDA recommendations and its failure to rely upon adequate studies and to comply with HEW site selection regulations.

In addition, the committee states that the original FDA cost study, which that construction in Beltsville would be $5.4 million less costly to the taxpayers, was revised to show a lesser differential on the basis of a study—and I quote the report—"of poor quality and doubtful validity."

The committee reports that FDA officials not only disregarded HEW site selection regulations, but also were not even aware of the existence of other regulations bearing on site selection.

The House Government Operations Committee points out that final selection of the alternative site by FDA was made without a single site visit to any institution by qualified inspectors. The committee report states that the alternative site was selected in a "hasty manner" with "an almost total absence of documentary support."

Among its recommendations, the committee "strongly" asks that the Department of Health, Education, and Welfare require the FDA to conduct a thorough, objective, and careful study to select the most desirable site for Headquarters Laboratory No. 2, and that this study be carried out in strict compliance with HEW regulations, with due regard for economy and efficiency.

Mr. President, I strongly agree with these recommendations and findings. I wish to express my wholehearted commendation to the House Committee on Government Operations, to the Intergovernmental Relations Subcommittee and to the subcommittee chairman, Representative L. H. FOUNTAIN.

Mr. President, I ask unanimous consent that the "Findings and Conclusions" and "Recommendations" from pages 13 to 15 of this 10th report of the Committee on Government Operations, House Report No. 801, be printed in the RECORD.

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

FINDINGS AND CONCLUSIONS

1. The Food and Drug Administration has demonstrated a serious lack of concern for economy and efficiency in selecting sites for laboratory facilities.

In one of the two situations it examined in detail, the committee found that FDA has a substantial part of its laboratory activities—which might better be located outside downtown Washington—housed in a costly new building (Federal Building No. 8) near the Department of Health, Education, and Welfare at the foot of Capitol Hill. At the same time, administrative and regulatory personnel, who have frequent dealings with HEW officials and the Congress, are located in rented quarters in Arlington, Va.

In the other situation, the committee found that FDA had selected an alternative site for its Headquarters Laboratory No. 2 without an adequate study and without complying with HEW site selection regulations.

The circumstances leading to location of FDA laboratories in Federal Building No. 8 date back a number of years, and it was not always possible to determine exactly what happened. However, it appears that lack of foresight on the part of FDA and failure of the agency to adjust its plans promptly to meet changes in its overall responsibilities and workload is at least partially responsible for the present situation.

2. During hearings on FDA's appropriation for fiscal year 1968, FDA witnesses did not mention the disadvantages the agency had previously stated would result from location of Headquarters Laboratory No. 2 in the Midwest. In fact, the attitude expressed by FDA was completely inconsistent with its previously stated position. In reports, letters, and statements, FDA has maintained that Beltsville is the most desirable location from the standpoint of economy and efficiency. It has taken the position that location of this facility outside Washington (except in the Southeastern United States) would result in substantial added costs and could present additional problems resulting in decreased efficiency.

Yet, when Commissioner Goddard was asked in his appearance before the House Appropriations Subcommittee what his reaction would be to a limitation requiring Headquarters Laboratory No. 2 to be located outside the Washington area, he replied, "It wouldn't bother me" and proceeded to suggest an alternative site. No mention was made of FDA's own estimate that the alternative site would substantially increase initial and operating costs.

The committee wishes to emphasize that it is citing FDA's cost estimate only to illustrate the inconsistency of FDA's position and its apparent lack of concern for economy and efficiency. In so doing, the committee is not endorsing the accuracy of the estimate. In fact, since the subcommittee's hearings, FDA has changed its original estimate and now maintains that the initial cost differential between Beltsville and the alternative site at Madison, Wis., would be about $1 million rather than $5,400,000. However, for the reasons previously cited in this report, the committee finds no basis for placing any more reliance on the second estimate than on the first.

3. The committee's study has shown that both the original FDA cost study which showed a $5,400,000 differential in favor of a Washington location, and a recent revision of it, reducing the differential to $1 million, are of poor quality and doubtful validity.

4. The committee found that the Department of Health, Education, and Welfare does not have adequate administrative practices to insure that its constituent agencies are complying with the Department's site selection regulations including those relating to decentralization of activities.

HEW's site selection regulations, which appear to be reasonably adequate, were not followed in the selection of the alternative site for Headquarters Laboratory No. 2.

The regulations require establishment and utilization of a site selection board or team for major projects, but this was not done.

The regulations also require preparation of a report reflecting sites considered, the points considered in the evaluation or comparison, the reasons for the choice made, and other pertinent items. No such report was prepared.

Testimony at subcommittee hearings disclosed that FDA officials not only disregarded the above departmental regulations, but were not even aware of the existence of others bearing on site selection policies.

5. The committee found that procedures used by FDA in selecting an alternative site for Headquarters Laboratory No. 2 were completely inadequate. An adequate and properly conducted study might or might not arrive at the same conclusion. However, the inadequacy of the study that was made is shown by the following:

The list of 47 institutions supposedly meeting FDA's basic criteria—and therefore regarded as eligible for consideration—was incomplete.

The list of 47 institutions supposedly under consideration was reduced to six on the basis of the personal opinions of one individual, who made no record of the basis for his actions and did not visit any of the 47 institutions.

Final selection of an alternative site was made by FDA without a single site visit to any institution by anyone possessing the necessary scientific qualifications to evaluate the potential contributions each institution might make to FDA's research program.

Because of the hasty manner in which an alternative site was selected, an adequate evaluation of all potentially desirable sites was impossible.

There was an almost total absence of documentary support for the selection made.

RECOMMENTATIONS

1. The committee recommends that the Department of Health, Education, and Welfare take prompt and effective steps to insure that the Food and Drug Administration complies with HEW site selection regulations and the Government-wide policies for decentralization and real property utilization set forth in Bureau of the Budget Circulars A–60 and A–2 revised.

2. The committee strongly recommends that the Department of Health, Education, and Welfare require the Food and Drug Administration to conduct a thorough, objective, and careful study to select the most desirable site for Headquarters Laboratory No. 2. The Department should take appropriate steps to insure that the study is carried out in strict compliance with HEW regulations and with due regard for economy and efficiency.

The committee wishes to emphasize again that it is taking no position as to where Headquarters Laboratory No. 2 should be located; its concern is solely that the location be determined in a proper manner and that there be adequate documentation justifying both the selection and the manner in which it is made.

3. The committee recommends that the Bureau of the Budget review the practices being followed by Federal departments and agencies with a view to determining whether they have appropriate site selection regulations and whether such regulations are being carried out effectively.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

ORDER FOR RECESS ON FRIDAY, OCTOBER 27, 1967, TO HEAR THE PRESIDENT OF MEXICO ADDRESS JOINT MEETING OF CONGRESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess on Friday, October 27, 1967, beginning at 12:15 p.m., subject to the call of the Chair, to hear the Honorable Gustavo Diaz Ordaz, the President of the United Mexican States, address Congress in a joint meeting.

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

AMENDMENT OF THE SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business, which the clerk will state.

The LEGISLATIVE CLERK. A bill (S. 2171) to amend the Subversive Activities Control Act of 1950, so as to accord with certain decisions of the courts.

The Senate resumed the consideration of the bill.

ORDER OF BUSINESS

The PRESIDING OFFICER. Under the previous order, the Chair recognizes the Senator from Utah [Mr. BENNETT].

WORLD WAR III—COMMUNIST STYLE

Mr. BENNETT. Mr. President, the need to get at the true meaning of the war in South Vietnam grows more imperative with every passing day. There are those who claim it is based solely on American imperative cupidity—or stupidity. These have become bolder to the point of hysterical mass civic disobedience which reached its latest climax this last weekend. Others hoping for the end of the fighting, seek in vain for signs that Ho Chi Minh and his North Vietnamese Communists are willing to negotiate. Still others believe that only by driving through with our overwhelming air and naval superiority can we ever hope for an early and acceptable end to the conflict.

Mr. President, it is as though all of us are lost in a dense fog made thick by undependable information. All of what we are told is piecemeal and inadequate, and much of it is slanted to support preconceived conditions, philosophies, or prejudices. As we grope in this darkness, we are pulled this way and that by the many strident voices of political spokesmen, military experts, editorial pundits, and foreign kibitzers.

I think most of the confusion grows out of amateur attempts to second guess the generals and diplomats, with respect to the daily conduct of the war. I am not going to do that. Instead, for what it may be worth, I shall present my conception of how this conflict fits into the framework of 20th century history.

I begin with a word that has already been worked to death, the word "escalation." Ordinarily, it is used to describe the calculated steady increase in our commitment of money and war material in South Vietnam. But there are those who use it to express their fear that if the present buildup continues, it will inevitably lead to world war III.

Mr. President, each new war produces its own new vocabulary and this one has already overworked the word "escalation," used to refer to the calculated, steady increase in our commitment of men, money, and war material in the war in South Vietnam.

Those who use this word are understandably vague as to where they think this new war will be fought, though the usual inference is that it will be a natural extension of the present conflict that will begin by expanding across the Chinese border, bringing first China and then Russia in against us. They see the United States facing the massed power of more than a billion people and a fearful nuclear holocaust.

I am emboldened to speak out now because I have come to believe this concept is basically false and is based on a misreading of history since World War II. To me the present war in Vietnam cannot possibly escalate into world war III because world war III has already been going on for more than 20 years.

In my opinion, the battle in South Vietnam may turn out to be as decisive in the third world war, as the Battle of the Bulge and the Battle of Midway were in World War II.

If my interpretation is right, why has not this been clear to everybody from the beginning? To me there are several reasons. First, our definition of a world war is based on the patterns of the other two World Wars which were essentially the same. Second, from the beginning this has been an undeclared war and our enemy has carefully spaced his activities in the hope that we would never recognize its significance or its scope. Third, the other World Wars were over in less than 10 years. They expect this one to last several decades.

There is time only for a very brief expansion of this concept. To begin with let us look briefly at the pattern of the two previous World Wars. Their patterns, having become history, are very clear. Both were generated by the overreaching personal ambitions of paranoic European rulers. Both began with swift and sudden military drives at full power strength. Both began in Europe and the Atlantic, although Japan and Communist Russia later became involved in the second, and for this reason that conflict also raged over the Pacific and through the countries on the east coast of Asia. Japan's goal was the same kind of mastry over Asia that Hitler sought for the Germans over Europe. In fact, Japan had already invaded Manchuria and other parts of China before the big war began and during the war itself had successfully overrun most of the other nations in Southeast Asia.

If Japan had been the victor in World War II, China would have been surrounded and Japan would have been the master of the whole Far East. We did not allow this to happen then and we cannot allow it to happen now. Because our own west coast fronts on the Pacific, the United States must always have a deep concern about the fate of the nations of Asia. That concern has been put into words many times, such as President Johnson did when he said about a year ago, "no single nation can or should be permitted to dominate the Pacific region."

In World War II Japan made the attempt to do just this and failed. But this is world war III and now it is China and Russia whose mastery of Asia we must prevent. However, I should also point out that in taking this position, I am not in anyway advocating American domination of Asia. I believe our past history and record in Asia supports my position.

While both earlier World Wars started without our being involved, we did eventually get into both and when forced to intervene we supplied the margin of power that tipped the scales against the would-be world conquerers and when we intervened in the Asiatic half of World War II, we carried practically the whole battle and now we have had to intervene in this one.

There is another fundamental reason why this world war is different from the other wars both in its inception and its pattern. The other wars began when the would-be imperialists thought they had strength enough to conquer Europe and the world. They were defeated, but the holocaust left all of Europe and much of Asia almost completely destitute, both of productive capacity and military might. This created a near-vacuum into which the Communists could start the new and vastly different type of world war for which they had long planned.

The weakness of their own postwar exhaustion would not permit them to undertake any massive attack against any free nation or any combination of which the United States was a part. It is clear that they felt, however, that they could move immediately against countries whose impoverished economies appeared to be fertile soil for Communist ideology. Instead of open warfare, they proceeded to foster internal revolutions in these nations, begun with subversion and pursued through the use of native Communist guerrilla forces.

WARS OF NATIONAL LIBERATION

This time the world was not to be swallowed whole but chewed up in little bites. This time they hoped to consume many key areas without arousing the sleeping giant which is the United States. This time they even hoped not only to conceal the relationship of these wars to their worldwide objectives but also at the same time to give them a noble purpose by calling them deceptively, wars of national liberation.

But like all would-be conquerors, they talked too much and eventually gave the whole evil plan away. In December 1965, Premier Kosygin told James Reston:

We believe that National Liberation wars are just wars and they will continue as long as there is national oppression by imperialist powers.

I trust that discriminating people quickly recognize the propaganda contained in Kosygin's statement.

In September 1965, the Red Chinese Minister of Defense in a long policy statement announced that Mao expected to use wars of liberation to expand communism to Latin America, Africa, and Asia.

A statement along this line by General Giap, the commander in chief of the North Vietnamese forces in this war is of greatest significance. He said:

South Viet Nam is the model of the national liberation movement of our time. If the special warfare that the United States imperialists are testing in South Viet Nam is overcome then it can be defeated anywhere in the world.

So, although we may not see it now as a critical turning point in history, the Communists do.

The list of countries against which the Communists have already used subversive warfare and direct attacks is longer than most Americans realize. All in all we can count 19—Yugoslavia, Greece, Malaya, Philippines, Cuba, Laos, Thailand, Vietnam, Indonesia, Korea, Guatemala, Venezuela, Colombia, Dominican Republic, Bolivia, Nicaragua, Cambodia, Burma, and India.

The method succeeded in Yugoslavia, in China, in Cuba, and in North Vietnam. It is currently underway in embryonic form in South America, in Bolivia, Venezuela, Colombia, Guatemala, and Nicaragua. And in Southeast Asia in Thailand, Cambodia, and the rest of Laos.

But sometimes it has failed, particularly when the United States has moved in to provide help to the legitimate government. The first major failure was in Greece immediately after World War II. Other Communist failures have been in the Philippines, in Burma, Indonesia, in Guatemala, and in Malaya, and these are encouraging. But, the biggest test of all is still facing us in South Vietnam.

Looking at this conflict as another in the series of local wars which although widely separated in time and place together make up world war III, we can easily see how the Communists hope to succeed by exploiting weakness, where the Germans and Japanese failed by exerted strength. In that framework, I shall ask and try to answer four questions.

One, in what way does this Communist pattern produce a type of warfare which differs from or resembles that which took place in the earlier world wars?

Two, why are we in this war?

Three, up to this time has our intervention been good or bad for South Vietnam and the world?

Four, what is the best way to end the conflict?

Turning to the first question, it is easy to see why South Vietnam was selected by the Communists as a promising battleground in their wars to exploit weakness. Their capacity to govern themselves had almost been eroded away by more than a century of French colonial rule, which seems to have been particularly repressive and marked by calculated corruption.

It is no wonder that the Vietnamese people finally rebelled. But, in light of what is happening now, 13 years later, it is unfortunate that the hero of that fight for freedom, Ho Chi Minh, was a Communist, and that even today his communism is more important to him than the freedom for which he fought the French.

The fact that the south once followed his leadership made it possible for him to organize the Vietcong and leave them behind in the south, like time bombs, to explode after the Treaty of 1954. Between then and now, they have literally dug themselves in—both into the earth itself—and into the village life.

From these two points of strength, they have carried on a grisly program of subversion and murder for the purpose of wiping out all free local government by destroying its leaders. Moreover, because as Communists they have no religion themselves, they have sought to create and exploit unholy political tensions among the various Buddhist sects and against the Catholics. In short, to use religious differences to help them create anarchy and chaos.

I think the fact that the love of freedom has survived is eloquent testimony to the dedication and determination of the South Vietnamese. The fact that they twice turned out to vote in unexpectedly large numbers underscores the depth of that feeling. I should have said three times, because there has been another vote over the weekend.

I am sure they know that voting is a privilege Ho does not allow his subjects north of the 17th parallel.

Another political liability is that they do not have full faith in their leaders. Some of them are still corrupt, and after 13 years, their government is still weak from the constant pressure of the Vietcong. But even the illiterate peasants prefer their government to the communism of the north, and are still willing to fight for it.

When we look at the military aspects of this war, it is easy to see how different it is from the other wars we have fought in Asia—far different from the island hopping of World War II, and even from the mass-movements combat in Korea. This war is confined to an area that, while small, includes a topography that varies from rice swamps to densely wooded mountains. The actual fighting is usually between small units, involved in hit-and-run engagements of very short duration. And the ability of the South Vietnamese people to fight has been worn away by the 20 years of continuing warfare that has raged back and forth across their land and taken its toll of their young manhood, and their resources.

The war's most significant feature is the enemy's use of the pattern of guerrilla combat. That this has been the basic pattern for what the Communists call wars of national liberation had already been demonstrated earlier in other countries. Looking back, we see that this was the pattern used by Tito's partisans in Yugoslavia, and it was used again in the attempt to take over in Greece. It has been tried and has failed in Malaya, the Philippines, and the Dominican Republic, and is still continuing in Thailand.

Of course, for us the most vivid and embarrassing example was Castro's takeover of Cuba with a handful of men. But Mao's success in China may have overbalanced all these lesser failures, because it gave the Communists a second great population and power base.

For many reasons it has been difficult, even impractical, for our American soldiers to adapt to this type of warfare. Because the Communist guerrillas fight without identifying uniforms, we cannot tell the Viet Cong from the South Vietnamese; and we have never been able to discover, let alone cope with, all the enemy's unorthodox tunnels and hiding places.

But we have learned that to offset their guerrilla tactics, we must increase our air superiority. We have done this by adding fighting helicopters and the dense fire power of the slow, old C–47, now rearmed, called "Puff, the Magic Dragon" to the power of our conventional fighters and bombers.

To counter this they have loosed a flood of propaganda both here in America and throughout the world, hoping to create a wave of public opinion that would force us not to use our full air capability and thus give up our greatest tactical advantage. If they could require us to fight the war entirely on the ground, they would have every hope of victory.

I recognize that there are many other features of this war that create special problems for us that I shall not mention because I want to maintain a long-range perspective on its place in the framework of world war III—Communist style.

So, I will move on to my second question—why are we in it?

It is clear to me that in all these little wars, the United States has been reacting in accordance with its traditional policies. In other words, it has been "doing what comes naturally." I say "what comes naturally" because, contrary to belief of some, we have not been improvising our foreign policy in Vietnam. We have been pursuing there the same objectives that we held in Europe when we opposed the Kaiser, Hitler, and Stalin, and in Asia when we opposed Japan. We will not allow one nation, either directly or through proxies like North Vietnam, to dominate whole regions of the globe.

Today, the task is harder because the current threat uses the cutting edge of communism, and for a while at least that has an appeal to people who have been impoverished and held down under a colonialist's thumb. But the principles for which we stand and our objectives are the same. Any changes you detect in our attitude then and now are simply those made necessary by differences in time, circumstances, and tactics.

BASIC AMERICAN PRINCIPLES

At least four American principles stand out, and in every war of this cen-

tury we have sacrificed much blood and treasure rather than give them up. Let me list them:

First. Devotion to the principle of personal freedom as a fundamental concept of government.

Second. Our belief that all other peoples who desire to live with these same freedoms should have the right to do so, and that when we protect their freedom, we are always protecting our own.

Third. A willingness to help other peoples improve their economic conditions, even to the extent of opening our own markets and sharing our own wealth if necessary.

Fourth. A determination never to be an aggressor or to embark on a policy of colonialism.

In listing these, it should go without saying that we believe such a policy will always be in our own national self-interest, and result in long term benefits to ourselves as well as to our friends. I am sure that in this present contest with communism there is no essential conflict between our own goals and the hopes of those we seek to help.

Of course, the application of these four principles has varied with the changing circumstances of our expanding history. Its first major expression was for the protection of the infant Latin American Republics when early in the 19th century they began to throw off the yoke of European colonialism. Because this happened during the Presidency of James Monroe, the principle has been known since as the Monroe Doctrine. Our commitment to this principle led us into our war with Spain in the Philippines at the end of the 19th century and this in turn brought us for the first time into Southeast Asia. That experience, now two-thirds of a century behind us, set the precedent for our more recent intervention in Japan, Korea, Taiwan, the south seas, and now South Vietnam.

Since this has been the latest of many confrontations between our foreign policy and that of the Communists, perhaps we should pause to look at Vietnam in terms of these principles. When we do, it is obvious that first, there has been a challenge to a people seeking to establish freedom as the basis for their own self-government; second, we have come to the aid of a nation so challenged; and third, we have been generous with our economic aid.

I want to dwell a little longer on my analysis of the fourth aspect of our foreign policy, that we have never been the aggressor nor succumbed to the temptation of neocolonialism.

If ever a nation was in a perfect position to take advantage of a world situation, that nation was the United States after World War II. During the troubled years since, we could easily have become the world's greatest neocolonial power, a label which now very obviously fits the great Communist nations. We could easily have turned our economic aid programs into international mortgages and foreclosed them to gain territorial control in many parts of the world.

When the war ended, all of Europe was broken and prostrate and Japan was helpless. If the Communists had been in our place, all these countries would have been dragged behind the Iron Curtain long since. But our devotion to the moral values in self-government has been stronger among us than the urge to dominate other people.

We could have conquered and held Japan; instead, we chose to rebuild it as an independent democracy. Our success in Japan holds promise for what we can do for the people in Vietnam. The successful growth of free government in Japan is proof that Buddhism is not incompatible with the essential concepts from which democracy must grow.

The same spirit shines through our record in Taiwan. By supplying military protection and foreign aid, we have helped make that once-backward nation economically independent, and its example stands as a beacon of hope to the other peoples of Southeast Asia.

As I have tried to demonstrate, our presence in Vietnam is in keeping with our longtime foreign policies. We are there to protect ourselves and our own interests by protecting the existence and interest of still another small nation. We are doing this: First, because our own security requires that Red China not be allowed to become the dominant nation in Asia; second, because we cherish freedom; and, third, because we believe such help rather than territorial acquisition or colonial control is better for us and the world.

Having indicated my belief that we are in this war as a logical expression of our long-established foreign policy based essentially on self-interest, I am lead naturally to ask my third question—has our intervention already created benefits for Vietnam and for those other countries in Southeast Asia who love freedom? I think the answer is a resounding "Yes."

I think there is great value in the fact that South Vietnam is still a free country, free enough at least to adopt a new constitution and elect the new officers it provided for, both by popular vote. But of greater worldwide significance is the indirect effect of our intervention in preserving the freedom of other countries in Southeast Asia. Before we put our military power in South Vietnam, several had already been set up for Communist takeover, and all would probably have gone down like dominoes—hence, the phrase "the domino theory."

THE DOMINO THEORY

Of course, this theory may seem to be an oversimplification. The loss of South Vietnam might not mean the immediate collapse of other states in Southeast Asia, but it would undoubtedly set off a new series of guerrilla wars. If South Vietnam were to fall, the Communists would have a new power base from which to infiltrate and eventually overcome Cambodia and the rest of Laos.

Once these countries were under Chinese control, Thailand would be completely surrounded on the east by Communists, and if it stood alone, it would be comparatively easy to choke it into submission. In fact, Communist guerrillas controlled from Hanoi and Peking, and operating from Cambodia, are already active in northeast Thailand. Troops from North Vietnam have actively supported the Pathet Lao in gaining control of nearly half of Laos.

Similar Communist activities in Malaya, Burma, and Indonesia indicate that the Russians and the Chinese believe in the truth of the domino theory, whether we do or not, and are using it wherever and whenever they think the situation is propitious.

To me, the best proof of the accuracy of the domino theory is that it has actually worked in reverse. By standing firm in South Vietnam, we have given these other nations time to prepare to protect themselves, and have furnished them a shield behind which they can strengthen their own political institutions and their own national economies.

The best evidence of this is the change that has occurred in Southeast Asia since 1965 when we first made it absolutely clear that we would stand firm in Vietnam. In 1966, nine free Asian nations formed the Asian and Pacific Council. Japan is in that group, along with our Australian and New Zealand friends, and they are all determined to remain free of China. Then, only a few weeks ago, five Southeast Asian nations formed the Association of Southeast Asia.

Former neutrals such as Indonesia, as well as stanch anti-Communist nations like Thailand, are determined that through their own regional cooperation, they can help preserve their freedom.

But the most significant event to me was the establishment last year of the Asian Development Bank, to whose capital Asian and non-Asian nations—including the United States but not China or Russia—have subscribed. The Bank's resources will be devoted to building and rebuilding the economy of this area which the Communists now threaten.

But for the most dramatic proof of the success of the domino-theory-in-reverse, look at Indonesia after Sukarno's downfall. Indonesian leaders have told us how close their country came to a Communist takeover. The loss of Indonesia to the free world would have been very tragic, because this little-known Asiatic country is the fifth most populous nation on the globe and the third richest in terms of natural resources. The Communists probably regard it as the most precious prize in Asia, and they almost had it in their hands. Yes, I am sure our presence in Vietnam has already helped the whole free world.

I am ready now to move on to my final question, which leads naturally from the previous one. What would happen now if the United States withdrew before the situation in South Vietnam is stabilized?

Most experts recognize the Vietnam confrontation as crucial. It has been building up for nearly 15 years now, and if we should allow the Communists to prevail, storm warnings would immediately rise around the world.

Our premature withdrawal would demonstrate that the Communists have at last found the key to victory in a world war—the war of national liberation. If we allow this to happen, all free nations, particularly the small ones, would be justified in believing that we are unworthy to be trusted as the leader of the free world. Those other countries

to which we have given promises of support would properly doubt whether our help would be forthcoming when they needed it, especially when the going got tough.

In other words, our friends would lose faith in us, and we would deserve it.

If we ever lose the right to lead the free world, Communist power would be unchallenged, and communism might eventually become the wave of the future. One by one, the smaller free countries would have to bow under its yoke, and the day could come when we stood isolated and alone.

Mr. President, it is very interesting to me that the people who represent the antiwar group in the United States are becoming more and more clearly revealed as great isolationists. They do not want us to get involved anywhere else in the world. Obviously, we must not risk that great tragedy by trying to isolate ourselves from freedom's problems now.

The war will end someday. All wars do. Then we will move to the conference table to fashion the post war pattern for the hoped-for peace. Many people are calling for negotiation now. It is my firm belief, however, that we should not go into any negotiations with anyone until we can be sure that at the end of the negotiations South Vietnam will still be free and independent.

If the Communists hold the trump cards at the conference, they will play them with great and ruthless skill because they have always regarded such negotiations as a continuation of war in a different form.

Our premature withdrawal or resort to premature negotiations might have another dangerous result. It could allow China, or Russia, or both of them—if the present split can be healed—to acquire effective control over all of Asia. If that happened, it would create a tremendous economic and military power base from which Communist nations could move against the rest of the world.

Our capitulation would put all the free nations now along the Pacific coast of Asia into great and immediate jeopardy, including the giant Japan, the now stable Formosa, and the still struggling Korea.

Because we know that communism hates Christianity, we could soon expect that religion to disappear in Asia—first the Philippines, then in Australia, and New Zealand—as those countries were outflanked and overrun.

Am I seeing nightmares? The Japanese almost did all this less than 30 years ago from a much weaker power base. But do not take my word for this risk. Listen to what the leaders of these threatened countries have to say.

The statement of the Foreign Minister of Malaysia, Prince Abdul Rahman very effectively destroyed the "civil war" concept when he said:

> The power vacuum left over from the retreat of western colonial rule . . . has not been filled by the growth and consolidation of indigenous power. On the contrary, taking advantage of the situation, a giant outside power, the People's Republic of China, seems bent on a long-range program of expanding its power and influence through its proxies in Southeast Asia. It is not South Viet Nam which seeks to annex North Viet Nam, but vice versa. This has been officially admitted by Hanoi, and Peking is giving Hanoi every encouragement. Peking's and Hanoi's involvement in the Communist offensive in Laos is also well known. And since early last year, Peking has repeatedly threatened Thailand, Malaysia and Singapore with so-called People's Wars to be launched by local Communist movements against these three countries.

I have other quotations. One from the Thai Government clearly underscores the source of the danger:

> Decent nations the world over already know that aggression in Southeast Asia, either against the Kingdom of Laos, the Republic of Viet Nam, or Thailand, was started many years ago by none other than the Communist regime of North Viet Nam, in collaboration with certain Communist countries.

Another by the Prime Minister of Australia, who has explained what American involvement means to his country:

> No region today contains greater dangers for world peace and security than Asia. Southeast Asia has been singled out by the Communists as a critical area of challenge. They believe that if their technique of so-called "Wars of National Liberation" can succeed in South Viet Nam, it can be employed with similar success in many other countries.

Finally, Singapore's Prime Minister, Lee Kuan Yew, who has been in Washington within the last 10 days, said:

> I feel the fate of Asia—South and Southeast Asia—will be decided in the next few years by what happens in Viet Nam. If the Americans decide to pack it up because the position is untenable in South Viet Nam, then what happens to the 500 armed Communists wandering around the borders of Thailand and Malaysia is very pertinent. And if Malaysia cannot be held, then Singapore must make adjustments accordingly.

Which means Singapore goes back to the Communists.

But the prospect for peace and freedom in all of Southeast Asia will be very bright indeed if we stay until the situation is truly stabilized. Japan, which has now developed firmly rooted traditions of freedom, would undoubtedly emerge as the great economic leader of the people of Asia. Our Anglo-Saxon counterparts in Australia and New Zealand would be able to carry out their supendous programs for the development of their heretofore undeveloped natural resources. There would be hope that in time, the tides of freedom, which have already begun to flow north from Indonesia, could flow into and across China, thus weakening and eventually removing this potentially dangerous threat.

THE END OF THE WAR

We come at last to the final question—the one on everybody's minds. How can we end this? When can we get out?

I have taken all this time to get to this point because I believe we can only find the right answer if we understand how and why we got in.

The actual process of disengagement is similar after every war. A cease-fire is agreed upon, followed by an armistice. This leads to a conference, at which the pattern of the future relations between the two combatants is worked out, including the conditions for the final disposition of the military forces. Only then can we have hope that peace can be achieved.

So far, none of these steps have been taken in Vietnam. Several times we have unilaterally tried temporary cease-fire periods, and bombing pauses, but the enemy not only has not responded in kind but has used the time to strengthen his position.

Can we get a promise of negotiations first before the fighting stops? We have tried that too, both through direct contacts and through intermediaries, both openly and secretly. Others have tried also, including officials such as U Thant, the Secretary General of the United Nations, and private citizens acting on their own. All have been rebuffed.

Why can we not just stop fighting one day and wait to settle our problems with the Communists at the negotiation table? There are several reasons why this is impossible.

The first grows out of the difference in attitudes that we and they have toward negotiations. To us, it is a process by which decisions are reached through mutual concessions. To the Communists it is merely an extension of the conflict on a different level, on which they continue to fight for their own basic goals. Rather than to compromise, they will "negotiate" interminably, as witness the negotiations still going on in Korea after 15 years and the many years of fruitless peace conferences in Geneva. When our spirit of compromise meets their intransigent attitude, who usually loses? The answer is obvious and has been written into history many times, from Yalta on.

The second reason is equally fundamental. The outcome of any conference is determined mainly by the relative power, strength, and influence which the two opponents bring to the bargaining table at any war's end. This obviously reflects the relative military strength of the two. If we began negotiations today, would the strength of our present military position enable us to overcome the Communists' traditional intransigence?

There is still a third reason, and, to me, it is the most important of all. Have we accomplished what we went in to do? Can we be sure that after any negotiation undertaken without a military decision that the people and Government of South Vietnam can be assured of freedom from the continuing Communist pressures of subversion, terror as well as from actual military invasion? Until we can, any withdrawal on lesser terms will mean tragedy for the South Vietnamese—a faith-destroying defeat for us, and a great encouragement for the Communists to make the next local war a much bigger one.

Am I an incurable pessimist? Far from it. I think we are winning this third world war, and at an increasingly rapid rate. Of the 19 little wars the Communists started, they have really only won four: Yugoslavia, North Vietnam, China, and Cuba, and internal conditions in these latter countries, one a giant, the other a pigmy, are now rapidly going from bad to worse.

But even so, I do not think the Communists are ready yet to give up their grand plan for world conquest or subversion through these so-called wars of national liberation. Therefore, I believe that if hostilities end in Vietnam on an inconclusive note, they will soon begin

somewhere else and continue into the future. If this happens, will we have to intervene again? I am sure we will, but I am also sure that if we win this one, the next one will be easier. If we lose it, the next one could be catastrophic.

Will world war III end like the others—with a victory for freedom? To me there has always been only one answer. The spirit of freedom in man personified by the eagle can be crushed but never be destroyed. It has survived great periods of oppression in the past and is stronger today than ever before.

This same spirit of freedom has already opened up cracks in the existing Communist monolith. The European satellites are becoming increasingly more independent of Moscow and every new taste of freedom creates a greater appetite for more. Even in Russia itself the once all-powerful party is being forced to shift more and more of its economic investments away from heavy industry geared to the production of military hardware in order to supply consumer items increasingly demanded by the Russian people, who are coming to realize that life is easier in the free world. Moreover, every time the men at the top in Russia change, the new leader, or leaders, have to make more concessions to the individual citizens in order to get a broader political base, and this always increases the power of the people.

What about the Russian ability and willingness to come to the aid of their local pawns in a limited war when things go bad? The recent Israeli-Arab debacle has just exposed this as a false hope and a myth. When the multibillion-dollar war machine they supplied to their Arab friends was shattered in 6 days by a tiny Israeli force, the Russians did not move in with troops to help. Their only aid was a series of angry, frustrated, self-serving speeches at the U.N. On the other hand, when the South Vietnamese war reached a point at which the free people were being defeated, we sent in combat forces.

SUMMARY

As I close, let me repeat my basic assumption and my four questions and answers. To me, the war in South Vietnam is a part of world war III, Communist style; another in the series of little wars the Communists thought they could win easily, by which they hoped eventually to extinguish all political, economic, and personal freedom in all the world.

First. How is this war different? Every war is both different and similar as controlled by the conditions under which it is fought, and this one was planned by the Communists to make our air and naval power ineffective. Fortunately, we have learned how to adjust our use of airpower to offset enemy guerrilla tactics and by now have regained the military superiority.

Second. Why are we in this war? We are in it for the very same reason we went into the earlier world wars because in the interest of U.S. security, we cannot allow a hostile power to gain control of Asia. We have always been willing to fight to maintain freedom, both in our own interests and to help others to maintain their freedom. I question if we can allow communism to slowly peck away at the institutions of freedom around the world and still preserve this precious possession for our own posterity.

Third. Up to this time, has our intervention been bad or good for Vietnam and the rest of Southeast Asia? Definitely and dramatically good. Behind the shield of our power, the Vietnamese people have begun to construct a free government, and in the rest of Southeast Asia, the domino theory has begun to operate in reverse.

Fourth. And finally, when and how can we bring this tragedy to an end? This can only be done by making militarily sure that the South Vietnamese people can be assured of a future free from internal terror and external force. To withdraw sooner would not only reward Communist aggression, and confirm the effectiveness of their so-called wars of liberation, but would inevitably encourage further Communist military adventures elsewhere, just at a time when, in fact, their essential weaknesses are beginning to show and they are going downhill.

I have taken this much time to pose these questions and give my answers to them, because I think both the doves and the hawks among us tend too often to interpret the Vietnam problem largely in terms of each day's headlines instead of considering the overall long-term, worldwide values involved.

For my final sentence, I turn to the book of Luke in the New Testament. Here I find what, to me, is the ultimate summary of my thesis, and the only key to lasting peace in Vietnam:

> And Jesus said unto him, no man, having put his hand to the plow, and looking back, is fit for the kingdom.

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

Mr. BENNETT. I am happy to yield.

Mr. LAUSCHE. I commend the Senator from Utah for his very instructive and sound presentation today. The Senator courageously takes a position which, for the moment, may be unpopular.

I was especially struck by the fact that early in his talk he discussed the subject of aggression, atrocities committed upon innocent men, women, and children, and the purpose of imposing colonial domination. It is tragic that in our country, especially as manifested in the last 2 days here in Washington, the charges of aggression, seeking to impose colonial domination, and committing atrocities have been heaped upon the United States instead of upon the Communists of North Vietnam, Peking, and Moscow, where they belong.

Yesterday's demonstrations, which were discussed by the Senator from Utah, were advertised by the Communists in fullpage advertisements, calling upon citizens of the United States to come to Washington. Why were the Communists so deeply interested? Why did they want thousands of visitors to come to Washington and participate in the demonstration?

There has been talk about infiltration and subversion in Latin America and in other countries. We have it in the United States. Infiltrators and subversives were present on the Capitol Grounds yesterday. Their attitude, whether intended or inadvertent, was friendship to communism and hostility to the United States.

I commend the Senator from Utah for an excellent, sound, courageous presentation of the problem.

Mr. BENNETT. I certainly appreciate the comments of my friend the Senator from Ohio. I value his opinion and his knowledge very highly, as I do his friendship.

I have tried to present as clearly as I could my conception of what the fight in Vietnam is about. I realize that others disagree with my conception. The final determination will be known only when it becomes history.

I should like to repeat that I am coming to believe very strongly that we are in world war III, that we have been in it for 20 years. The enemy is obvious; his goals are obvious; and we are in it for the same reason that we went into the others.

On this note, Mr. President, I yield the floor.

AMENDMENT OF THE SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

The Senate resumed the consideration of the bill (S. 2171) to amend the Subversive Activities Control Act of 1950, so as to accord with certain decisions of the courts.

Mr. MANSFIELD. Mr. President, I yield 5 minutes to the distinguished Senator from Vermont [Mr. AIKEN] under the time limitation. I understand that the distinguished minority leader, Mr. DIRKSEN, will yield 10 minutes, under the bill, to the distinguished Senator from Hawaii [Mr. FONG] at the conclusion of the remarks of the Senator from Vermont.

Mr. President, I ask unanimous consent that, at the conclusion of the vote on the pending amendment, there be a limitation of a half hour on the amendment to be offered by the distinguished Senator from Massachusetts [Mr. BROOKE], the time to be equally divided between the majority leader and the minority leader or whomever they may designate.

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

PARTICIPATION IN THE BENEFITS OF NUCLEAR POWER BY ALL ELECTRICAL UTILITIES

Mr. AIKEN. Mr. President, on behalf of myself and the junior Senator from New York [Mr. KENNEDY], I introduce, for appropriate reference, a bill to insure a reasonable opportunity for all electrical utilities to participate in the benefits of nuclear power and ask unanimous consent that it be referred to the Joint Committee on Atomic Energy.

Atomic energy has now been developed as a source of electric power to the point where Government subsidies for the construction of new plants is no longer considered necessary.

It is now deemed competitive with fossil fuels and in many cases with water power.

The result of the years of research and the nearly $1½ billion of public expendi-

ture has, however, brought with it many new problems.

With the surge of applications for licenses to construct new plants with capacities running far into billions of kilowatt power, it is essential that guidelines for the granting of these licenses be established.

Under the present uncoordinated system, with Federal licenses still being granted only on a research basis and with various State licenses being required—frequently on a conflicting basis—there will soon be a shortage of power in some areas unless Congress fixes the responsibility and lays down guidelines for the licensing of nuclear powerplants.

The purposes of the bill I am offering are:

First. To protect the public health.

Second. To protect and conserve natural resources particularly river systems and water supplies.

Third. To prevent monopoly in the field of electric generation and distribution.

Fourth. To insure an adequate supply of electricity in areas threatened by shortages.

The manner by which these purposes would be achieved are made apparent in the bill which I ask to have printed at the end of my remarks.

Witnesses for electric utilities have made it clear before the Joint Committee on Atomic Energy that they are happy with the present law as it is. It serves their purpose well.

Witnesses for the fossil fuels have indicated that they wish nuclear production of electric energy would go away.

The fact remains, however, that with the accelerated use of electricity in the United States we must have an enormously increased supply and that we must not let the desires of special interests block or delay the needs of the Nation.

Therefore, I hope for early action on this bill.

I ask unanimous consent that the bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received; and without objection, the bill will be referred to the Joint Committee on Atomic Energy, and will be printed in the RECORD.

The bill (S. 2564) to insure a reasonable opportunity for all electrical utilities to participate in the benefits of nuclear power, introduced by Mr. AIKEN (for himself and Mr. KENNEDY of New York), was received, read twice by its title, referred to the Joint Committee on Atomic Energy, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 10 of the Atomic Energy Act of 1954, is amended by adding at the end thereof a new section as follows:

"SEC. 111. (a) No person shall be issued a license under this chapter to construct and operate a utilization or production facility to produce electric energy for ultimate sale to the public unless the Commission finds that—

"(1) the applicant has granted to all other interested persons, including Government agencies and public, private, and cooperative bodies, engaged in the distribution, transmission, or production of electric energy an opportunity to participate to a fair and reasonable extent, as determined by the Commission, in the ownership of the facility for which the license is requested;

"(2) the proposed facility will be best adapted to a comprehensive regional plan for the use and development of the power, water, and related land resources for the region to be served by such facility;

"(3) the applicant agrees to make the output of electric energy from the facility available, during the life of such facility, for sale on fair and nondiscriminatory terms to all persons, including Government agencies and public, private, and cooperative bodies, engaged in the distribution, transmission, or sale of electric energy;

"(4) the proposed facility is financially and technically feasible;

"(5) the proposed facility will have sufficient capacity to meet reasonable demands for electric energy within the region to be served by such facility, including the demands of public, private, and cooperative electric utilities;

"(6) adequate transmission capacity is or will be made available to provide reasonable service to all owner-participants and purchasers of electric energy;

"(7) the applicant has provided for reasonable representation by all owner-participants in the operation of the proposed facility; and

"(8) the applicant otherwise meets the requirements of this chapter.

"(b) Before determining whether or not a license shall be issued under this chapter to any person to construct and operate such a utilization or production facility the Commission shall—

"(1) request the advice of the Federal Power Commission with respect to—

"(A) whether the proposed facility is consistent with the most efficient development of the power resources in the region in which such proposed facility is to be constructed; and

"(2) request the advice of the Water Resources Council, established under title I of the Water Resources Planning Act (79 Stat. 244; 42 U.S.C. 1982a), regarding the compatability of the proposed facility with any comprehensive, coordinated joint plan for water and related land resources development which has been approved for the region, river basin, or group of river basins in which such facility is to be located; and

"(3) request the advice of the Attorney General of the United States with respect to whether or not the operation of the proposed facility by the applicant would be inconsistent with the antitrust laws of the United States.

The chairman of the Federal Power Commission, the chairman of the Water Resources Council, and the Attorney General respectively, shall advise the Commission with respect to the matters referred to in this subsection whenever requested by the Commission to do so; and the Commission shall give due consideration to such advice in determining whether or not to approve an application for a license under this chapter.

"(c) the Commission shall refuse a license under this chapter to any such applicant if such applicant fails to meet any of the conditions stated in subsection (a), or if such applicant refuses to agree to meet such conditions.

"(d) The Commission shall have the express authority to revoke, after notice and opportunity for hearing, any license issued under this chapter in any case in which any such applicant fails to comply with conditions specified in subsection (a) and to which the applicant previously agreed."

STATEMENT ON CONGRESSIONAL REDISTRICTING CONFERENCE REPORT

Mr. FONG. Mr. President, the conference committee on the congressional redistricting bill (H.R. 2508) has reported a bill containing the following provisions:

First. All States entitled to more than one Representative during the 91st and 92d Congresses are required to establish single-member districts—except that the States of Hawaii and New Mexico may continue to elect Representatives on an at-large basis.

Second. No State is required to redistrict prior to the 1970 decennial census, unless there is conducted a special Federal census, and no State is required to elect its Representatives at-large prior to that 1970 census.

Mr. President, I am extremely disappointed with this conference agreement.

Although authorities on constitutional law agree that the Congress may properly establish standards for State legislatures to follow in the creation of congressional districts—under article I, section 4 of the Constitution—I respectfully submit that the conference agreement will very likely be declared unconstitutional on two grounds.

First, I believe the second section of the conference agreement may well be unconstitutional.

It would permit any State not to redistrict by not having a special Federal census before the 1970 Federal census is taken. This would permit the States to withdraw unilaterally from the Court's jurisdiction over congressional redistricting.

This, I am convinced, the Congress may not do, for there appears to be no constitutional basis for this delegation of authority.

Moreover, the conference agreement would have the effect of delaying until the 1972 elections any Federal judicial enforcement of its one-man, one-vote ruling in congressional redistricting. Aside from the large number of States affected—18 States represented by 259 Congressmen, more than half the membership of the House of Representatives—or the enormous cost involved which the 18 States must pay—one estimate is that it would cost these States some $35 million for special Federal censuses—it is highly dubious that the Federal courts would tolerate such a delay in compliance with the Supreme Court's ruling on fair congressional districting.

The second ground on which I believe the conference agreement to be unconstitutional is that a State may not elect its Members of the House of Representatives on an at-large basis. Therefore, I believe that the exemption of the States of Hawaii and New Mexico from the requirement to elect Representatives on a single-district basis is clearly unconstitutional.

The principle of electing Representatives by single-member districts is firmly established in our constitutional traditions.

The question of representation of the House of Representatives was debated at great length during the Constitutional

Convention of 1787. As part of the great compromise, article I, section 2 of the Constitution provided that members of the House should be chosen "by the people of the several States" and should be "apportioned among the several States according to their respective numbers."

The delegates to the Convention, concerned that State legislatures might apportion House seats unequally and unfairly, provided in article I, section 4, that while the "times, places, and manner of holding elections" may be left to the States, the Federal Government was to have the last word:

> The Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

The first exercise of Federal authority came in 1842, when Congress sought to end the practice of some States of electing Congressmen-at-large rather than from single-member districts—and in the Apportionment Act of June 25, 1842 (5 Stat. 491), Congress established the principle that Congressmen be elected one from each district of contiguous territory.

In 1872 Congress added a requirement that districts should contain "as nearly as practicable" equal numbers of inhabitants. In 1901 the requirement that districts be composed of "compact territory" was added, and all three requirements were restated in 1911. The 1929 legislation did not include these provisions, however, and they have been lacking in apportionment acts ever since.

For more than 87 years, each State having more than one Representative was required to elect them from single-member districts.

The principle of electing Representatives by single-member districts, therefore, was established more than a century ago in our constitutional law.

The provision of the conference bill exempting Hawaii appears to me to fly in the face of well-established constitutional law.

I consider the Hawaii exemption particularly unreasonable, unfair, indefensible, and unconstitutional. The conference agreement is therefore quite unacceptable to me.

I have steadfastly opposed such an exemption—during the Judiciary Committee's consideration of H.R. 2508, and during the Senate debate on the bill earlier this year.

Although the committee agreed with me and adopted my amendment to strike the Hawaii exemption, and the bill as passed by the Senate on June 8 did not contain the Hawaii exemption, I regret and deplore its inclusion in the conference bill.

From my study of the debate which took place in the House when the bill was considered on April 27, it is clear to me that the Hawaii exemption provision was approved hastily and only after perfunctory debate.

Full consideration of all the factors involved plainly shows that the Hawaii exemption should not have been included in the conference bill.

I strongly believe, Mr. President, that what is applicable to 48 other States of the Union should be equally applicable to Hawaii.

It is my understanding that the purposes of H.R. 2508 are first, to require that States establish districts for the election of Representatives in Congress; and second, to provide that congressional redistricting be based on the 1970 census or an up-to-date special Federal census, and thus implement the one-man, one-vote doctrine of *Wesberry* v. *Sanders* (376 U.S. 1, 18 (1964)).

If these are the reasons for the enactment of this bill, then why not have them applicable to all States? Why did the House exempt Hawaii?

The PRESIDING OFFICER. The 10 minutes allotted to the Senator have expired.

Mr. FONG. Mr. President, I ask unanimous consent that I may proceed for another 5 minutes.

Mr. BYRD of West Virginia. Mr. President, I take the liberty of yielding to the Senator 5 minutes out of the time of the distinguished minority leader.

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

Mr. FONG. Mr. President, one reason advanced during the House debate on the Hawaii exemption was that the geography of the State of Hawaii renders it difficult to draw district lines.

This is absolutely untrue.

Ever since Hawaii's annexation to the United States in 1898 and the election of the first Territorial Legislation in 1900, Territorial Senators and Representatives were elected to the bicameral legislature according to senatorial and representative districts—Hawaii Organic Act of April 30, 1900.

In fact we have only recently reapportioned both houses of our State legislature—so that district lines had to be redrawn for both the senate, in 1966, with eight senatorial districts, and for the house, in 1959, with 18 Representative districts.

Having this long history and experience in drawing district lines among the eight major islands of the Hawaiian archipelago, there is no reason to believe that congressional district lines could not also be drawn, in conformity with the requirements of H.R. 2508.

Another reason cited during House debate on the Hawaii exemption and, I understand, during the conference committee's deliberations, is that never in the history of the State have congressional district lines been drawn. This is true. But we became a State only in 1959.

Hawaii's population at the time she entered the Union in 1959 was determined on the basis of the decennial census of 1950. At that time, in 1950, Hawaii's population was 499,794, which entitled the State to only one Congressman.

The 1960 decennial census, however, showed that Hawaii's population rose to 632,722. This new figure entitled Hawaii to a second seat in the House.

Thus, only since 1960 has Hawaii elected her Representatives to the National House on an at-large basis

One apparent purpose of the conference bill's provision that no State is required to elect its Representatives at-large for the 91st and 92d Congresses was to afford a transition period to some 22 States which have not yet reapportioned their legislatures.

The State of Hawaii, however, has already reapportioned its legislature.

In accordance with a decision of the Hawaii Federal District Court of March 9, 1965, and the U.S. Supreme Court case of Burns against Richardson handed down April 25, 1966, the Hawaii Legislature reapportioned the State senate. Elections under this new apportionment were held in November 1966, and the legislature, including the newly apportioned senate, has completed its 1967 session.

Hawaii, then, does not require a transition period provided by the conference bill. Having already gone to court, and, under court order, having reapportioned the legislature, Hawaii is now prepared to proceed to implement the Wesberry ruling of the U.S. Supreme Court and draw congressional district lines. And this can be done when the State legislature meets for its 1968 session next February.

Another apparent purpose of the conference bill's provision, that no State is required to elect its Representatives at-large for the next two Congresses, was to afford relief to the State of Indiana, which is the only State now under court order to elect all of its 11 Representatives on an at-large basis.

Why, Mr. President, should a ban on at-large elections be enacted to benefit especially and only one State of the Union? Why should the ban be made applicable only to 48 States, and not to all 50? Why should at-large elections be permitted in only two States of the Union, and not in the other 48?

Is it not a fact that the conferees felt that by exempting the State of Hawaii from mandatorily drawing congressional district lines, this would insure the continuation of the present political complexion of our congressional delegation?

Is it not also a fact that by banning at-large elections in the other 48 States which would force the State of Indiana to redistrict, this would insure benefits to a certain political party?

Is it reasonable to conclude that party politics was a motivating factor in exempting Hawaii and in banning at-large elections in 48 States?

Mr. President, in terms of size of population, Hawaii ranks 40th among the 50 States, 11th from the bottom, according to the Census Bureau's 1965 estimates.

Of the 10 States with smaller populations than that of Hawaii, five States are entitled to two seats in the House of Representatives. These five States are Idaho, Montana, New Hampshire, North Dakota, and South Dakota.

If Hawaii is to be exempted from the provisions of section 2 of the bill, it is only fair that these five States also be exempted.

There appear to be absolutely no grounds on which the exemption of Hawaii from the requirement of single-member districts may be justified: not in terms of geography, not because of any long-standing tradition, not because of the necessity for a transition period or for relief from a court order, not in terms of population size.

Indeed, the exemption seems to me to be clearly unconstitutional.

I therefore say, Mr. President, that any State electing its Congressmen at-large is doing so unconstitutionally.

For this reason, I will urge an early court test of the constitutionality of this bill if the conference report is approved by the Senate. I am very hopeful that the courts will sustain my view and strike down the exemption provision as unconstitutional.

Mr. President, because the conference report contains a proposal which I strongly believe to be unconstitutional, unfair, and unreasonable, I will vote against its approval.

For all the reasons I have cited, I urge my colleagues to reject the conference report.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be charged equally against both sides.

The PRESIDING OFFICER. Without objection, it is so ordered; and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT OF THE SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

The Senate resumed the consideration of the bill (S. 2171) to amend the Subversive Activities Control Act of 1950, so as to accord with certain decisions of the courts.

Mr. BYRD of West Virginia. Mr. President, I yield 10 minutes to the distinguished senior Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, my staff has prepared a section-by-section summary of S. 2171 as it amends the Internal Security Act of 1950.

I had intended to present this summary on the floor during the debate on S. 2171, last week. But because both the high quality and considerable volume of the statements of my colleagues who joined me in opposition to S. 2171 so captured my attention that I did not complete this summary.

Because I believe this comparative study of S. 2171 and the Internal Security Act of 1950 offers valuable information which should be made a part of the RECORD, I ask unanimous consent that the remainder of the summary be printed at this point in the RECORD:

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

(15) The terms "totalitarian dictatorship" and "totalitarianism" mean and refer to systems of government not representative in fact, characterized by (A) the existence of a single political party, organized on a dictatorial basis, with so close an identity between such party and its policies and the governmental policies of the country in which it exists, that the party and the government constitute an indistinguishable unit, and (B) the forcible suppression of opposition to such party.

(16) The term "doctrine" includes, but is not limited to, policies, practices, purposes, aims, or procedures.

(17) The giving, loaning, or promising of support or of money or any other thing of value for any purpose to any organization shall be conclusively presumed to constitute affiliation therewith; but nothing in this paragraph shall be construed as an exclusive definition of affiliation.

(18) "Advocating the economic, international, and governmental doctrines of world communism" means advocating the establishment of a totalitarian Communist dictatorship in any or all of the countries of the world through the medium of an internationally coordinated Communist movement.

(19) "Advocating the economic and governmental doctrines of any other form of totalitarianism" means advocating the establishment of totalitarianism (other than world communism) and includes, but is not limited to, advocating the economic and governmental doctrines of fascism and nazism.

Once again we are reminded of the degree to which the monolithic world Communist movement has changed since this legislation was passed back in 1950. The definition language refers in subsection (3) (a) of section three to an organization "substantially directed, dominated, or controlled by the foreign government or foreign organization controlling the world communist movement referred to in section 2 of this title." This organization, it is pretty generally known, is the Communist Party of the United States of America. But I think even those who unconditionally support this legislation will admit that this Soviet arm of the Communist movement may well have considerably less influence than the Communist Chinese brand of Communism on the direction of the Communist apparatus in the Western Hemisphere. The type of wars of liberation that we may face in South America—certainly the guerrilla actions there—have a distinctively Chinese Communist stamp. In fact if any evidence is uncovered to indicate the Communist movement or ideology is involved in ghetto riots I would be quite surprised if it had its roots in the Soviet rather than the Chinese brand of Communism.

Section 4 of the 1950 Act defines certain prohibited acts, such as the communication of classified information or receipt of classified information by a member of a communist front, communist action or communist infiltrated organization. It also prescribes a fine of $10,000 or imprisonment for 10 years for a violation of the section. The section reads as follows:

"CERTAIN PROHIBITED ACTS

"SEC. 4. (a) It shall be unlawful for any person knowingly to combine, conspire, or agree with any other person to perform any act which would substantially contribute to the establishment within the United States of a totalitarian dictatorship, as defined in paragraph (15) of section 3 of this title, the direction and control of which is to be vested in, or exercised by or under the domination or control of, any foreign government, foreign organization, or foreign individual: *Provided, however,* That this subsection shall not apply to the proposal of a constitutional amendment.

"(b) It shall be unlawful for any officer or employee of the United States or of any department or agency thereof, or of any corporation the stock of which is owned in whole or in major part by the United States or any department or agency thereof, to communicate in any manner or by any means, to any other person whom such officer or employee knows or has reason to believe to be an agent or representative of any foreign government or an officer or member of any Communist organization as defined in paragraph (5) of section 3 of this title, any information of a kind which shall have been classified by the President (or by the head of any such department, agency, or corporation with the approval of the President) as affecting the security of the United States, knowing or having reason to know that such information has been so classified, unless such officer or employees shall have been specifically authorized by the President, or by the head of the department, agency, or corporation by which this officer or employee is employed, to make such disclosure of such information.

"(c) It shall be unlawful for any agent or representative of any foreign government, or any officer or member of any Communist organization as defined in paragraph (5) of section 3 of this title, knowingly to obtain or receive, or attempt to obtain or receive, directly or indirectly, from any officer or employee of the United States or of any department or agency thereof or of any corporation the stock of which is owned in whole or in major part by the United States or any department or agency thereof, any information of a kind which shall have been classified by the President (or by the head of any such department, agency, or corporation with the approval of the President) as affecting the security of the United States, unless special authorization for such communication shall first have been obtained from the head of the department, agency, or corporation having custody of or control over such information.

"(d) Any person who violates any provision of this section shall, upon conviction thereof, be punished by a fine of not more than $10,000, or imprisonment for not more than ten years, or by both such fine and such imprisonment, and shall, moreover, be thereafter ineligible to hold any office, or place of honor, profit, or trust created by the Constitution or laws of the United States.

"(e) Any person may be prosecuted, tried, and punished for any violation of this section at any time within ten years after the commission of such offense, notwithstanding the provisions of any other statute of limitations: *Provided,* That if at the time of the commission of the offense such person is an officer or employee of the United States or of any department or agency thereof, or of any corporation the stock of which is owned in whole or in major part by the United States or any department or agency thereof, such person may be prosecuted, tried, and punished for any violation of this section at any time within ten years after such person has ceased to be employed as such officer or employee.

"(f) Neither the holding of office nor membership in any Communist organizaton by any person shall constitute per se a violation of subsection (a) or subsection (c) of this section or of any other criminal statute. The fact of the registration of any person under section 7 or section 8 of this title as an officer or member of any Communist organization shall not be received in evidence against such person in any prosecution for any alleged violation of subsection (a) or subsection (c) of this section or for any alleged violation of any other criminal statute."

The Dirksen bill retains this language—an entirely appropriate decision in my estimation. However, the Dirksen proposal fails to strike language in subsection (f) stating that the fact of registration under sections 7 or 8 of this title shall not be received in evidence against a person. What need have we for this language when sections 7 and 8 are explicitly stricken from the 1950 Act by the Dirksen bill? What need have we for this language when no individual or organization has been registered in the history of the Subversive Activities Control Act of 1950,

when the courts have specifically ruled that registration would violate the fifth amendment right against self-incrimination, and when the very purpose of the Dirksen bill, S. 2171, is to replace the elimination requirement with a disclosure requirement? The answer is quite simple—it is an oversight of the kind that is only natural when a bill has been as hastily put together and considered as this one has been.

Section 5 of the bill concerns itself with Federal employment of members of communist front, communist action or communist infiltrated organizations. The Dirksen proposal correctly strikes the following language in section 5 (a):

"EMPLOYMENT OF MEMBERS OF COMMUNIST ORGANIZATIONS

"SEC. 5. (a) When a Communist organization, as defined in paragraph (5) of section 3 of this title, is registered or there is in effect a final order of the Board requiring such organization to register, it shall be unlawful—"

In so doing the Dirksen bill recognizes the fact that registration is unconstitutional. It replaces this language with language indicating, as it was indicated in the statement of purpose, that the new method of listing communist action, communist front and communist infiltrated organizations and individuals is to be by Subversive Activity Control Board determination rather than registration. Thus the new wording reads:

"(a) *When there is in effect a final order of the Board determining any organization to be a Communist-action organization or a Communist-front organization, it shall be unlawful—"*

Similar correcting language is made in section 5 (a) (1), which did read:

"[(1) For any member of such organization, with knowledge or notice that such organization is so registered or that such order has become final—]

"(1) For any member of such organization, with knowledge or notice of such final order of the Board—"

We then revert to the language of the 1950 Act prohibiting the holding of certain jobs by members of groups which would be determined by the Subversive Activities Control Board to have Communist connections under the new legislation. To be more specific, the language of the Act reads:

"(A) in seeking, accepting, or holding any nonelective office or employment under the United States, to conceal or fail to disclose the fact that he is a member of such organization; or

"(B) to hold any nonelective office or employment under the United States; or

"(C) in seeking, accepting, or holding employment in any defense facility, to conceal or fail to disclose the fact that he is a member of such organization; or

"(D) if such organization is a Communist-action organization, to engage in any employment in any defense facility.

"(E) to hold office or employment with any labor organization, as that term is defined in section 2 (5) of the National Labor Relations Act, as amended (29 U. S. C. 152), or to represent any employer in any matter or proceeding arising or pending under that Act."

The Dirksen bill goes on to strike language in section 5(a)(2) of the Act which again makes registration rather than determination a criteria for prohibiting contributions to a subversive group or conspiracy to violate section 5(a)(1). The registration language, which is stricken, reads:

"[(2) For any officer or employee of the United States or of any defense facility, with knowledge or notice that such organization is so registered or that such order has become final—]"

It is replaced with the following language replacing the registration criteria with final board determination as follows:

"(2) *For any officer or employee of the United States or of any defense facility, with knowledge or notice of such final order of the Board—"*

The language of the original 1950 legislation is then retained, enumerating the prohibited actions in connection with a communist front, communist action, or communist infiltrated organization. The prohibited actions are:

"(A) to contribute funds or services to such organization; or

"(B) to advise, counsel or urge any person, with knowledge or notice that such person is a member of such organization, to perform, or to omit to perform, any act if such act or omission would constitute a violation of any provision of subparagraph (1) of this subsection."

We then go on to subsection (b) which reads:

"(b) The Secretary of Defense is authorized and directed to designate facilities, as defined in paragraph (7) of section 3 of this title, with respect to the operation of which he finds and determines that the security of the United States requires the application of the provisions of subsection (a) of this section. The Secretary shall promptly notify the management of any facility so designated, whereupon such management shall immediately post conspicuously notice of such designation in such form and in such place or places as to give notice thereof to all employees of, and to all applicants for employment in, such facility. Such posting shall be sufficient to give notice of such designation to any person subject thereto or affected thereby. Upon the request of the Secretary, the management of any facility so designated shall require each employee of the facility, or any part thereof, to sign a statement that he knows that the facility has, for the purposes of this title, been designated by the Secretary under this subsection."

This subsection in effect states that the Scretary of Defense is to determine what is a defense facility for the purposes of the above mentioned prohibition against certain actions by officers or employees of the Federal government and defense facilities. In that connection, I wonder if the floor manager of the bill could tell me whether or not any such defense facilities have been designated by Secretary McNamara or are presently considered as falling under the terms of this section?

I think it is relevant to note here that the Dirksen bill fails to change some inconsistencies in the first part of section 5. For example the section apparently would not prohibit outright employment in a defense facility for members of Communist front organizations while it places a complete prohibition on employment with a labor organization. Here again the act itself might well have profited from a more thorough evaluation of its existing provisions.

I want to make it clear that I am not advocating that union employees should be allowed to be members of subversive organizations However if we feel that union employees occupy such key positions that they should, under no conditions, be members of a subversive organization should we not apply the same standard to those employed in a defense facility rather than permitting members of subversive groups to be employed in such facilities as long as they disclose their membership, as the 1950 Act does?

Section 6 of the Subversive Activities Control Act is not affected by S. 2171, the Dirksen bill. The section prohibits the use of passports by a member of a communist front, communist action, or communist infiltrated organization. Section 6 states:

"DENIAL OF PASSPORTS TO MEMBERS OF COMMUNIST ORGANIZATIONS

"SEC. 6. (a) When a Communist organization as defined in paragraph (5) of section 3 of this title is registered, or there is in effect a final order of the Board requiring such organization to register, it shall be unlawful for any member of such organization, with knowledge or notice that such organization is so registered or that such order has become final—

"(1) to make application for a passport, or the renewal of a passport, to be issued or renewed by or under the authority of the United States; or

"(2) to use or attempt to use any such passport.

"(b) When an organization is registered, or there is in effect a final order of the Board requiring an organization to register, as a Communist-action organization, it shall be unlawful for any officer or employee of the United States to issue a passport to, or renew the passport of, any individual knowing or having reason to believe that such individual is a member of such organization."

I know that many civil libertarians object to this sort of restriction on freedom of movement. I think they should be given a chance to testify when the Judiciary Committee was considering the bill, for this is another controversial area that could easily have been examined, and should have.

Section 7 is stricken by the Dirksen bill. It requires that Communist action and Communist front organizations register. It also enumerates the type of information that the registration statement shall contain. Here are its provisions:

"REGISTRATION AND ANNUAL REPORTS OF COMMUNIST ORGANIZATIONS

"SEC. 7. (a) Each Communist-action organization (including any organization required, by a final order of the Board, to register as a Communist-action organization) shall, within the time specified in subsection (c) of this section, register with the Attorney General, on a form prescribed by him by regulations, as a Communist-action organization.

"(b) Each Communist-front organization (including any organization required, by a final order of the Board, to register as a Communist front organization) shall, within the time specified in subsection (c) of this section, register with the Attorney General, on a form prescribed by him by regulations, as a Communist-front organization.

"(c) The registration required by subsection (a) or (b) shall be made—

"(1) in the case of an organization which is a Communist-action organization or a Communist-front organization on the date of the enactment of this title, within thirty days after such date;

"(2) in the case of an organization becoming a Communist-action organization or a Communist-front organization after the date of the enactment of this title, within thirty days after such organization becomes a Communist-action organization or a Communist-front organization, as the case may be; and

"(3) in the case of an organization which by a final order of the Board is required to register, within thirty days after such order becomes final.

"(d) The registration made under subsection (a) or (b) shall be accompanied by a registration statement, to be prepared and filed in such manner and form as the Attorney General shall by regulations prescribe, containing the following information:

"(1) The name of the organization and the address of its principal office.

"(2) The name and last-known address of each individual who is at the time of filing of such registration statement, and of each individual who was at any time during the period of twelve full calendar months next preceding the filing of such statement, an officer of the organization, with the designation or title of the office so held, and with a brief statement of the duties and functions of such individual as such officer.

"(3) An accounting, in such form and de-

tail as the Attorney General shall by regulations prescribe, of all moneys received and expended (including the sources from which received and the purposes which expended) by the organization during the period of twelve full calendar months next preceding the filing of such statement.

"(4) In the case of a Communist-action organization, the name and last-known address of each individual who was a member of the organization at any time during the period of twelve full calendar months preceding the filing of such statement.

"(5) In the case of any officer or member whose name is required to be shown in such statement, and who uses or has used or who is or has been known by more than one name, each name which such officer or member uses or has used or by which he is known or has been known.

"(6) A listing, in such form and detail as the Attorney General shall by regulation prescribe, of all printing presses and machines including but not limited to rotary presses, flatbed cylinder presses, platen presses, lithographs, offsets, photo-offsets, mimeograph machines, multigraph machines, multilith machines, duplicating machines, ditto machines, linotype machines, intertype machines, monotype machines, and all other types of printing presses, typesetting machines or any mechanical devices used or intended to be used, or capable of being used to produce or publish printed matter or material, which are in the possession, custody, ownership, or control of the Communist-action or Communist-front organization or its officers, members, affiliates, associates, group, or groups in which the Communist-action or Communist-front organization, its officers or members have an interest.

"(e) It shall be the duty of each organization registered under this section to file with the Attorney General on or before February 1 of the year following the year in which it registers, and on or before February 1 of each succeeding year, an annual report, prepared and filed in such manner and form as the Attorney General shall by regulations prescribe, containing the same information which by subsection (d) is required to be included in a registration statement, except that the information required with respect to the twelve-month period referred to in paragraph (2), (3), or (4) of such subsection shall, in such annual report, be given with respect to the calendar year preceding the February 1 on or before which such annual report must be filed.

"(f) (1) It shall be the duty of each organization registered under this section to keep, in such manner and form as the Attorney General shall by regulations prescribe, accurate records and accounts of moneys received and expended (including the sources from which received and purposes for which expended) by such organization.

"(2) It shall be the duty of each Communist-action organization registered under this section to keep, in such manner and form as the Attorney General shall by regulations prescribe, accurate records of the names and addresses of the members of such organization and of persons who actively participate in the activities of such organization.

"(g) It shall be the duty of the Attorney General to send to each individual listed in any registration statement or annual report, filed under this section, as an officer or member of the organization in respect of which such registration statement or annual report was filed, a notification in writing that such individual is so listed; and such notification shall be sent at the earliest practicable time after the filing of such registration statement or annual report. Upon written request of any individual so notified who denies that he holds any office or membership (as the case may be) in such organization, the Attorney General shall forthwith initiate and conclude at the earliest practicable time an appropriate investigation to determine the truth or falsity of such denial, and, if the Attorney General shall be satisfied that such denial is correct, he shall thereupon strike from such registration statement or annual report the name of such individual. If the Attorney General shall decline or fail to strike the name of such individual from such registration statement or annual report within five months after receipt of such written request, such individual may file with the Board a petition for relief pursuant to section 13 (b) of this title.

"(h) In the case of failure on the part of any organization to register or to file any registration statement or annual report as required by this section, it shall be the duty of the executive officer (or individual performing the ordinary and usual duties of an executive officer) and of the secretary (or individual performing the ordinary and usual duties of a secretary) of such organization, and of such officer or officers of such organization as the Attorney General shall by regulations prescribe, to register for such organization, to file such registration statement, or to file such annual report, as the case may be."

By striking this regulation requirement it is quite obvious that the Dirksen bill is attempting to comply with recent Supreme Court and circuit court decisions. However it is also quite evident that a great deal of information that would have been required in a registration statement is no longer required under the proposed legislation. This includes names and addresses of members, records of moneys received and expended, a listing of printing presses or machines, etc. This disclosure provision would seem to be at the heart of the registration requirement. Anyone today can find out from the Attorney General's list which are and which are not Communist front organizations. If the way in which the list is compiled has to be updated to conform with recent court decisions, then so be it. Is it essential, however, to have a five man board paid $130,000 a year simply to tell us that groups such as the Communist Party of the United States are subversive without gleaning any of the additional information that would have been required in a registration statement as to membership, printing facilities, etc.? I certainly am not disagreeing with the court's decision that it would be unconstitutional to require registration. But in the absence of this convenient way for getting information the Congress felt in 1950 was vital, is it worth perpetuating the Board just to tell us facts that the government in all cases and the people in most cases already know?

Section 8 of the act, requiring registration by individuals who are members of Communist action organizations is also deleted in accordance with court decisions by the Dirksen bill. It reads as follows:

"REGISTRATION OF MEMBERS OF COMMUNIST-ACTION ORGANIZATIONS

"SEC. 8. (a) Any individual who is or becomes a member of any organization concerning which (1) there is in effect a final order of the Board requiring such organization to register under section 7 (a) of this title as a Communist-action organization, (2) more than thirty days have elapsed since such order has become final, and (3) such organization is not registered under section 7 of this title as a Communist-action organization, shall within sixty days after said order has become final, or within thirty days after becoming a member of such organization, whichever is later, register with the Attorney General as a member of such organization.

"(b) Each individual who is or becomes a member of any organization which he knows to be registered as a Communist-action organization under section 7 (a) of this title, but to have failed to include his name upon the list of members thereof filed with the Attorney General, pursuant to the provisions of subsections (d) and (e) of section 7 of this title, shall, within sixty days after he shall have obtained such knowledge, register with the Attorney General as a member of such organization.

"(c) The registration made by any individual under subsection (a) or (b) of this section shall be accompanied by a registration statement to be prepared and filed in such manner and form, and containing such information, as the Attorney General shall by regulations prescribe."

As I indicated earlier, though these sections have been deleted, the remaining sections have most definitely not been renumbered. I hope that the Senior Senator from Illinois will be able to correct this oversight, before we reach a final decision on the bill.

The Title of Section 9—Keeping of Registers; Reports to President and Congress—has been deleted by the Dirksen bill and replaced by—Records of Final Orders of the Board; Public Inspection; Reports to President and Congress. I think this suffices to give a pretty good idea of the changes made in section 9. The present section 9 has to do with the keeping of registers of Communist action and Communist front organizations and reads as follows:

"SEC. 9. (a) The Attorney General shall keep and maintain separately in the Department of Justice—

"(1) a 'Register of Communist-Action Organizations', which shall include (A) the names and addresses of all Communist-action organizations registered under section 7, (B) the registration statements and annual reports filed by such organizations thereunder, and (C) the registration statements filed by individuals under section 8; and

"(2) a 'Register of Communist-Front Organizations', which shall include (A) the names and addresses of all Communist-front organizations registered under section 7, and (B) the registration statements and annual reports filed by such organizations thereunder.

"(b) Such registers shall be kept and maintained in such manner as to be open for public inspection: *Provided*, That the Attorney General shall not make public the name of any individual listed in either such register as an officer or member of any Communist organization until sixty days shall have elapsed after the transmittal of the notification required by section 7(g) to be sent to such individual, and if prior to the end of such period such individual shall make written request to the Attorney General for the removal of his name from any such list, the Attorney General shall not make public the name of such individual until six months shall have elapsed after receipt of such request by the Attorney General, or until thirty days shall have elapsed after the Attorney General shall have denied such request and shall have transmitted to such individual notice of such denial, whichever is earlier.

"(c) The Attorney General shall submit to the President and to the Congress on or before June 1 of each year (and at any other time when requested by either House by resolution) a report with respect to the carrying out of the provisions of this title, including the names and addresses of the organizations listed in such registers and (except to the extent prohibited by subsection (b) of this section) the names and addresses of the individuals listed as members of such organizations.

"(d) Upon the registration of each Communist organization under the provisions of this title, the Attorney General shall publish

in the Federal Register the fact that such organization has registered as a Communist-action organization, or as a Communist-front organization, as the case may be, and the publication thereof shall constitute notice to all members of such organization that such organization has so registered."

Since the Dirksen bill replaces the entire section 9, I would like to know if any consideration has been given to retaining the requirement that sixty days shall elapse between registration (which, of course, under the present bill, would be board determination), and the availability of the information to the public. The 1950 Act language also states that if an individual petitions to have his name removed from the list his name shall not be made public for six months. The Dirksen language providing for dissemination of this information provides no such safeguards as the following language makes clear:

"Sec. 9. (a) The Board shall keep and maintain records, which shall be open to public inspection, giving the names and addresses of all organizations as to which, and individuals as to whom, there are in effect final orders of the Board issued pursuant to any of the provisions of subsections (g) through (j), inclusive, of section 13, or subsection (f) of section 13A.

"(b) *Copies of the reports and orders of the Board so issued shall be furnished by the Board to any person upon request and upon the payment of the reasonable costs thereof as then currently fixed by the Board.*

"(c) *The Board shall submit to the President and to the Congress on or before June 1 of each year (and at any other time when requested by either House by resolution) a report giving the names and addresses of all organizations as to which, and all individuals as to whom, there are in effect such final orders of the Board."*

Thus the Dirksen bill seems to take away one very important procedural safeguard.

Section 10 of the Subversive Activities Control Act of 1950 has to do with the use of the mails or radio and television to distribute communist front or communist action material. Here again the Dirksen bill changes the section to make it conform to the new Board determination procedure. Whereas the old section 10 read:

"USE OF THE MAILS AND INSTRUMENTALITIES OF INTERSTATE OR FOREIGN COMMERCE

"SEC. 10. It shall be unlawful for any organization which is registered under section 7, or for any organization with respect to which there is in effect a final order of the Board requiring it to register under section 7 or determining that it is a Communist-infiltration organization, or for any person acting for or on behalf of any such organization—"

The new section 10 reads:

"Sec. 10. It shall be unlawful for any organization with respect to which there is in effect a final order of the Board determining it to be a Communist-action organization or a Communist-front organization—"

Subsection (1) of section 10 is retained almost in its entirety as follows:

"(1) to transmit or cause to be transmitted, through the United States mails or by any means or instrumentality of interstate or foreign commerce, any publication which is intended to be, or which it is reasonable to believe is intended to be, circulated or disseminated among two or more persons, unless such publication, and any envelope, wrapper, or other container in which it is mailed or otherwise circulated or transmitted, bears the following, printed in such manner as may be provided in regulations prescribed by the Attorney General, with the name of the organization appearing in lieu of the blank."

However the printed caveat has been changed by the Dirksen bill from "Disseminated by ———, a Communist organization"; to "Disseminated by ———, an organization determined by final order of the Subversive Activities Control Board to be a Communist ——— organization." Frankly I am a bit mystified by this change. Since the phrase includes no reference to registration I don't quite understand why it was replaced. I hope we can get an explanation on this matter.

Subsection (2) of section 10 raises the same problem. The subsection again is retained practically in toto:

"Or (2) to broadcast or cause to be broadcast any matter over any radio or television station in the United States, unless such matter is preceded by the following statement, with the name of the organization being stated in place of the blank."

Yet the required announcement is changed from "The following program is sponsored by ———, a Communist organization" to "The following program is sponsored by ——— an organization determined by final order of the Subversive Activities Control Board to be a Communist——— organization."

Section 11 of the Subversive Activities Control Act of 1950 denies tax deductions and exemptions to communist front and communist action organizations. The first part of subsection (a) is not affected by the Dirksen amendment. It reads:

"Notwithstanding any other provision of law, no deduction for Federal income-tax purposes shall be allowed in the case of a contribution to or for the use of any organization if at the time of the making of such contribution"—and here is where the language is changed. The old Act reads "(1) such organization is registered under section 7, or (2) there is in effect a final order of the Board requiring such organization to register under section 7 or determining that it is a Communist infiltrated organization," while the Dirksen bill reads "there is in effect a final order of the Board determining such organization to be a Communist-action or a Communist-front organization."

The same types of changes are made in subsection (b). That section currently reads "No organization shall be entitled to exemption from Federal income tax, under section 101 of the Internal Revenue Code, for any taxable year if at any time during such taxable year," and here, again, is the language stricken by the Dirksen bill," (1) such organization is registered under section 7, or (2) there is in effect a final order of the Board requiring such organization to register under section 7 or determining that it is a Communist-infiltrated organization." The Dirksen bill replaces this language with the phrase: "there is in effect a final order of the Board determining such organization to be a Communist-action or Communist-front organization."

As is quite evident, the Dirksen bill simply and properly conforms this section to the determination powers it seeks to give the Board by changing the registration references to determination references.

Section 12 of the Subversive Activities Control Act of 1950 in effect sets up the Board. The unchanged part of this section reads:

"SUBVERSIVE ACTIVITIES CONTROL BOARD

"SEC. 12. (a) There is hereby estabilshed a board, to be known as the Subversive Activities Control Board, which shall be composed of five members, who shall be appointed by the President, by and with the advice and consent of the Senate. Not more than three members of the Board shall be members of the same political party.

"The terms of office of the members of the Board in office on the date of enactment of the Subversive Activities Control Board Tenure Act shall expire at the time they would have expired if such Act had not been enacted. The term of office of each member of the Board appointed after the date of enactment of the Subversive Activities Control Board Tenure Act shall be for five years from the date of expiration of the term of his predecessor, except that (1) the term of office of that member of the Board who is designated by the President and is appointed to succeed one of the two members of the Board whose terms expire on August 9, 1955, shall be for four years from the date of expiration of the term of his predecessor, and (2) the term of office of any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be for the remainder of the term of his predecessor. Upon the expiration of his term of office a member of the Board shall continue to serve until his successor shall have been appointed and shall have qualified.

"The President shall designate one member to serve as Chairman of the Board. Any member of the Board shall be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause.

"(b) A vacancy in the Board shall not impair the right of the remaining members to exercise all the powers of the Board, and three members of the Board shall, at all times, constitute a quorum. The Board shall have an official seal which shall be judicially noticed.

"(c) The Board shall at the close of each fiscal year make a report in writing to the Congress and to the President stating in detail the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees of the Board, and an account of all moneys it has disbursed.

"(d) Each member of the Board shall receive a salary of $26,000 a year, shall be eligible for reappointment, and shall not engage in any other business, vocation, or employment."

This last phrase is especially interesting. In view of the complete lack of Board activity it must be mighty tempting for Board members to engage in another "business, vocation or employment." It is indeed fortunate that the word "avocation" does not appear. Eight hours a day of doing absolutely nothing could be very hard on a person's mental health.

Subsection (e) of Section 12 has been modified to once again recognize that the Board determines Communist front and Communist action groups but does not require their registration. Subsection (e)(1) has not been changed. It reads:

"(e) It shall be the duty of the Board—

"(1) upon application made by the Attorney General under section 13(a) of this title, or by any organization under section 13(b) curate stenographic record shall be taken of ganization is a 'Communist-action organization' within the meaning of paragraph (3) of section 3 of this title, or a 'Communist-front-organization' within the meaning of paragraph (4) of section 3 of this title; and

"However Subsection 12(e)(2) which under the 1950 Act states:

"(2) upon application made by the Attorney General under section 13(a) of this title, or by any individual under section 13(b) of this title, to determine whether any individual is a member of any Communist-action organization registered or by final order of the Board required to be registered, under section 7(a) of this title."

Has been modified to read:

"(2) upon application made by the Attorney General under section 13(a) of this title, or by any individual under section 13(b) of this title, to determine whether any individual is a member of any organization as to which there is in effect a final order of the Board determining such organization to be a Communist-action organization."

I think it is very important to note what section 13 will also make very, very clear and that is that even under the new proposal the

Attorney General must apply to the Board for positive action before the Board can take one step. In the absence of a recommendation on the Dirksen bill by the Attorney General we have absolutely no way of knowing whether or not the Justice Department will ask the Board to act. That is why we really have a duty to withhold action until we hear from the Attorney General that he is going to use this legislation without any qualifications—without any if, ands or buts.

The remainder of section 12 speaks for itself:

"(3) upon any application made under subsection (a) or subsection (b) of section 13A of this title, to determine whether any organization is a Communist-infiltrated organization.

"(f) Subject to the civil-service laws and Classification Act of 1949, the Board may appoint and fix the compensation of a chief clerk and such examiners and other personnel as may be necessary for the performance of its functions.

"(g) The Board may make such rules and regulations, not inconsistent with the provisions of this title, as may be necessary for the performance of its duties.

"(h) There are hereby authorized to be appropriated to the Board such sums as may be necessary to carry out its functions."

Section 13 of the Subversive Activities Control Act of 1950 deals with proceedings before the Board. Here the truly substantial change made by the Dirksen bill is most evident. The old section 13(a) dealt with registration in this way:

"REGISTRATION PROCEEDINGS BEFORE BOARD

"SEC. 13. (a) Whenever the Attorney General shall have reason to believe that any organization which has not registered under subsection (a) or subsection (b) of section 7 of this title is in fact an organization of a kind required to be registered under such subsection, or that any individual who has not registered under section 8 of this title is in fact required to register under such section, he shall file with the Board and serve upon such organization or individual a petition for an order requiring such organization or individual to register pursuant to such subsection or section, as the case may be. Each such petition shall be verified under oath, and shall contain a statement of the facts upon which the Attorney General relies in support of his prayer for the issuance of such order."

The new section 13(a) shifts from the registration approach to the Board determination approach as follows:

"(a)(I) Whenever the Attorney General has reason to believe that any organization is a Communist-action organization or a Communist-front organization, he shall file with the Board and serve upon such organization a petition for a determination that such organization is a Communist-action organization or a Communist-front organization, as the case may be.

"(II) Whenever the Attorney General has reason to believe that any individual is a member of an organization which has been finally determined under this section to be a Communist-action organization, he shall file with the Board and serve upon such individual a petition for a determination that such individual is a member of such organization. Each petition under part (I) or part (II) of this subsection shall be verified under oath, and shall contain a statement of the facts upon which the Attorney General relies in support of his prayer for the issuance of such order."

Here it is made crystal clear that the Attorney General must move if the Board is to be effective. And whether or not the Attorney General intends to move under the proposed legislation is a question that remains unanswered.

Incidentally, for some reason the two subsections I just read are headed Roman numeral I and Roman numeral II instead of the arabic numerals 1 and 2 used throughout the rest of the bill. Hopefully this technical problem can be provided for if we reach a point of taking final action on the legislation.

Subsection (b) of section 13 also is completely amended by the Dirksen bill. It deals with registration cancellation, or, in the case of the Dirksen bill, a change in the Board's determination that an organization or an individual has Communist connections. The old section 13(b) reads:

"(b) Any organization registered under subsection (a) or subsection (b) of section 7 of this title, and any individual registered under section 8 of this title, may, not oftener than once in each calendar year, make application to the Attorney General for the cancellation of such registration and (in the case of such organization) for relief from obligation to make further annual reports. Within sixty days after the denial of any such application by the Attorney General, the organization or individual concerned may file with the Board and serve upon the Attorney General a petition for an order requiring the cancellation of such registration and (in the case of such organization) relieving such organization of obligation to make further annual reports. Any individual authorized by section 7 (g) of this title to file a petition for relief may file with the Board and serve upon the Attorney General a petition for an order requiring the Attorney General to strike his name from the registration statement or annual report upon which it appears."

This is replaced by the following language:

"(b) Any organization as to which there is in effect a final order of the Board determining it to be a Communist organization, and any individual as to whom there is in effect a final order of the Board determining him to be a member of a Communist-*action* organization may, not more often than once in each calender year, file with the Board and serve upon the Attorney General a petition for a determination that such organization no longer is a Communist organization (in the case of an organization which has been determined under subsection (a) of this section to be one of the types of Communist organizations) or that such individual no longer is a member of a Communist-action organization, as the case may be. Each petition filed under and pursuant to this subsection shall be verified under oath, and shall contain a statement of the facts relied upon in support thereof. Upon the filing of any such petition, the Board shall serve upon each party to such proceeding a notice specifying the time and place for hearing upon such petition. No such hearing shall be conducted within twenty days after the service of such notice."

Although this section provides an important procedural safeguard for the unjustly branded man or woman I doubt very seriously that it will ever be used, because, in my estimation the Attorney General will not even ask the Board to make an initial determination. Thus there will be no determination to appeal from.

Subsections (c) and (d)(1) of Section 13 of the 1950 Act remain intact. These subsections outline the hearing procedures in the following fashion:

"(c) Upon the filing of any petition pursuant to subsection (a) or subsection (b) of this section, the Board (or any member thereof or any examiner designated thereby) may hold hearings, administer oaths and affirmations, may examine witnesses and receive evidence at any place in the United States, and may require by subpena the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda, and other records deemed relevant, to the matter under inquiry. Subpenas may be signed and issued by any member of the Board or any duly authorized examiner. Subpenas shall be issued on behalf of the organization or the individual who is a party to the proceeding upon request and upon a statement or showing of general relevance and reasonable scope of the evidence sought. Such attendance of witnesses and the production of such documentary evidence may be required from any place in the United States at any designated place of hearing. Witnesses summoned shall be paid the same fees and mileage paid witnesses in the district courts of the United States. In case of disobedience to a subpena, the Board may invoke the aid of any court of the United States in requiring the attendance and testimony of witnesses and the production of documentary evidence. Any of the district courts of the United States within the jurisdiction of which such inquiry is carried on may, in case of contumacy or refusal to obey a subpena issued to any person, issue an order requiring such person to appear (and to produce documentary evidence if so ordered) and give evidence relating to the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found. No person shall be held liable in any action in any court, State or Federal, for any damages resulting from (1) his production of any documentary evidence in any proceeding before the Board if he is required, by a subpena issued under this subsection, to produce the evidence; or (2) any statement under oath he makes in answer to a question he is asked while testifying before the Board in response to a subpena issued under this subsection, if the statement is pertinent to the question.

"(d)(1) All hearings conducted under this section shall be public. Each party to such proceeding shall have the right to present its case with the assistance of counsel, to offer oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts. An accurate stenographic record shall be taken of the testimony of each witness, and a transcript of such testimony shall be filed in the office of the Board."

Subsection 13 (d) (2) of the 1950 Act is changed by the Dirksen bill. The change, in my estimation, is for the better because it liberalizes the procedural safeguards contained in the original legislation. Subsection (d) (2) now reads:

"(2) here an organization or individual declines or fails to appear at a hearing accorded to such organization or individual by the Board pursuant to this section, the Board may, without further proceedings and without the introduction of any evidence, enter an order requiring such organization or individual to register or denying the application of such organization or individual, as the case may be."

In other words, under the 1950 Act, failure to appear indicated guilt, a summary judgement could be made without the presentation of a case, and the injured organization or individual would have to go through a lengthy and expensive appeal process to amend the Board's order. The new language of the Dirksen proposal requires the Board to try the case even in the absence of the accused. The language states:

"(2) here an organization or individual declines or fails to appear at a hearing accorded to such organization or individual by the Board in proceedings under subsection (a) of this section, the Board shall, nevertheless, proceed to receive evidence, make a determination of the issues, and enter such order as shall be just and appropriate. Upon failure of an organization or individual to appear at a hearing accorded to such organization or

individual in proceedings under subsection (b) of this section the Board may forthwith and without further proceedings enter an order dismissing the petition of such organization or individual."

The remainder of Section 13 up to subsection (g) has not been changed by the Dirksen bill. However it has some very interesting things to say about what the Board shall consider in deciding whether an organization is a Communist action or Communist front organization:

"Where in the course of any hearing before the Board or any examiner thereof a party or counsel is guilty of misbehavior which obstructs the hearing, such party or counsel may be excluded from further participation in the hearing.

"(e) In determining whether any organization is a "Communist-action organization", the Board shall take into consideration—

"(1) the extent to which its policies are formulated and carried out and its activities performed, pursuant to directives or to effectuate the policies of the foreign government or foreign organization in which is vested, or under the domination or control of which is exercised the direction and control of the world Communist movement referred to in section 2 of this title; and

"(2) the extent to which its views and policies do not deviate from those of such foreign government or foreign organization; and

"(3) the extent to which it receives financial or other aid, directly or indirectly, from or at the direction of such foreign government or foreign organization; and

"(4) the extent to which it sends members or representatives to any foreign country for instruction for training in the principles, policies, strategy, or tactics of such world Communist movement; and

"(5) the extent to which it reports to such foreign government or foreign organization or to its representatives; and

"(6) the extent to which its principal leaders or a substantial number of its members are subject to or recognize the disciplinary power of such foreign government or foreign organization or its representatives; and

"(7) the extent to which, for the purpose of concealing foreign direction, domination, or control, or of expediting or promoting its objectives, (i) it fails to disclose, or resists efforts to obtain information as to, its membership (by keeping membership lists in code, by instructing members to refuse to acknowledge membership, or by any other method); (ii) its members refuse to acknowledge membership therein; (iii) it fails to disclose, or resists efforts to obtain information as to, records other than membership lists; (iv) its meetings are secret; and (v) it otherwise operates on a secret basis; and

"(8) the extent to which its principal leaders or a substantial number of its members consider the allegiance they owe to the United States as subordinate to their obligations to such foreign government or foreign organization.

"(f) In determining whether any organization is a 'Communist-front organization', the Board shall take into consideration—

"(1) the extent to which persons who are active in its management, direction, or supervision, whether or not holding office therein, are active in the management, direction, or supervision of, or as representatives of, any Communist-action organization, Communist foreign government, or the world Communist movement referred to in section 2; and

"(2) the extent to which its support, financial or otherwise, is derived from any Communist-action organization, Communist foreign government, or the world Communist movement referred to in section 2; and

"(3) the extent to which its funds, resources, or personnel are used to further or promote the objectives of any Communist-action organization, Communist foreign government, or the world Communist movement referred to in section 2; and

"(4) the extent to which the positions taken or advanced by it from time to time on matters of policy do not deviate from those of any Communist-action organization, Communist foreign government, or the world Communist movement referred to in section 2."

Once again we have references to that monolithic world communist movement dominated by a single foreign government that seem highly naive in view of the state of the Communist world today. I suppose many of us wish the world were that simple. However, it just isn't. I think the Judiciary Committee should have recognized the changes that have taken place in drafting this legislation. I would hope the bill could be re-referred to the Committee so that it could come forth with a bill that takes account of the realities.

Subsection (g) of Section 13 of the Subversive Activities Control Act of 1950 provided for Communist-front and Communist-action organizations as well as individual members of Communist-action organizations to receive notification that they were required to register after the Board had made a determination:

"(g) If, after hearing upon a petition filed under subsection (a) of this section, the Board determines—

"(1) that an organization is a Communist-action organization or a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served on such organization an order requiring such organization to register as such under section 7 of this title; or

"(2) that an individual is a member of a Communist-action organization (including an organization required by final order of the Board to register under section 7(a)), it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served on such individual an order requiring him to register as such under section 8 of this title."

Now that the courts have decided that it violates the constitution to require groups and individuals to register, the Dirksen bill simply requires the organization or individual to be notified that a determination has been made. The language reads:

"(g) If, after hearing upon a petition filed under subsection (a) of this section, the Board determines—

"(1) that an organization is a Communist-action organization or a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served on such organization an order determining the organization to be a Communist-action organization or a Communist-front organization as the case may be;

"(2) that an individual is a member of a Communist-action organization, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served on such individual an order determining such individual to be a member of a Communist-action organization."

The bill itself makes this service sound quite omnious. However it really is nothing more than notification. Although the term "order" is used in referring to the notification the individual or organization is not ordered to do anything or not to do anything.

Subsection 13(h) of the 1950 Act is deleted by the Dirksen bill and replaced by a new subsection 13(h). The change is intended to replace references to registration with references to determination. The old section 13(h) now requires the Board to deny the Attorney General's petition for registration in certain instances in the following words:

"(h) If, after hearing upon a petition filed under subsection (a) of this section, the Board determines—

"(1) that an organization is not a Communist-action organization or a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts; issue and cause to be served upon the Attorney General an order denying his petition for an order requiring such organization to register as such under section 7 of this title; and send a copy of such order to such organization; or

"(2) that an individual is not a member of any Communist-action organization, it shall make a report in writing in which it shall state its findings as to the facts; issue and cause to be served upon the Attorney General an order denying his petition for an order requiring such individual to register as such member under section 8 of this title; and send a copy of such order to such individual."

The new section 13(h) makes the following change:

"(h) If, after hearing upon a petition filed under subsection (a) of this section, the Board determines—

"(1) that an organization is not a Communist-action organization or a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served upon the Attorney General an order denying the determination sought by his petition, and shall send a copy of such order to such organization;

"(2) that the individual is not a member of any Communist-action organization, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served upon the Attorney General an order denying the determination sought by his petition, and shall send a copy of such order to such individual."

Subsection 13(1) is quite similar to 13(h) but deals with a redetermination of a group or individual's purity rather than an initial determination that they are not involved in Communist activities. Subsection 13(1) as contained in the original act refers to registration procedures as we can see by its language:

"(1) If, after hearing upon a petition filed under subsection (b) of this section, the Board determines—

"(1) that an organization is not a Communist-action organization or a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts; issue and cause to be served upon the Attorney General an order requiring him to cancel the registration of such organization and relieve it from the requirement of further annual reports; and send a copy of such order to such organization; or

"(2) that an individual is not a member of any Communist-action organization, or (in the case of an individual listed as an officer of a Communist-front organization) that an individual is not an officer of a Communist-front organization, it shall make a report in writing in which it shall state its findings as to the facts; issue and cause to be served upon the Attorney General an order requiring him to (A) strike the name of such individual from the registration statement or annual report upon which it appears or (B) cancel the registration of such individual under section 8, as may be appropriate; and send a copy of such order to such individual."

The new language, referring to determination rather than registration states:

"(i) If, after hearing upon a petition filed

under subsection (b) of this section, the Board determines—

"(1) that an organization no longer is a Communist-action organization or a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served upon the Attorney General and such organization an order determining that the organization no longer is a Communist-action organization or Communist-front organization as the case may be;

"(2) that an individual no longer is a member of any Communist-action organization, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served upon the Attorney General and such individual an order determining that such individual no longer is a member of a Communist-action organization."

Subsection 13 (j) deals with a determination that an organization or an individual continues to be Communist tainted even after a rehearing. Here again the Dirksen bill replaces the 1950 language with new language reflecting the change from registration to determination. The old language reads:

"(j) If, after hearing upon a petition filed under subsection (b) of this section, the Board determines—

"(1) that an organization is a Communist-action organization or a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served on such organization an order denying its petition for the cancellation of its registration and for relief from the requirement of further annual reports; or

"(2) that an individual is a member of a Communist-action organization, or (in the case of an individual listed as an officer of a Communist-front organization) that an individual is an officer of a Communist-front organization, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served on such individual an order denying his petition for an order requiring the Attorney General (A) to strike his name from any registration statement or annual report on which it appears or (B) to cancel the registration of such individual under section 8, as the case may be."

The replacement language states:

"(j) If, after hearing upon a petition filed under subsection (b) of this section, the Board determines—

"(1) that an organization is a Communist-action organization or a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served on such organization an order denying its petition for a determination that the organization no longer is a Communist-action organization or a Communist-front organization as the case may be.

"(2) that an individual is a member of a communist-action organization, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served upon such an individual an order denying his petition for a determination that the individual no longer is a member of a Communist-action organization."

The final subsection of section 13, subsection k, provides for Federal Register notice of the Board's actions. Since the Board would issue an order based on a determination under the Dirksen proposal rather than require registration, the language of the Act is changed from:

"(k) When any order of the Board requiring registration of a Communist organization becomes final under the provisions of section 14(b) of this title, the Board shall publish in the Federal Register the fact that such order has become final, and publication thereof shall constitute notice to all members of such organization that such order has become final."

To the following:

"(k) When any order of the Board issued under subsection (g), (h), (i), or (j), of this section becomes final under the provisions of section 14(b) of this title, the Board shall publish in the Federal Register the fact that such order has become final, and publication thereof shall constitute notice to all persons that such order has become final."

Section 13A of the 1950 Act was added in 1954 to deal with Communist-infiltrated organizations—especially labor unions. Since it is not relevant to the bill under consideration today, I don't propose to go into it.

Section 14 of the 1950 Act has to do with judicial review. It in fact is the section under which the courts asserted jurisdiction over the cases deciding the Board did not have the power to compel registration. The old act and the proposed bill read the same under up to the seventh sentence of the section.

"JUDICIAL REVIEW

"SEC. 14. (a) The party aggrieved by any order entered by the Board under subsection (g), (h), (i), or (j) of section 13 or subsection (f) of section 13A, may obtain a review of such order by filing in the United States Court of Appeals for the District of Columbia, within sixty days from the date of service upon it of such order, a written petition praying that the order of the Board be set aside.

"A copy of such petition shall be forthwith transmitted by the clerk of the court to the Board, and thereupon the Board shall file in the court the record in the proceeding, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition the court shall have jurisdiction of the proceeding and shall have power to affirm or set aside the order of the Board; but the court may in its discretion and upon its own motion transfer any action so commenced to the United States Court of Appeals for the circuit wherein the petitioner resides."

At that point the Subversive Activities Control Act of 1950 reads:

"If the court shall set aside an order issued under subsection (j) of Section 13 it may, in the case of an organization, enter a judgment canceling the registration of such organization and relieving it from the requirement of further annual reports, or in the case of an individual, enter a judgment requiring the Attorney General (A) to strike the name of such individual from the registration statement or annual report on which it appears, or (B) cancel the registration of such individual under section 8, as may be appropriate."

As the language indicates a court decision to set aside an order would result in the cancellation of the registration and the lifting of the requirement that the organization make annual reports.

The Dirksen language would simply result in a redetermination:

"If the court shall set aside an order issued under subsection (j) of section 13, it may, in the case of an organization, enter a judgment requiring the Board to issue an order determining that such organization no longer is a Communist-action organization or Communist-front organization, as the case may be, or in the case of an individual, enter a judgment requiring the Board to issue an order determining that such individual no longer is a member of a Communist-action organization."

In contrasting these two sections it is easy to see how mild the reworked language is compared to the original wording. It is very difficult to have any sort of leverage against a Communist group in the absence of a requirement that it take a positive step of some kind. This raises once again the question of whether or not we should keep the Board in existence merely to point the finger of guilt at groups we already know are guilty of violating the kind of standards set forth in the Act before the Board makes a determination.

The rest of the language in section 14 remains the same:

"The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari, as provided in title 28, United States Code, section 1254.

"(b) Any order of the Board issued under section 13A shall become final—

"(1) upon the expiration of the time allowed for filing a petition for review, if no such petition has been duly filed within such time; or

"(2) upon the expiration of the time allowed for filing a petition for certiorari, if the order of the Board has been affirmed or the petition for review dismissed by a United States Court of Appeals, and no petition for certiorari has been duly fined; or

"(3) upon the denial of a petition for certiorari, if the order of the Board has been affirmed or the petition for review dismissed by a United States Court of Appeals; or

"(4) upon the expiration of ten days from the date of issuance of the mandate of the Supreme Court, if such Court directs that the order of the Board be affirmed or the petition for review dismissed."

Section 15 of the Subversive Activities Control Act of 1950 is a penal section. It puts teeth into the Act by requiring groups and individuals who fail to register in accordance with the Act to pay a fine. It also permits an individual to be imprisoned for up to five years. Of course this section had to be stricken by the Dirksen bill since its operativeness is based completely on a failure to register and the courts have declared registration illegal. This is how the old section reads:

"PENALTIES

"SEC. 15. (a) If there is in effect with respect to any organization or individual a final order of the Board requiring registration under section 7 or section 8 of this title—

"(1) such organization shall, upon conviction of failure to register, to file any registration statement or annual report, or to keep records as required by section 7, be punished for each such offense by a fine of not more than $10,000, and

"(2) each individual having a duty under subsection (h) of section 7 to register or to file any registration statement or annual report on behalf of such organization, and each individual having a duty to register under section 8, shall, upon conviction of failure to so register or to file any such registration statement or annual report, be punished for each such offense by a fine of not more than $10,000, or imprisonment for not more than five years, or by both such fine and imprisonment.

For the purposes of this subsection, each day of failure to register, whether on the part of the organization or any individual, shall constitute a separate offense.

"(b) Any individual who, in a registration statement or annual report filed under section 7 or section 8, willfully makes any false statement or willfully omits to state any fact which is required to be stated, or which is necessary to make the statements made or information given not misleading, shall upon conviction thereof be punished for each such offense by a fine of not more than $10,000, or by imprisonment for not more than five years, or by both such fine and imprisonment. For the purposes of this subsection—

"(1) each false statement willfully made, and each willful omission to state any fact which is required to be stated, or which is necessary to make the statements made or information given not misleading, shall constitute a separate offense; and

"(2) each listing of the name or address

of any one individual shall be deemed to be a separate statement.

"(c) Any organization which violates any provision of section 10 of this title shall, upon conviction thereof, be punished for each such violation by a fine of not more than $10,000. Any individual who violates any provision of section 5, 6, or 10 of this title shall, upon conviction thereof, be punished for each such violation by a fine of not more than $10,000 or by imprisonment for not more than five years, or by both such fine and imprisonment."

The new section 15 as envisioned by Senator Dirksen and contained in his bill amending the 1950 Act saves the Board some work by making it clear that it does not have to start all over again to make determinations in the case of individuals or groups that have already been ordered to register but can simply change the order to register to an order stating that a determination has been made. Thus we can breath a sigh of relief in the knowledge that the five Board members now making $26,000 a year won't have to go to work until the Attorney General tells them to do so by petitioning the Board for a determination—a very unlikely eventuality. Subsection 15(b) holds out some hope, but very little indeed that the Board members will have work to do by preserving the pendency of cases now before the Board. The section reads:

"SEC. 15. (a) *In the case of any organization which by proceedings under section 13(a) prior to the date of enactment hereof has been finally determined by the Board in carrying out its duties under subsection (c) of section 12, to be a 'Communist-action organization' or a 'Communist-front organization', and as a result of such determination has been ordered to register, the Board shall forthwith modify its previously issued registration order as may be necessary to conform such order to the provisions of section 13(g) hereof, and shall forthwith include such organization on the record maintained under section 9: Provided, however, That nothing in this subsection shall be construed so as to prevent any such organization from filing a petition as provided in subsection (b) of section 13.*

"(b) *In the case of any proceeding pending before the Board on the effective date of this enactment the Board and the Attorney General are authorized to proceed in accordance with the provisions of this Act as herein amended. No suit, action, or other proceeding lawfully commenced prior to this enactment in any court of the United States shall abate by reason of this enactment. The court in any such case may allow such motion or supplemental pleadings as may be necessary to conform the litigation to the provisions of this Act as amended.*"

Mr. PROXMIRE. I might say, Mr. President, that I think this is particularly important since there were no hearings on the bill, and since this is, I think, quite a complex change in an elaborate statute. I believe the summary will serve a worthwhile purpose. I have talked to some news reporters and others who have said they would like to have that kind of comprehensive analysis, to know precisely what the bill would do; and that is the reason for my request.

Mr. President, I am happy both to cosponsor and to support the amendment offered by the distinguished majority leader [Mr. MANSFIELD].

With characteristic modesty, the majority leader when he introduced this amendment on last Thursday referred to it as the Proxmire amendment, because the idea for this amendment had been first suggested by me in a colloquy with the majority leader, the day before. I thank the majority leader for his designation of the pending amendment as the Proxmire amendment. But I am always happy to take second billing behind my majority leader and will refer to the amendment as the Mansfield-Proxmire amendment with his permission.

I have opposed the continuation of the Subversive Activities Control Board for some time. On July 21 of this year I introduced a bill, S. 2146, to abolish the Board and transfer its remaining duties, if any, to the Department of Justice. Six days later the minority leader [Mr. DIRKSEN] introduced the pending bill, S. 2171, which was reported favorably from the Judiciary Committee on August 15 with no hearings and no opinions from the Department of Justice.

I have fought S. 2171 because I believe in such an important and sensitive question involving basic constitutional guarantees, privileges and immunities, the Senate should proceed responsibly and intelligently.

In order for the Senate to proceed intelligently and responsibly on S. 2171, the Senate should have the detailed testimony of the Attorney General, who, under this bill, will be charged with its enforcement.

We have had no word from the Department of Justice on S. 2171. We do not have the considered opinion of a single legal expert on S. 2171. I must say we have had emphatic opinions from some of the leading law school deans and constitutional experts in the universities. And the opinions that I have seen, coming in the scores, have been emphatically against the bill and against the Subversive Activities Control Board.

In fact, the only record on S. 2171 has been made on the floor of the Senate. The distinguished Senator from New York and former Attorney General of the United States [Mr. KENNEDY] made a most persuasive argument against S. 2171, stating that if he were Attorney General he could not use any of the authority conferred on him by the enactment of S. 2171.

We also heard from one of the greatest constitutional authorities ever to grace this body, the senior Senator from Oregon [Mr. MORSE]. He opposed the enactment of S. 2171 a bill that had no hearings, no opinion of the Department of Justice, and represented a total circumvention of the committee system.

The Senate also heard, this past week, from the distinguished Senator from Maryland [Mr. TYDINGS]. With precision and insight, he pointed out the pitfalls and loopholes of S. 2171 as it was written and reported. He pointed out a very important omission in the bill which would, as he said so well, result in the fact that those who represent the position of Communist China in this country in trying to subvert this country would not be brought under the control of the Subversive Activities Control Board.

The distinguished Senator from Ohio [Mr. YOUNG], in his own inimitable and convincing style, made a strong case against Senate enactment of S. 2171.

In addition these opponents of Senate passage of S. 2171 were joined by other respected Members of the Senate: the able senior Senator from Minnesota [Mr. MCCARTHY] and the distinguished senior Senator from Pennsylvania [Mr. CLARK].

I am grateful for all these contributions to the discussion of S. 2171. The people of the country likewise should be grateful. Without their thoughtful contributions, we would have had no record, no statements, no information on the pending legislation.

My own position throughout debate on the bill has been that the Attorney General will not use the Dirksen proposal because of constitutional defects. Consequently, I believe that the adoption of the Mansfield-Proxmire amendment will lead inexorably to the abolition of the Board.

At the heart of this whole issue is personal freedom in the United States and every individual's sacred safeguards guaranteed by our Bill of Rights. In my view, the death of this Board will contribute significantly to the preservation and enlargement of freedom in the United States.

Some good friends have expressed misgivings about the amendments serving to encourage the initiation of sham proceedings before the Board in order to comply with the language of the amendment.

I do not share that fear. I have confidence in Attorney General Ramsey Clark, the highest legal officer of the U.S. Government, and his dedication to our traditional freedom and cherished personal liberties.

The Attorney General of the United States will not be party to a hoax or a sham. I am confident that he will not use any of the powers conferred by S. 2171 to initiate patently unconstitutional cases before the Board.

I say that because, at least in my view, these cases are patently unconstitutional, in any event, and the restraints of the Constitution and constitutional considerations are likely to restrain the Attorney General on the basis of his demonstrated belief in civil liberties.

I am confident that the Board will receive its death sentence today from the Senate by adoption of the Mansfield-Proxmire amendment to S. 2171. I am likewise confident, or I could not in good conscience cosponsor the Mansfield-Proxmire amendment, that the Attorney General will not commute that death sentence, but rather will enforce it.

Mr. President, I reserve the remainder of my time and yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. DIRKSEN. Mr. President, I yield myself such time as I require.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DIRKSEN. Mr. President, first I should like to read into the RECORD the letter I received from the Attorney General under date of October 16, 1967.

It reads:

DEAR SENATOR DIRKSEN: You have asked me what course of action the Department of Justice will follow in enforcing S. 2171 should it become law.

The bill provides the Attorney General "shall file . . ." proceedings with the Subversive Activities Control Board under the

standards set forth. If it becomes law, S. 2171 will be enforced. Proceedings will be initiated with the Board as evidence warrants, consistent with the Constitution and the standards of the Act.

Sincerely,

RAMSEY CLARK.

Mr. President, I asked the Attorney General for a letter, and that is the letter that he sent. And I think it is fully adequate to my purpose and fully adequate so far as the matter of the Subversive Activities Control Board is concerned.

If one goes to the trouble to read the Internal Security Act of 1950, he will discover that there is no mandate on the time picture is and how much time I The language of the act is very plain. It says, "if the Attorney General has reason to believe." Of course, he can file or not file a petition. He may never have reason to so believe. That, of course, under the act, is his privilege and his right. I have an idea that that discretionary power is going to be taken care of also before we get through.

Mr. President, perhaps I should inquire of the Chair as to exactly what the time picture is and how much time I have.

The PRESIDING OFFICER. The time under the control of the distinguished senior Senator from Illinois is 44 minutes as of now, and the time under the control of the majority leader, the distinguished senior Senator from Montana, is 49 minutes as of now.

Mr. DIRKSEN. I thank the Chair. We have had comment on the many statements that have been made on the floor concerning whether communism as such is an imminent, clear danger in this country. And those who have the rather naive idea that it is not cite membership figures. However, those membership figures do not include fellow travelers and that other horde of hangers-on that share these ideological views.

I point out also that the membership of the Communist Party in the Soviet Union was just a handful compared to the population of the country. But by brutality, deception, deceit, and by the use of power they subjugated the rest of the people and imposed their will upon them. They then extended their authority into other countries until perhaps 1.5 billion people today are in some way directly or indirectly connected with this ideological wave that has gone into so many corners of the earth.

If I needed to do anything to make it clear, I need only cite what happened in Germany last week when a lieutenant colonel became a defector from the Soviet Union, and there was thereby uncovered several spy rings that eventuated in the self-hanging by a woman who was a member of this spy ring.

It happens not only over there, but also in the United States of America. So, this is a dangerous force in this country. And I am determined, for myself, that there is going to be an instrumentality of Government that is going to deal with it.

I wish Senators would take a flashback to 1933 and examine that exchange of memorandums between Franklin Roosevelt and Maxim Litvinov, the Soviet Commissar after the agreement was signed with all Communist assurances that they would never infiltrate or try to subvert or penetrate our institutions. There was not anything that they were not willing to agree to over their signature.

Why, Mr. President, the ink on that memorandum in November of 1933 was scarcely dry before they began this subversive operation. And it was a little while later that in the House of Representatives we had to set up an instrument to try to deal with it. It has been going on ever since. These are the miners and sappers who are working at American institutions, and there is something about them that is absolutely relentless and unforgiving.

It took 27 years after that time to put the Internal Security Act on the books. It came in 1950, when the late Pat McCarran, of Nevada, was chairman of the Judiciary Committee. That is when it happened. It was in that act that the Subversive Activities Control Board was established. It had one clearcut purpose. It was not designed particularly to put people in jail. It was designed to expose them and to bring them into the light of day, so that their neighbors could see. And when they go around with the tin cup and try to collect money for this purpose, for the advancement of the Communist Party in this country, here, at least, is an exposure that lets people know who they are and what they are trying to do.

That was made abundantly clear by Mr. Philbrick, who became an informant for the FBI after long association with and after long membership in the Communist Party. His testimony is there for anybody who wants to read it.

In the scheme of things and in point of time, comes the Supreme Court and the U.S. circuit court of appeals, in two cases. There it is alleged—and I do not quarrel with the decision—that compulsory self-incrimination is in violation of the Constitution. I will not quarrel with the essence of that decision, nor with the decision of the U.S. circuit court of appeals dealing with individuals. In one case it was an organization; in other cases there were alleged individual Communists. You cannot have them incriminate themselves, under the Constitution. Any student of that document knows that quite well.

But after the Board languished more or less helpless, not because of any laches or negligence on its own part, but because of this court decision, here come proposals, first, to resist curing the act and bringing it in line with the court decisions; second, by a bill introduced to abolish the Board, and, third, by a sustained effort to deny money to the Board.

That is what we had to deal with in the introduction of S. 2171, which I introduced. The bill was designed and is designed to cure the damage done by the Supreme Court.

Now, Mr. President, let us examine what I call the rather picayunish and frivolous arguments of those who have been in opposition to this bill.

First, there is the question of hearings, and it has been alluded to only in the last little while. Well, the chairman of the Senate Judiciary Committee, who is also chairman of the Internal Security Subcommittee, had this to say in remarks that otherwise he would have presented to the Senate. He had been out of town, but now that we are coming to grips with it, there was no particular point in making a speech. But I have it here, and I read from his remarks. There were hearings before the Internal Security Subcommittee. He says:

In this series of hearings the subcommittee held public hearing sessions June 23, 24, 27, and 29, 1966, and on May 2, May 9, May 10, and May 24, 1967. The subcommittee also sent questionnaires to many legal scholars throughout the country and received numerous replies which have been placed in the committee's hearing records.

The subcommittee staff has made various studies and analyses of both internal security laws and court decisions with respect to such laws.

Well, there are hearings, about 10 days of hearings, before the Internal Security Subcommittee.

Now let me refer a little further to the remarks of the chairman. He said:

Accordingly, the Internal Security Subcommittee acted as speedily as possible after the court decisions to bring this situation to the attention of the full committee. The legislation now before the Senate was reported to the full committee as an original subcommittee bill before the end of March—that is, within a few weeks after the decision of the Court of Appeals in the Communist Party U.S.A. case.

The chairman goes further. He says:

This legislation did not receive a bill number until it was introduced by Senator Dirksen as S. 2171. However, the legislation was before the full committee and on full committee agenda from April of this year until it was reported to the Senate.

At this point, Mr. President, I ask unanimous consent to have printed in the RECORD a copy of the committee print of the bill, because I have it here, and I want all the world to see that there was a committee print—obviously undated—but for the purposes of the subcommittee and the full committee.

The PRESIDING OFFICER (Mr. SPONG in the chair). Without objection, the bill will be printed at this point in the RECORD.

The bill is as follows:

[Confidential committee print, Mar. 20, 1967]

S. —

A bill to amend the Subversive Activities Act of 1950 so as to accord with certain decisions of the courts

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Subversive Activities Control Act is hereby amended by adding immediately following paragraph (15), a new paragraph, as follows:

"(16) The findings of fact contained in paragraphs (1) through (15) of this section are reiterated. Recent court decisions involving the registration provisions of this Act make it necessary to enact legislation to accomplish the purposes of such Act without the requirements of registration. Disclosure of Communist organizations and of the members of Communist-action organizations as provided herein is essential to the protection of the national welfare."

SEC. 2. Section 5 of the Subversive Activities Control Act is amended as follows:

(a) By changing that part of subsection (a) thereof beginning with the first word of the subsection and continuing down to subparagraph (1) thereof, so as to read:

"(a) When there is in effect a final order of the Board determining any organization to be a Communist-action organization or a Communist-front organization, it shall be unlawful—"

(b) By changing that part of subparagraph (1) of subsection (a) thereof which precedes (A) so as to read:

"(1) For any member of such organization, with knowledge of notice of such final order of the Board—".

(c) By changing that part of subparagraph (2) of subsection (a) thereof which precedes (A) so as to read:

"(2) For any officer or employee of the United States or of any defense facility, with knowledge or notice of such final order of the Board—".

SEC. 3. Sections 7 and 8 of the Subversive Activities Control Act are hereby repealed.

SEC. 4. The caption to section 9 of the Subversive Activities Control Act is amended so as to read: "RECORDS OF FINAL ORDERS OF THE BOARD; PUBLIC INSPECTION; REPORTS TO PRESIDENT AND CONGRESS."; and

Section 9 of such Act is amended so as to read:

"SEC. 9. (a) The Board shall keep and maintain records, which shall be open to public inspection, giving the names and addresses of all organizations as to which, and individuals as to whom, there are in effect final orders of the Board issued pursuant to any of the provisions of subsections (g) through (j), inclusive, of section 13, or subsection (f) of section 13A.

"(b) Copies of the reports and orders of the Board so issued shall be furnished by the Board to any person upon request and upon the payment of the reasonable costs thereof as then currently fixed by the Board.

"(c) The Board shall submit to the President and to the Congress on or before June 1 of each year (and at any other time when requested by either House by resolution) a report giving the names and addresses of all organizations as to which, and all individuals as to whom, there are in effect such final orders of the Board."

SEC. 5. Section 10 of the Subversive Activities Control Act is amended as follows: the first sentence thereof preceding subparagraph (1) is amended so as to read:

"SEC. 10. (a) It shall be unlawful for any organization with respect to which there is in effect a final order of the Board determining it to be a Communist-action organization or a Communist-front organization—".

(b) The phrase following the colon at the end of subparagraph (1) thereof is amended to read: "Disseminated by , an organization determined by final order of the Subversive Activities Control Board to be a Communist- organization;".

(c) The phrase following the colon at the end of subparagraph (2) thereof is amended to read: "The following program is sponsored by an organization determined by final order of the Subversive Activities Control Board to be a Communist- organization."

SEC. 6. Beginning with (j), all that of subsection (a) of section 11 of the Subversive Activities Control Act down to and including the end thereof is amended so as to read: "there is in effect a final order of the Board determining such organization to be a Communist-action or a Communist-front organization."

SEC. 7. Beginning with (j), all that of subsection (b) of section 11 of the Subversive Activities Control Act down to and including the end thereof is amended so as to read: "there is in effect a final order of the Board determining such organization to be a Communist-action or a Communist-front organization."

SEC. 8. Paragraph (2) of subsection (e) of section 12 of the Subversive Activities Control Act is amended so as to read:

"(2) upon application made by the Attorney General under section 13(a) of this title, or by any individual under section 13(b) of this title, to determine whether any individual is a member of any organization as to which there is in effect a final order of the Board determining such organization to be a Communist-action organization."

SEC. 9. Section 13 of the Subversive Activities Control Act is amended as follows:

(a) By amending subsection (a) thereof so as to read:

"(a)(I) Whenever the Attorney General has reason to believe that any organization is a Communist-action organization or a Communist-front organization, he shall file with the Board and serve upon such organization a petition for a determination that such organization is a Communist-action organization or a Communist-front organization, as the case may be.

"(II) Whenever the Attorney General has reason to believe that any individual is a member of an organization which has been finally determined under this section to be a Communist-action organization, he shall file with the Board and serve upon such individual a petition for a determination that such individual is a member of such organization. Each petition under part (I) or part (II) of this subsection shall be verified under oath, and shall contain a statement of the facts upon which the Attorney General relies in support of his prayer for the issuance of such order."

(b) By amending subsection (b) thereof so as to read:

"(b) Any organization as to which there is in effect a final order of the Board determining it to be a Communist organization, and any individual as to whom there is in effect a final order of the Board determining him to be a member of a Communist-action organization may, not more often than once in each calendar year, file with the Board and serve upon the Attorney General a petition for a determination that such organization no longer is a Communist organization (in the case of organization which has been determined under subsection (a) of this section to be one of the types of Communist organizations) or that such individual no longer is a member of a Communist-action organization, as the case may be. Each petition filed under and pursuant to this subsection shall be verified under oath, and shall contain a statement of the facts relied upon in support thereof. Upon the filing of any such petition, the Board shall serve upon each party to such proceeding a notice specifying the time and place for hearing upon such petition. No such hearing shall be conducted within twenty days after the service of such notice."

(c) By amending that portion of paragraph (2) of subsection (d) thereof which precedes the last sentence thereof so as to read:

"(2) Where an organization or individual declines or fails to appear at a hearing accorded to such organization or individual by the Board in proceedings under subsection (a) of this section, the Board shall, nevertheless, proceed to receive evidence, make a determination of the issues, and enter such order as shall be just and appropriate. Upon failure of an organization or individual to appear at a hearing accorded to such organization or individual in proceedings under subsection (b) of this section the Board may forthwith and without further proceedings enter an order dismissing the petition of such organization or individual."

(d) By amending subsection (g) thereof so as to read:

"(g) If, after hearing upon a petition filed under subsection (a) of this section, the Board determines—

"(1) that an organization is a Communist-action organization or a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served on such organization an order determining the organization to be a Communist-action organization or a Communist-front organization as the case may be;

"(2) that an individual is a member of a Communist-action organization, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served on such individual an order determining such individual to be a member of a Communist-action organization."

(e) By amending subsection (h) thereof so as to read:

"(h) If, after hearing upon a petition filed under subsection (a) of this section, the Board determines—

"(1) that an organization is not a Communist-action organization or a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served upon the Attorney General an order denying the determination sought by his petition, and shall send a copy of such order to such organization;

"(2) that an individual is not a member of any Communist-action organization, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served upon the Attorney General an order denying the determination sought by his petition, and shall send a copy of such order to such individual."

(f) By amending subsection (i) thereof so as to read:

"(i) If, after hearing upon a petition filed under subsection (b) of this section, the Board determines—

"(1) that an organization no longer is a Communist-action organization or a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served upon the Attorney General and such organization an order determining that the organization no longer is a Communist-action organization or Communist-front organization as the case may be;

"(2) that an individual no longer is a member of any Communist-action organization, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served upon the Attorney General and such individual an order determining that such individual no longer is a member of a Communist-action organization."

(g) By amending subsection (j) thereof so as to read:

"(j) If, after hearing upon a petition filed under subsection (b) of this section, the Board determines—

"(1) that an organization is a Communist-action organization or a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served on such organization an order denying its petition for a determination that the organization no longer is a Communist-action organization or a Communist-front organization as the case may be.

"(2) that an individual is a member of a Communist-action organization, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served upon such an individual an order denying his petition for a determination that the individual no longer is a member of a Communist-action organization."

(h) By amending subsection (k) thereof so as to read:

"(k) When any order of the Board issued under subsection (g), (h), (i), or (j) of this section becomes final under the provisions of

section 14(b) of this title, the Board shall publish in the Federal Register the fact that such order has become final, and publication thereof shall constitute notice to all persons that such order has become final."

SEC. 10. The seventh sentence of subsection (a) of section 14 of the Subversive Activities Control Act is amended so as to read: "If the court shall set aside an order issued under subsection (j) of section 13, it may, in the case of an organization, enter a judgment requiring the Board to issue an order determining that such organization no longer is a Communist-action organization or Communist-front organization, as the case may be, or in the case of an individual, enter a judgment requiring the Board to issue an order determining that such individual no longer is a member of a Communist-action organization."

SEC. 11. Section 15 of the Subversive Activities Control Act is amended so as to read:

"SEC. 15. (a) In the case of any organization which by proceedings under section 13(a) prior to the date of enactment hereof has been finally determined by the Board in carrying out its duties under subsection (e) of section 12, to be a 'Communist-action organization' or a 'Communist-front organization', and as a result of such determination has been ordered to register, the Board shall forthwith modify its previously issued registration order as may be necessary to conform such order to the provisions of section 13(g) hereof, and shall forthwith include such organization on the record maintained under section 9: *Provided, however,* That nothing in this subsection shall be construed so as to prevent any such organization from filing a petition as provided in subsection (b) of section 13.

"(b) In the case of any proceeding pending before the Board on the effective date of this enactment the Board and the Attorney General are authorized to proceed in accordance with the provisions of this Act as herein amended. No suit, action, or other proceeding lawfully commenced prior to this enactment in any court of the United States shall abate by reason of this enactment. The court in any such case may allow such motion or supplemental pleadings as may be necessary to conform the litigation to the provisions of this Act as amended."

Mr. DIRKSEN. So there were hearings, plenty of hearings, before the Internal Security Subcommittee, and a committee print from which to work, and then it went to the full committee, and there it had to take its chances.

In connection with this measure, a resolution was adopted by the subcommittee, and it is signed by every one of the 10 members. I read it into the RECORD:

Resolved by the Subcommittee on Administration of the Internal Security Act and other Internal Security laws, That the attached original bill be reported favorably to the Committee on the Judiciary with a recommendation that such bill, together with the proposed report attached thereto, be reported favorably to the Senate.

Who signed that resolution? Senator EASTLAND, Senator DODD, Senator MCCLELLAN, Senator ERVIN, Senator BAYH, Senator SMATHERS, Senator HRUSKA, Senator DIRKSEN, Senator SCOTT, and Senator STROM THURMOND.

So, you see, the bill is very honestly and very properly here. I wanted that noted for the RECORD.

I go further, Mr. President. There has been much talk that the Attorney General has not appeared before the committee. Well, let us see whether or not the Attorney General was summoned to come before the committee. I think I have his letter here somewhere, if I can find it among these papers. But there was a letter addressed to the Attorney General of the United States, dated April 13, 1967. This is it:

Hon. RAMSEY CLARK,
Attorney General, Department of Justice, Washington, D.C.

DEAR MR. ATTORNEY GENERAL: Enclosed is an original bill reported to the Committee on the Judiciary from its Internal Security Subcommittee, together with a Confidential Committee Print of a proposed report approved by the Subcommittee and recommended for transmission by the full Committee to the Senate.

At its meeting today the Judiciary Committee voted to call upon the Department of Justice to advise the Committee, in time for consideration by the Committee at its meeting next week, whether the department objects to the enactment of this proposed legislation.

Because of the time factor, it is requested that the department's report be expedited and submitted to the Committee not later than Tuesday, April 18th.

Best personal regards and all good wishes,
Sincerely,

JAMES O. EASTLAND.

Mr. President, what more do you have to do today to get an Attorney General to come before a Senate committee? He did not come. We told him time was of the essence and we said we wanted the matter expedited. We did not hear from the Attorney General. He did not see fit to come before a Senate committee. That is his business, not mine, but at least the country will know he was asked to come up and he decided he would not do so.

So I guess that should dispose of the business of the Attorney General and his being summoned to come before the committee.

Now, among other things, I see that the distinguished Senator from Maryland [Mr. TYDINGS] had a good deal to say in the course of the debate on October 18. Senator TYDINGS contended that the bill "contains a massive loophole through which some of the most dedicated and dangerous Communists today will escape the exposure this amendment is supposed to provide."

Mr. President, I did not know that he had such solicitude, and it astonishes me not a little. According to him this loophole arises from his belief that the world Communist movement has changed and that it is no longer directed by the Soviet Union.

It may well be that the time will come when Congress can investigate the need for further amendments so as not to bring within the provisions of the statute other but as yet undefined categories of organizations. However, this does not mean that there is not a continuing and most grave danger from the groups operating in this country under the direction of the Soviet Union. This whole matter was thoroughly gone into by the Assistant Attorney General in charge of the Security Subdivision in the Department of Justice, in a memorandum written on behalf of the then Acting Attorney General, the Hon. Ramsey Clark, that was filed in the U.S. District Court in the matter of *W. E. B. Dubois Clubs of America, and others,* v. *Ramsey Clark, and others,* civil action 1087–66.

I could read, I suppose, pertinent items into the RECORD from this memorandum but instead of that I shall submit the entire memorandum and let it speak for itself. At this point, in connection with my comment on what the distinguished Senator from Maryland had to say, I submit and ask to have printed in the RECORD this action filed in the District Court in the District of Columbia entitled *W. E. B. Dubois Clubs of America, and others, plaintiffs,* v. *Ramsey Clark, and others, defendants,* Civil Action No. 1087–66.

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

IN THE U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA W.E.B. DUBOIS CLUBS OF AMERICA, ET AL., PLAINTIFFS, *v.* RAMSEY CLARK, ET AL., DEFENDANTS—CIVIL ACTION NO. 1087–66

REPLY MEMORANDUM FOR THE DEFENDANT ATTORNEY GENERAL

This memorandum is submitted in reply to the Supplemental Memorandum for plaintiffs submitted pursuant to leave granted by the Court at the hearing on January 27, 1967.

Plaintiffs' Supplemental Memorandum appears to be devoted to the proposition that the "world Communist movement" referred to in Section 2 of the Act is no longer "monolithic" and that, for that reason (apparently that single reason) the Act is no longer constitutionally valid. For this plaintiffs cite the opinions of a number of public figures.

Of course, Section 2 does not use the term "monolithic". It does say (Sec. 2(4)), "The direction and control of the world Communist movement is vested in and exercised by the Communist dictatorship of a foreign country". Nor do "direction and control" necessarily imply exclusive direction and control and Sections 2(4), (5), and (6) clearly do imply that there is and will be in the future more than one "Communist dictatorship".

In the language of Sections 2 Congress recognized that the facts it described, and on the basis of which it acted, would change from time to time, perhaps even from year to year. Not all the facts recited in the Section are equally significant or equally related to the purpose of the legislation. That purpose was the protection of the United States against the evils sought to be brought about by the Communist movement. It would be far-fetched to an extreme to assume that, if and when, another nation than Russia, became a leader of a dissident group of Communist nations, that that fact should invalidate the Act, even when the ties and relationship between the Communist Party, U.S.A., and the Soviet Union remain the same. Changes in descriptive or background facts and details should not be held to nullify an Act of Congress.

The significant fact is that appellants make no attempt even to claim that the relationship between the Communist Party, U.S.A. and the Soviet Union and the Party in the U.S.S.R. have changed at all. That relationship was the motivating factor for the Act.

If the question as to the nature or control of the world Communist movement "is at least debatable" the decision is clearly one for Congress. "The inquiry must be restricted to the issue whether any state of facts either known or which could reasonably be assumed affords support" for the legislation. *United States* v. *Carolene Products Co.,* 304 U.S. 144, 154.

A similar argument, with respect to the same legislative findings of fact, now made

by plaintiffs, was made to a three-judge district court in this District in 1963 in the case of *Flynn* v. *Rusk*, 219 F. Supp. 709. The Court there quoted the Supreme Court's language in *Communist Party* v. *Subversive Activities Control Board*, 367 U.S. 1, at 94–95:

"It is not for the courts to re-examine the validity of these legislative findings and reject them. See *Harisiades* v. *Shaughnessy*, 342 U.S. 580, 590. They are the product of extensive investigation by Committees of Congress over more than a decade and a half. Cf. *Nebbia* v. *New York*, 291 U.S. 502, 516, 530. We certainly cannot dismiss them as unfounded or irrational imaginings. See *Galvan* v. *Press*, 347 U.S. 522, 529; *American Communications Assn.* v. *Douds*, 339 U.S. 382, 388–389."

The three-judge court in *Flynn* went on to state the rule as enunciated by the Court of Appeals for the District of Columbia Circuit in *Communist Party* v. *S.A.C.B.*, 93 U.S. App. D.C. 66, 223 F.2d 531, 565 (1954): "The rule as we understand it, is that, if it appears Congress has power over the subject matter of a statute and if the findings of fact are not baseless but are based upon extensive investigation, the courts are to adopt those findings."

The Act under immediate consideration was passed in 1950 based on the legislative findings of Congress promulgated after years of receiving evidence as to the nature of the international Communist movement, its characteristics, methods of operation, and objectives. Since that time this country has been engaged in two wars, first, in Korea and now currently in Viet Nam, both for the purpose of stemming the tide of international Communism. In 1962 we experienced the Cuban missile crisis, brought on by the efforts of the Soviet Union to establish a missile capability within 100 miles of the United States.

Ever since the passage of the Act in 1950, Congress has had the standing committee, the House Un-American Activities Committee, and the Internal Security Subcommittee of the Senate Judiciary Committee, charged with the responsibility of gathering information on a continuing basis to keep the Congress apprised of the extent and nature of Communist activities generally. These committees, of course, have made and continue to make numerous reports which discuss the continuing threat of Communism. See, for example, the Annual Report for the Year 1965 of the House Committee on Un-American Activities, House Report No. 1928, 89th Congress, Second Session. And see also Senate Committee print entitled "The Tricontinental Conference of African, Asian, and Latin American Peoples", a staff study prepared for the Subcommittee to Investigate the Administration of the Internal Security Act and other Internal Security Laws of the Committee on the Judiciary, United States Senate.

The Senate staff report just referred to concerns itself with a conference which took place in Havana, Cuba on January 3, 1966, which is characterized by the report as "probably the most powerful gathering of pro-Communist, anti-American forces in the history of the Western Hemisphere." The report points out that the Soviet delegation, consisting of forty delegates, was the largest at the conference. "Asian countries were represented by 197 delegates while African countries had 150, and the 27 Latin American groups comprised 165 delegates".

Pages one and two of the Senate staff report state the following:

"Salient aspects of the Conference are evidenced as follows:

"The public posture of international communism since the fictitious burial of the Communist International has been that it does not engage in subversion or violence. At the Havana Conference, all pretense of nonintervention in the affairs of other nations was dropped, and the delegates, under Moscow leadership, openly committed themselves to the overthrow by violence of all those governments which do not meet with their approval.

"The Conference established a Communist-dominated general headquarters to support, direct, intensify, and coordinate guerrilla operations in Africa, Asia, and Latin America.

"Gave communism a subversive leverage surpassing anything it has heretofore possessed. Bringing into the Conference fold militant leftist and nationalist movements from many countries (which, while themselves not Communist, share the antipathy of the Communists towards the West and towards the United States, and support the Communist-backed "wars of national liberation").

"Havana was selected as the headquarters for international subversion and guerrilla operations, thus making a de facto situation de jure in international Communist circles.

"Immediately following the Conference, the Latin American delegations met and, after reviewing the problems of 'revolutionary tactics and strategy,' unanimously voted to establish a parallel regional organization, to be known as the Latin American Solidarity Organization (OLAS), with its permanent headquarters in Havana.

"Moscow elbowed the Chinese Communists out of the No. 1 position to emerge as the undisputed controlling force in the new international apparatus of subversion.

"On the ideological plane, however, Maoism emerged triumphant, as the speeches of the delegates and the resolutions of the Conference attest.

"Castro, who has heretofore sought to straddle the fence between Moscow and Peiping, has now openly alined himself with Moscow.

"The actions taken by the Conference point to the immediate and massive intensification of terrorism and guerrilla activity throughout the Americas, as well as in Asia and Africa.

"The Communists were able to get the varied leftwing and radical-nationalist participants in the conference to designate United States 'imperialism' as enemy number one in every continent.

"The gravity of the threat posed by the Tricontinental Conference was the subject of a recent study prepared by the Special Consultative Committee on Security of the Organization of American States at its sixth regular meeting. Its study concluded:

"That the so-called first Afro-Asian-Latin American Peoples' Solidarity Conference constitutes a positive threat to the free peoples of the world, and, on the hemisphere level, represents the most dangerous and serious threat that international communism has yet made against the inter-American system.

"It is necessary and urgent, for the purpose of adequately defending democracy:

"a. That the (proven) intervention of communism in the internal affairs of the American Republics be considered an aggression, since it constitutes a threat to the security of the hemisphere.

"b. That the American governments define their position regarding the present treatment of every kind to be given to communism, and that they consequently adopt coordinated measures that will lead to the common goals."

Since it is clear, in the language of Justice Frankfurter in the *Communist Party* case, *supra*, that the legislative findings of the Internal Security Act of 1950 cannot be dismissed as "unfounded or irrational imaginings" and since it is also clear that for a decade and a half Congress has not seen fit to repeal or modify the statute, though continuously apprised by its investigative committees of the current nature of the Communist movement, the legislative findings are binding on the courts.

It should also be noted in this connection that the Internal Security Act of 1950 created the Subversive Activities Control Board for the purpose of holding the administrative hearings required by the Act. The appropriations necessary to continue the operation of the Board have, of course, been made from year to year by the Congress, which in and of itself is sufficient indication that the Congress continues to regard the legislative findings of fact contained in the 1950 Act as being of continuing vitality. See *Brooks* v. *Dewar*, 313 U.S. 354, 361; *Fleming* v. *Mohawk Co.*, 331 U.S. 111, 116, 118; *Swayne & Hoyt Ltd.* v. *United States*, 300 U.S. 297, 301–303.

J. WALTER YEAGLEY,
Assistant Attorney General.
KEVIN T. MARONEY,
BENJAMIN C. FLANNAGAN,
Attorneys, U.S. Department of Justice.
Attorneys for the Defendant Acting Attorney General.

CERTIFICATE OF SERVICE

I certify that today I served the foregoing Reply Memorandum for the Defendant Attorney General on plaintiffs by mailing, postage prepaid, copies of said Memorandum to David Rein, Esq., 711—14th Street, N.W., Washington, D.C., and William Kunstler, Esq., 511—5th Avenue, New York, New York, and to the defendant members of the Subversive Activities Control Board by mailing, postage prepaid, copies to Frank R. Hunter, Jr., Esq., 811 Vermont Avenue, N.W., Washington, D.C.

KEVIN T. MARONEY,
Attorney for the Defendant
Acting Attorney General.

Mr. DIRKSEN. Mr. President, I think that will dispose of that.

Now, the distinguished former Attorney General of the United States, who was not a little unvehement when he addressed the Senate on this subject last Tuesday in opposition to the bill, purported to speak authoritatively and with knowledge. And why should he not? After all, he has been the Attorney General of the United States.

The trouble is that the distinguished Senator from New York, one time distinguished Attorney General of the United States, made some erroneous statements of fact, and his speech is misleading in many parts. I am certain there was no intent on his part to win over any Senator by deception or misstatement, but I am duty-bound to call out what I think are the errors that were made.

The bill will disclose to the American people those groups and individuals who seek to destroy our form of government. It does so merely by eliminating from the existing law the unconstitutional requirement that after the Board has determined an organization or individual to be of a type covered by the law, such group or person must register with the Attorney General. Otherwise, the existing law remains unchanged.

As the former Attorney General knows, or should know, determinations are made by the Board only upon petitions that have been submitted by the Attorney General and on the basis of evidence presented in open hearings by attorneys for the Department of Justice. Most, if not all, evidence presented by those attorneys is furnished by witnesses and documents obtained through the investigatory activities of the Federal Bureau of Investigation. None of this is changed in S. 2171. It is a simple bill.

Now the former distinguished Attorney General builds his case on the er-

roneous premise that S. 2171 turns the Board into a solely investigatory body. The true fact is that the board has never had authority to investigate and will not have under S. 2171.

Under present law the Board has the duty, as I have said, to determine on petition of the Attorney General, and after full and open hearings, whether an organization or individual is, in fact, a type defined in the act. The Senator from New York knows, or having been the Attorney General he should have known, that the basic purpose of the Internal Security Act of 1950 is, and I say must remain, to combat communism by disclosure.

It is true that the Federal Bureau of Investigation knows who most of the Communists are in this country. This, however, does not do the public any good when they are solicited to join or support some group with high-sounding motives but which is actually a front for the Communist Party.

The Federal Bureau of Investigation has a room full of files on the subject. Surely they know but they do not disclose that information. What is the public to do when some organization under a very fancy and glossy name comes around to solicit memberships and the average citizen, perhaps is taken in a little by the fancy and high-sounding name until he discovers what it is all about.

Mr. President, I had that happen on a number of occasions when certain constituents came to talk to me. One or two in particular had some talent, some energy, and some knowhow, and they wanted jobs in the Federal Government. If there were jobs, I was quite willing to help them. We advanced one of them along because he was an attorney. Then, I discovered he was a member of a front organization, so I had to hale him into my Chicago office. I said, "Look at that file. Is that true?

He said, "It is true."

I said, "Why didn't you say so?"

"Well," he said, "Senator, if the truth has to be known, my wife likes to join these organizations for the social prestige that is involved, and that is how I got into it."

I said, "Yes, and you did not tell me."

So, we see, that is the way it goes, including members and soliciting funds. The FBI knows, but the public does not. This bill is designed to bring about exposure.

It does not do college students any good when they are asked to join a group on the campus which is operating behind a false facade in an effort to indoctrinate our youths and make Communists out of them.

I say tell the American public which groups are Communist or are being run by Communists and we can depend on our citizens to remain loyal to their country and not support or be deceived into supporting those groups. The former Attorney General distorts this well conceived and fully lawful way of controlling the spread of the tenacles of communism. He says that those of us who favor S. 2171 are seeking to deceive the American people into believing that the law will assist the FBI or the Attorney General in dealing with espionage and sabotage—S. 14896.

I will not embellish this type of attack on the motives of the many Members of the Senate who have indicated support of S. 2171 by pointing out the completely erroneous nature. I say merely that I have full confidence in the ability of the FBI to apprehend and of the Department of Justice to obtain the convictions of those who violate the criminal laws relative to sabotage and treason. The Subversive Activities Control Act is not a criminal statute. Contrary to the apparent views of the Senator from New York, the act does have a strong preventive effect. The more the growth of Communist influences in this country is limited by exposure it is fundamental that there is less likelihood of sabotage.

Commonsense tells us that the security of the country is not preserved by apprehending someone after he has blown up a munitions plant. It perhaps should be added that in August 1966 the then Solicitor General of the United States, now an associate justice of the Supreme Court, stated in a brief filed in the Supreme Court that—

> The existence of criminal statutes dealing with acts of sabotage and espionage in defense plants could properly be regarded as inadequate protection for these vital facilities.

A distorted theme throughout the former Attorney General's speech was that the Department of Justice and the FBI have not received any information from the Board in 17 years that had not been uncovered in other ways. Again, he knows or should know that the purpose of the Board proceedings is not to obtain information for the FBI. Just the reverse, the purpose of Board determinations is to make available to the American people such facts about the Communist conspiracy as have been obtained by the FBI and can be established by a due process hearing and according to settled legal principles. These include the right of any group or individual to confront those who furnished information to the FBI so as to assure a full and true disclosure and not be termed Communist on incomplete or insufficient facts.

It would take too much of the Senate's time to go through Senator KENNEDY'S speech and point out all of the erroneous statements. He questions the legality of the definition of a Communist-action organization because of vagueness when the Supreme Court has already and specifically upheld the definition against that specific attack. He implies that the Board imposes the sanctions which apply to organizations once they have been determined to come within the act. This is not true. The sole function of the Board, I repeat, is to hold hearings and make determinations on the facts when petitioned to do so by the Attorney General.

How wrong can one who should know be when he says, and I quote, "The Internal Security Act contains a number of sanctions which the SACB would still be apparently free to impose on those whom it investigates." The fact is that the sanctions, such as denial of employment with the Federal Government to those who remain members of a Communist-action organization after the organization has been determined to have that status, are completely separate and apart from the disclosure aspects for which the Board holds hearings. Moreover, the statute specifically provides that the enforcement of the sanctions is by the Department of Justice. The Board plays no part in enforcement.

Finally, a few words on the smokescreen which the Senator from New York has joined in attempting to build around S. 2171. This is the myth that the bill should be sent back to committee for further hearings.

On May 24, 1967, the Internal Security Subcommittee of the Senate Committee on the Judiciary completed intensive hearings on the subject of "Gaps in Internal Security Laws." S. 2171 is an outgrowth of those hearings at which many expert witnesses testified. S. 2171 closes one of the gaps that was emphasized during the hearings. It closes a strictly legal gap, not one based upon the need for findings of additional facts. It closes the gap pointed out by the Supreme Court. It does so in the way suggested by the court of appeals.

Mr. ALLOTT. Mr. President, will the Senator from Illinois yield for a few questions?

Mr. DIRKSEN. Yes, I am happy to yield to the Senator from Colorado.

Mr. ALLOTT. I am speaking with regard to section 15 of the present act. The present amendment purports to amend only subsections (a) and (b) of section 15 and leaves out the penalty provision of subsection (c) of the present act.

I have a minor amendment which I think would take care of that. I should like to inquire if it is the intention of the distinguished Senator from Illinois to leave out the penalty provision of subparagraph (c) of section 15.

Mr. DIRKSEN. That was the desire of the Board, because they are going right back on one thing and only one thing; namely, exposure. The penalty provision must be read in light of the fact that the original act was compulsory. Insofar as registration is concerned, if they were contumacious about it, and would not register, obviously a penalty would have to be invoked. But, I have followed the advice of the Board with respect to that.

I would much prefer that that kind of amendment not be submitted.

Mr. ALLOTT. Then, to make it perfectly clear, this is not due to any legislative drafting oversight. The Board would rather get away from the penalty provision of section 15(c) of the present act because of recent court decisions, is that not correct?

Mr. DIRKSEN. Yes. Simply because we cannot compel them to register.

Mr. ALLOTT. I notice also, that the pending bill purports to delete the term "Communist infiltrated organizations" from section 5 of the present act. I am sure that this was a conscious decision, but it seems to me that some of these particular organizations are the very kind which, under the guise of some high sounding name, solicit money from unwitting people to finance their activities.

Is it true then that this term was left out for essentially the same reason, that is, that it was not thought enforceable?

Mr. DIRKSEN. To make absolutely certain that there was clear conformity in every respect with the decision of the courts, so that the Board would not be hamstrung in its endeavors.

Mr. ALLOTT. It was the Senator's feeling that if this was included, it might conflict with the finding of the Supreme Court and render the complete constitutional character of the Board, as the Senator envisioned, void; is that correct?

Mr. DIRKSEN. It could be. I cannot pass on it absolutely, as the Senator knows.

Mr. ALLOTT. I do not know. The Senator's decision might be as good as the Supreme Court's decision.

Mr. DIRKSEN. Well, there, I am afraid, the Senator might flatter me.

Mr. ALLOTT. I was really more concerned about dropping the penalty provision of subsection (c) of section 15 of the present act. Since this is a Senate bill, however, it may be possible, either in the House or in the conference committee, to work that part over.

I do have a short statement I should like to make with respect to the blil.

Mr. DIRKSEN. Just let me comment on what the Senator has said about the House.

Mr. President, there were 50 identical bills actually introduced in the House on the subject. The House committee has acted on H.R. 12601. That bill has 49 sponsors. They can have only 50 under the House rule.

Now, I understand it is a far more drastic bill than what we are seeking in the Senate. But there will be action in the House, just as surely as I stand in this Chamber in shoe leather. Then, of course, the outside frame of those two bills will become the domain of Congress. There will be plenty of time to include other items if there is any necessity to do so.

I have one other thing——

Mr. ALLOTT. I appreciate very much the Senator's answers.

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the RECORD a statement on the attitude of the Veterans of Foreign Wars and two articles published in Stars and Stripes; a release from the Veterans of World War I; two releases from the American Legion; a release from the Military Order of the Purple Heart, a letter from the Congressional Medal of Honor Society of the United States; a telegram from the national director of legislation of the Disabled American Veterans; a release from the Catholic War Veterans; a resolution of the Paralyzed Veterans of America; an article published in the Washington Evening Star on August 16, 1967; an article published in the Washington Post on August 16, 1967; an article published in the Baltimore Sun on August 16, 1967; an article published in the Washington Daily News of August 16, 1967; an article published in the New York Times on August 16, 1967; an article written by James J. Kilpatrick, who is a syndicated columnist, which was published in the Washington Evening Star on August 15, 1967; and an article published in the Washington Evening Star on July 30, 1967, in the nature of a book review on a book entitled "Road to Revolution," written by Philip Abbott Luce.

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

[A news release from the Veterans of Foreign Wars of the United States]

VFW SUPPORTS SUBVERSIVE ACTIVITIES CONTROL BOARD

WASHINGTON, D.C., July 24.—The National Commander-in-Chief of the Veterans of Foreign Wars, Leslie M. Fry, Reno, Nevada, today announced "full support of the U.S. government's Subversive Activities Control Board."

Commander Fry said the V.F.W.'s action is necessary "because the present effort to discredit or abolish the Board has already been seized upon in the continuing efforts of Communist elements in this country to do just that."

In his statement the V.F.W. Commander noted that the present attack on the Subversive Activities Control Board followed the President's appointment and the Senate's confirmation of Mr. Simon McHugh, formerly of the Small Business Administration, as one of the Board members.

"The McHugh appointment, which has been confirmed by the Senate, is incidental to the issue of the compelling need for the continued existence and functioning of the Subversive Activities Control Board," Commander Fry said. "Those who are out to destroy this anti-Communist government agency are simply using the McHugh issue as a pretext and smoke screen for their attack on the Board."

Amplifying the V.F.W. position, Commander Fry said, "we of the V.F.W. vigorously support the Subversive Activities Control Board because it is needed in the interests of the defense of our government. This Board is the only agency in the Executive Branch of the government for determining and informing the American people as to the identity of Communists and other subversive groups working for the destruction of our government."

Continuing, Commander Fry emphasized: "It is no mere coincidence that this attack on the Board comes at this very time when the Board is putting the public spotlight on the W. E. B. DuBois Clubs which have been agitating so viciously against our Nation's stand against Communist aggression in Vietnam.

"Obviously, if the enemies of the Subversive Activities Control Board are successful in destroying the Board, they will be successful in protecting the DuBois club organization and its reported pro-Communist activities aimed at the American Youth.

"We of the V.F.W. believe that the citizens of our country are entitled to know who those are who are trying to destroy our country. This is a primary and necessary function of the Subversive Activities Control Board.

"To cut its appropriation or eliminate it would assist the Communists and handicap patriotic Americans."

Continuing, Commander Fry said, "the V.F.W. believes that instead of the Board being undercut or destroyed when it is so critically needed, it should be strengthened. At the present time," he pointed out, "there are two bills pending before Congress to strengthen the functions and status of the Board. These bills, essentially the same, have been introduced by a total of about 50 Democrats and Republicans. This underlines the non-political nature of the support of the Board.

"The V.F.W. takes this position for a very basic reason. At a time when American fighting men are dying to resist Communist aggression in Vietnam, we must keep our faith with them by resisting Communist subversion at home.

"It is the purpose of the Subversive Activities Control Board to help our citizens in this sacred endeavor. Our citizens must not be deprived of their right to know who the Communist elements are. The American people are entitled to have this information, which they can get only through the existence of the Subversive Activities Control Board."

[From the Stars and Stripes, Aug. 10, 1967]

VFW SUPPORTS SUBVERSIVE ACTIVITIES CONTROL BOARD

The National commander in chief of the Veterans of Foreign Wars, Leslie M. Fry, has announced "full support of the U.S. Government's Subversive Activities Control Board."

Commander Fry said the VFW's action is necessary "because the present effort to discredit or abolish the Board has already been seized upon in the continuing efforts of Communist elements in this country to do just that."

In his statement the VFW commander noted that the present attack on the Subversive Activities Control Board followed the President's appointment and the Senate's confirmation of Simon McHugh, formerly of the Small Business Administration, as one of the Board members.

SMOKE SCREEN

"The McHugh appointment which has been confirmed by the Senate, is incidental to the issue of the compelling need for the continued existence and functioning of the Subversive Activities Control Board," Commander Fry said. "Those who are out to destroy this anti-Communist government agency are simply using the McHugh issue as a pretext and smoke screen for their attack on the Board."

Amplifying the VFW position, Commander Fry said: "It is no mere coincidence that this attack on the Board comes at this very time when the Board is putting the public spotlight on the W. E. B. DuBois Clubs which have been agitating so viciously against our Nation's stand against Communist aggression in Viet Nam.

Obviously, if the enemies of the Subversive Activities Control Board are successful in destroying the Board, they will be successful in protecting the DuBois club organization and its reported pro-Communist activities aimed at the American youth.

"We of the VFW believe that the citizens of our country are entitled to know who those are who are trying to destroy our country. This is a primary and necessary function of the Subversive Activities Control Board.

"To cut its appropriation or eliminate it would assist the Communists and handicap patriotic Americans."

BOARD NEEDED

Continuing, Commander Fry said, "the VFW believes that instead of the Board being undercut or destroyed when it is so critically needed, it should be strengthened. At the present time," he pointed out, "there are two bills pending before Congress to strengthen the functions and status of the Board. These bills, essentially the same, have been introduced by a total of about 50 Democrats and Republicans. This underlines the non-political nature of the support of the Board.

"The VFW takes this position for a very basic reason. At a time when American fighting men are dying to resist Communist aggression in Viet Nam, we must keep our faith with them by resisting Communist subversion at home.

"It is the purpose of the Subversive Activities Control Board to help our citizens in this sacred endeavor. Our citizens must not be deprived of their right to know who the

Communist elements are. The American people are entitled to have this information, which they can get only thru the existence of the Subversive Activities Control Board."

[From the Stars and Stripes, Aug. 24, 1967]

SUBVERSIVE CONTROL BOARD WINS SUPPORT OF VFW

Francis W. Stover, National legislative director of the Veterans of Foreign Wars, testified before the House Un-American Activities Committee on Aug. 17 relative to amendments to the Internal Security Act of 1950.

Stover cited the position of the VFW in the following statement:

By way of introduction, the membership of the Veterans of Foreign Wars of the U.S. is near an all-time high—almost 1,400,000. Our membership has always deeply concerned itself with the menace of Communism and all other subversive organizations, whose declared intent and purpose has been to violently overthrow our Government by any method or means, which they may deem appropriate.

It was this kind of background and history which led our membership to strongly support the creation of the Subversive Activities Control Board in 1950. It will be recalled that the purpose of the establishment of this Board was to reveal to the American people the Communist front, Communist-infiltrated organizations, and the members of the Communist organizations because such groups and persons, according to the findings of the Congress, constituted a real and continuing danger to our National welfare. Again the VFW lent its fullest support when legislation amending and enlarging the scope of the Board was approved by the Congress in 1954.

It has come as a shock to our organization to learn that legislation has been introduced in this 90th Congress which would abolish this Board. We welcome, therefore, the legislation which is before you which will continue to allow the Board to carry out the purpose and intent of the Congress when it established this Board.

Our organization is controlled almost exclusively by the mandates adopted by the delegates to our most recent National convention. Many of our members were cognizant of the lack of activity of the Subversive Activities Control Board when our convention was held in New York City, August, 1966—just about a year ago. As a result of this concern over the weakening of the Internal Security Act which had shrunk the jurisdiction of this Board, our organization adopted a resolution, identified as No. 268 entitled "To Strengthen Internal Security Act", which reads as follows:

Whereas, decisions of the United States Supreme Court have greatly weakened the Internal Security Act of 1950; and

Whereas, the Veterans of Foreign Wars was one of the sponsors and strong supporters of the Internal Security Act and amendments thereto since that time; and

Whereas, the Veterans of Foreign Wars has always led the fight to expose and identify Communists and others who would undermine and destroy our Government and way of life; and

Whereas, there is now pending in the 89th Congress a bill, H.R. 16584, which would greatly strengthen and improve the Internal Security Act and overcome the decisions of the Supreme Court which have greatly weakened the Internal Security Act; now, therefore

Be It Resolved, by the 67th National convention of the Veterans of Foreign Wars of the United States, that the Veterans of Foreign Wars supports H.R. 16584 and works for its advancement and approval by the Congress.

Pursuant to this resolution, together with a host of other resolutions, which indicates the great concern of our organization with Communism and its threat, both external and internal to the American way of life, we strongly support the purpose and intent of the bills before this Committee.

We do not come here as experts but only to lend our support to legislation which will make the Board effective in registering Communists and other subversives, as defined in this legislation, so that the American people can know who they are and to what extent they are a danger or threat.

It cannot be emphasized too much that the Subversive Activities Control Board is the only agency in the Executive branch which has the authority to provide this type of information to the American public.

The Board, however, does not operate in the dark—behind closed doors. On the contrary, it provides a full and fair hearing if there ever was one. It is a quasi-court which can hear and decide cases only after they have been brought before the Board by the Attorney General of the United States. All hearings are public. Like a court proceeding, there are reporters who keep a stenographic record of all that is said and copies of the hearings are printed. The Board, before it makes its decision, must make written findings of fact and conclusions of law. Lastly and most important, any final decision or order by the Board is subject to judicial review and when appealed the Board's orders cannot become effective until they have been reviewed and sustained by the court.

During the past 17 years, this Board has performed a magnificent contribution in exposing Communists and others of the same ilk as defined by the Internal Security Act. Unfortunately, the language of the Act has been construed on several occasions to be in conflict with the Constitution, which has greatly diminished the jurisdiction of the Board and apparently has been a great deterrent to the Attorney General in bringing more cases before the Board. Coupled with this are the long and lengthy appeals which have kept the orders of the Board tied up in the courts for long periods during which it was inadvisable to proceed with similar or other cases until a final decision had been handed down by the court.

The fact that there has been little activity on the part of the Board is the most compelling reason that this legislation should be favorably considered and reported by this Committee. Something is wrong with the present law and should be remedied as quickly as possible. Because there haven't been any or many cases before a court of law doesn't mean that we want to destroy or eliminate the court. Rather we want to strengthen the court. Similarly, we want to strengthen the Board so that it can do the job Congress intended back when it established the Board in 1950.

[A news release from the National Headquarters, Veterans of World War I, U.S.A., Inc., July 25, 1967]

William H. Walker, National Commander of the Veterans of World War I of the U.S.A., Inc., defends the organization known as the Subversive Activities Control Board, currently under attack and investigation by the Congress.

Commander Walker stated, "In these perilous times, when our Nation is engaged in a mighty struggle against Communism in a country half-way around the world, as well as uprisings of devious nature right here in our own United States, surely a group born and created to control subversive activities is needed more than ever."

The Veterans of World War I fought against principles not unlike those practiced by subversive groups today, and agree that such groups now agitating against our Nation's stand on Communism should be made known to the people of our country, and this is the work of the Subversive Activities Control Board, an agency hamstrung in its efforts up to the present time, but one that is direly needed to help us safeguard the things we hold most dear.

"It is our understanding that there are measures now before the Congress," said Commander Walker, "which would open the way for this group to work more effectively, and this organization supports such legislation."

"Surely," continued the Commander, "the abolishment of the Subversive Activities Control Board, an agency of the executive branch of the government for determining and informing the American people of the identity of Communists and other subversive groups working for the destruction of our government, is definitely not in the best interest of this country. We of the Veterans of World War I vigorously support the Subversive Activities Control Board because we feel its need in pointing out subversive influences whose purpose it is to destroy our government which we have defended and are defending on fields of battle to this day."

[A news release from the American Legion, National Public Relations Division]

NATIONAL COMMANDER OF THE AMERICAN LEGION, JOHN E. DAVIS, DEFINES LEGION OPPOSITION TO CURRENT EFFORTS TO ABOLISH THE SUBVERSIVE ACTIVITIES CONTROL BOARD, NOW BEFORE THE CONGRESS

WASHINGTON, D.C., July 25, 1967—John E. Davis (N.D.), National Commander of The American Legion, said today "The American Legion supports the Subversive Activities Control Board and believes that current efforts to abolish it are not in the best interests of this country."

Commander Davis pointed out that the American Legion supported the enactment of the Internal Security Act of 1950 which established the SACB and that the Legion's position has not changed.

Commander Davis said that the criticism directed at the Board by its opponents to the effect that the Board has accomplished little if anything since its creation "is unfair." The SACB is governed by the statute establishing it, he said, and it cannot act unless requested to do so by the Attorney General. The Board is not a free agent. The Board's alleged lack of accomplishments over the years, Commander Davis emphasized, has been due to time consuming litigation in the courts by those called to appear before the Board and the resulting court decisions declaring portions of the statute unconstitutional. The attempts by the Board to require the Communist Party of the United States to register with the Board and its current effort with respect to the WEB DuBois Clubs of America "are prime examples," the Commander said.

"At the present time," Commander Davis said, "legislation is pending in the House to amend the Internal Security Act of 1950 so that the unconstitutional features will be eliminated and at the same time permit the Board to function as Congress intended it to do."

The Commander said "at a time when the Communist Party of the United States is accelerating its activity on the campuses of American universities, and elsewhere, it would be an injustice to the American public to eliminate the SACB which Congress established for the purpose of making a public record of these subversive activities."

[From the AMVETS National Headquarters]

STATEMENT BY AMVETS' NATIONAL COMMANDER A. LEO ANDERSON, ISSUED JULY 25, 1967

AMVETS' National Commander A. Leo Anderson on behalf of his organization today strongly urged the support of the bipartisan measures presently before Congress which are intended to provide the Subversive Activities Control Board with the requisite authority to permit its functions as originally intended by the U.S. Congress.

This Board is the only existing arm of the Executive Branch of the Government charged with the responsibility of scrutiniz-

ing and recommending specific action against subversive groups and activities whose aim is the destruction of the internal security of this Country.

Commander Anderson said, "When each day reveals ever more clearly the probable existence of a 'Fifth Column' directly working against our Country's policies in the Vietnam Conflict and its strong stand in foreign policies all over the world, we believe that the Board should be strengthened in its authority to function more effectively than ever.

"The sudden emergence of local pressure for the Board's abolishment at a time when well organized 'Fifth-Column-type' terror and public disorder is taking place is too much of a coincidence to pass unnoticed.

"The growing violence and malicious destruction of property and disregard of the lives and safety of the average citizen reveals the type of communistic guerrilla tactic which has become familiar throughout the world."

Anderson recommends most strongly the continuation and enlargement of the authority of the Subversive Activities Control Board to permit it to function in the preservation of the Nation's Internal Security in the crisis which is obviously here today.

Anderson said, "I firmly believe that it is the duty of every citizen to make known his support of the Board so that we may keep faith with our young men fighting in Vietnam and in other troubled areas throughout the world, by maintaining here at home the constant vigilance required to assure peace and tranquillity despite the planned activities by subversive organizations attempting to weaken the support required to carry out our National policies to successful conclusions."

STATEMENT FROM THE MILITARY ORDER OF THE PURPLE HEART, JULY 25, 1967

The National Commander of the Military Order of the Purple Heart, John H. Burgess, Daytona Beach, Florida, today gave his "unqualified" endorsement and support to the U.S. Government Subversive Activities Control Board (SACB).

"With the threat of Communism spreading throughout the world and the new militancy of the communists in Asia, Africa and even South America, the American people require the services of this Board," Commander Burgess said.

"There has been a concerted effort to discredit the SACB," Commander Burgess pointed out. "Even reputable newspapers have referred to the panel as useless. However, recent Supreme Court rulings have played a large part in making the Board ineffective. Pending now before Congress are two bills which would correct the wording of the law under which the Board operates, and return it to its former status."

Commander Burgess contended that the American people deserve to know what organizations are Communist or serve as a Communist-front. "Only through the actions of the Board appointed in 1950 by Congress have the American people been alerted to the actions of some organizations which front as patriotic while serving, what Commander Burgess termed, "two masters."

"There is a continuous alert that must be maintained by our people and our Government against those who would destroy our way of life and replace it with foreign allegiance to Communist power. The Subversive Activities Control Board has been able to accomplish this task."

"With the ruling by the Supreme Court that the SACB was violating the Constitution by requiring Communists to register, the SACB has been stymied to a degree in its work of protecting this nation from Communist infiltration."

"With our active effort in South Viet-Nam against Communist aggression, we here at home have a new obligation to fight this threat within our own nation," Commander Burgess said. "I feel that the SACB has done an outstanding job, and I am sorry to see their hands tied by the recent court rulings. However, the new bills pending in Congress, if passed, will restore the SACB to its former position of vigilance and protector of democracy."

CONGRESSIONAL MEDAL OF HONOR SOCIETY, UNITED STATES OF AMERICA, CHARTERED BY THE CONGRESS,
July 26, 1967.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The Congressional Medal of Honor Society would like to express its support for the work being done by the Subversive Activities Control Board. The Board's efforts to protect the security of our Government and the peace and tranquillity of the American way of life should not go unrewarded. We trust that the Board will be permitted to continue effectively for years to come.

Respectfully yours,

THOMAS J. KELLY,
President.

DENVER, COLO.,
July 29, 1967.

JOHN MAHAN,
Chairman, Subversive Activities Control Board, Washington, D.C.:

The preconvention National Executive Committee meeting of Disabled American Veterans has just unanimously passed the following resolution whereas the price of liberty is known to be eternal vigilance and whereas freedom is threatened by communist aggression abroad and communist inspired subversion at home and whereas our Government has the responsibility to fully inform the people of the existence of their enemies wherever they may be found so they can effectively resist enemy activities at home as our men in uniform are deterring them overseas therefore be it resolved by the National Executive Committee of the Disabled American Vets that the U.S. Subversive Activities Control Board be supported in its patriotic endeavors to investigate and publicize those internal subversive groups and organizations which seek the destruction of our Government and be it further resolved that the Subversive Activities Control Board be strengthened in whatever way is necessary so it may continue to perform its work effectively in the vital interest of the defense of our Nation.

CHARLES L. HUBER,
National Director of Legislation, Disabled American Veterans.

[A news release from the Catholic War Veterans, Washington, D.C., July 25, 1967]

The National Commander of the Catholic War Veterans, U.S.A., today threw the weight of his organization "in support of the U.S. government's Subversive Activities Control Board."

"It has become obvious," Commander Riley said, "that a deliberate campaign is under way to discredit the SACB in an attempt to destroy its effectiveness."

"This must not be allowed to happen. It is vital that this Board continue its important work of identifying and exposing those in our nation who are actively working to destroy our government."

We of the Catholic War Veterans recognize that America's enemies are not always to be found on the battlefield. The danger from within is as great as that from without. We must always be on guard against those foreign-controlled political groups, or Communist-dominated or infiltrated groups that seek to overcome us through subversion.

The disbandment of the Subversive Activities Control Board would be a victory, indeed, for those elements which operate in darkness and flourish in secrecy. They cannot thrive in the light of public exposure, and so they resist any disclosure of their activities and any revelation of their purposes.

The Catholic War Veterans, therefore, not only vigorously oppose any weakening of the Subversive Activities Control Board but also urge Congress to reinforce its ability to function effectively by passing the amendments now pending before it.

It is important that the SACB be allowed to continue its work. The people have a right, for example, to be told more about the activities of the W.E.B. DuBois Clubs, which the Catholic War Veterans assisted in exposing, which have so flagrantly opposed our nation's commitment against the forces of Communist aggression in Vietnam. And, it is this organization which the Board now is investigating.

As the sole Executive agency charged with identifying subversive groups operating in America today, the Subversive Activities Control Board is vital to the interests of the defense of our government.

We strongly support its continued operation and vigorously commend its purposes.

Since this organization exposed the DuBois group, we would be glad to provide you with such data as we have collected.

RESOLUTION

Whereas, our nation is engaged in a conflict against forces of aggression in Vietnam; and

Whereas, that battle is recognized as but part of our continuing struggle against a world-wide Communist conspiracy to crush freedom wherever it may exist; and

Whereas, our nation has an obligation to those men and women who have fought for her liberty in the past and who defend her principles today to expose those who seek to subvert her from within, as well as to resist those who threaten Democracy from without; therefore

Be it resolved by the 21st National Convention of the Paralyzed Veterans of America, that the U.S. Subversive Activities Control Board be supported, strengthened and continued so that it may effectively perform its vital task of identifying and publicizing those subversive groups and organizations in our nation who actively work to destroy our government.

[From the Washington (D.C.) Evening Star, Aug. 16, 1967]

STRONG SUPPORT WON BY SUBVERSIVES BOARD

The Subversive Activities Control Board, target of an abolition campaign among some members of Congress, has picked up strong support within three important Senate and House committees and from the Justice Department.

In a fast round of developments yesterday:

1. The Senate Judiciary Committee approved, 11–2, a bill sponsored by Senate Minority Leader Everett M. Dirksen of Illinois to strengthen the board by allowing it to identify subversives without requiring their formal registration.

2. The House Committee on Un-American Activities opened public hearings on a bill even stronger than the Senate measure, amid indications it would be reported to the floor by an overwhelming majority.

3. Several members of the Senate Appropriations subcommittee which must approve the SACB's budget request indicated they would support the agency's proposal for $295,000 in operating funds for the current year.

4. J. Walter Yeagley, assistant attorney general for internal security, told the Appropriations subcommittee that he "certainly could not support anything in favor of abolishing the board" because "it has performed a valuable public service."

Yeagley, representing the Justice Department at the hearing, was the first adminis-

tration official to comment publicly on the board's future since the SACB became the center of a controversy almost one month ago.

The dispute was the result of President Johnson's nomination of Simon F. McHugh Jr. to a five-year term as one of the five board members. McHugh, 29, was named to the $26,000-a-year post less than one year after he married the former Victoria McCammon, a one-time personal secretary to the President.

Several members of Congress charged that McHugh's White House connections were his only qualification for the job. They demanded abolition of the board on grounds it had not held any hearings in the last 22 months.

Sen. William Proxmire, D-Wis., only critic of the SACB to appear before the Appropriations subcommittee yesterday, called on it "not to appropriate one penny" for the board because "its powers are virtually defunct and its annual activities add up to little more than zero."

Proxmire said it was "time to call a spade a spade—the SACB is dead and any threat to our society from communism can be handled legally and effectively by the police, such federal agencies as the FBI and the courts of this nation."

However, several subcommittee members disagreed. Senate Major Leader Mike Mansfield of Montana acknowledged that "little has been done over the past several years" but added:

"I think it should be enlarged in its responsibility and authority. If that is not done, then it seems consideration should be given to its abolition, but I think the SACB should be kept alive pending a determination by Congress."

Even stronger support for the agency came from Sen. Roman L. Hruska, R-Neb., who said: "The Communist conspiracy should be exposed and identified," and from Sen. John L. McClellan, D-Ark., who said: "We are finding alibis by the dozen not to do anything about lawlessness in this country."

The board was established in 1950 to hold hearings on complaints filed by the Justice Department alleging that an individual or organization was engaged in Communist or Communist-front activities. If an affirmative finding was reached, the law required registration of the person or group involved.

[From the Washington Post, Aug. 16, 1967]

UNIT VOTES BILL TO KEEP LIFE IN DORMANT SACB

(By Jean M. White)

The Subversive Activities Control Board, which has not held a hearing for nearly two years, may emerge with new life from recent moves to abolish it.

Yesterday the Senate Judiciary Committee approved a bill that will keep the Board in business with changes designed to comply with Supreme Court decisions.

The Board would still continue to hold quasi-judicial hearings on cases referred by the Department of Justice and issue findings for public exposure of Communist and Communist-front organizations. But the proposed legislation abolishes the registration requirement declared unconstitutional by the Supreme Court under Fifth Amendment protection against self-incrimination.

MANSFIELD BACKS MOVE

At a hearing before a Senate Appropriations subcommittee, Senate Democratic Leader Mike Mansfield (Mont.) backed the move to revitalize the SACB and "fill the void left by the courts."

He called for legislation along the line of the Judiciary Committee-approved bill, which was introduced by Sen. Everett M. Dirksen (R-Ill.).

His comment came as the subcommittee heard from Sen. William Proxmire (D-Wis.), who wants to abolish the SACB, which was created under the 1950 Internal Security Act.

Proxmire urged the subcommittee to cut every penny possible out of the SACB's request for $295,000. He said "its annual activities add up to little more than zero" and its five Board members, who receive $26,000 a year, are "virtually unemployed."

SPOTLIGHT ON ACTIVITIES

The move to abolish the SACB came after the spotlight was thrown on its activities by the furor over the recent appointment of Simon F. McHugh, Jr., to the Board. He is the husband of a former secretary to President Johnson.

It was apparent yesterday that many of the subcommittee members did not agree with Proxmire that the answer was to abolish the Board since it was stripped of most of its power by Supreme Court decisions.

Sen. John L. McClellan (D-Ark.), the subcommittee chairman, sharply questioned Proxmire on the Wisconsin Senator's suggestion that the Board's activities be transferred to the Justice Department. McClellan expressed doubts about the Justice Department's conducting hearings on charges that it filed.

Support for the SACB also came from a Justice Department official. J. Walter Yeagley, Assistant Attorney General in charge of the Internal Security Division, said the Board has proved useful in public exposure of Communists and their organizations.

At one point, McClellan asked Yeagley whether Stokley Carmichael can be prosecuted for anti-American speeches made in Havana.

Yeagley said it was his personal opinion that Carmichael's statements could not be proved a clear and present danger within the meaning of Federal law since the Black Power leader was talking to Cubans.

On the House side yesterday Rep. Joe Pool (D-Tex.) introduced a constitutional amendment to empower Congress to designate certain acts as a cause for revocation of citizenship.

[From the Baltimore Sun, Aug. 16, 1967]

BOOST IS GIVEN BOARD FOR SUBVERSIVE CONTROL—SENATE JUDICIARY PANEL VOTES NEW POWER FOR GROUP MANY HAVE SOUGHT TO ABOLISH

(By Nathan Miller)

WASHINGTON, August 15.—The Senate Judiciary Committee voted 11 to 2 today to give new life to the Subversive Activities Control Board—under fire since President Johnson named the husband of his former secretary as a $26,000-a-year member.

Under the bill introduced by Senator Dirksen (R., Ill.) the board's function would be to expose Communists and Communist organizations by holding hearings on charges brought by the Justice Department.

The Internal Security Act of 1950, under which the board was set up, would be amended to eliminate a requirement that groups found to be Communist register with the Justice Department. This procedure was ruled illegal by the Supreme Court in 1965.

PUBLIC EXPOSURE

Dirksen's bill is designed to conform to the Court decision while preserving a means of publicly exposing Communists.

Sanctions against members of such organizations would be triggered by the board's findings instead of the registration order.

Among the major sanctions are requirements that members of such organizations cannot work in designated defense areas and cannot work for the Federal Government unless they disclose their membership.

Senator Tydings (D., Md.) and Senator Edward Kennedy (D., Mass.) voted against the bill.

The spotlight was put on the board's lack of activity by the appointment of 27-year-old Simon F. McHugh, Jr., and his nomination which was whisked through the Senate.

Board members had complained that the Supreme Court decision had immobilized it, and there have been numerous demands that Congress abolish it, most recently from Senator Proxmire (D., Wis.).

BACKED BY MANSFIELD

Today Proxmire called upon a subcommittee holding hearings on a $330,000 budget request for the board to "slash every cent possible from this wasteful extravagance. . . . It is as if we had a full-time, five-man court without a single case before it, and none likely to come."

But Senator Mansfield (D., Mont.), the majority leader, told the same subcommittee that the activities of the board should be "enlarged in authority" by congressional action.

On the House side, the Committee on Un-American Activities, which also began hearings on the registration bill, was told by Representative Hall (D., Mo.) that the measure would help McHugh "earn his salary"

He urged that in addition to concentrating on Communists the bill should broaden the board's activities to coverage to require registration of "those who preach murder, riot, sedition and anarchy"

[From the Wall Street Journal, Aug. 16, 1967]

The Subversive Activities Control Board would be put back into action under a bill approved, 11–2, by the Senate Judiciary Committee. Under the measure, introduced by GOP Leader Dirksen, the board would issue findings on whether organizations were Communist-dominated, but such groups wouldn't have to register with the Government. The board has been largely dormant since such registration was held unconstitutional. Some have suggested abolishing the board.

[From the Washington Daily News, Aug. 16, 1967]

SUBVERSIVE CONTROL BOARD GETS SHOT IN ARM

The Senate Judiciary Committee voted yesterday to give new life to the dormant Subversive Control Board. A similar bill was considered in the House.

The board came under congressional attack recently when President Johnson appointed to it a new member, Simon F. McHugh, husband of one of his former White House secretaries.

Critics not only questioned Mr. McHugh's qualifications but said his $26,000-a-year salary was a waste of money because the board had virtually nothing to do since the Supreme Court had ruled that it was unconstitutional to require subversive groups or persons to register themselves with the Government.

But the Senate Committee approved legislation yesterday to permit the board to hold hearings on Justice Department charges that certain persons are affiliated with communist or other subversive groups.

If they are found subversive, the board under the bill could order sanctions against them, such as prohibiting them from working in defense areas or from holding Federal jobs unless they openly disclose their membership.

The bill, introduced by Sen. Everett M. Dirksen, was approved 11 to 2. It was opposed by Sens. Edward M. Kennedy (D., Mass.), and Joseph D. Tydings (D., Md.).

[From the New York Times, Aug. 16, 1967]

SUBVERSIVE CONTROL BOARD MAY REMAIN ALIVE—SENATE PANEL VOTES AGAINST ABOLISHING AGENCY—HOUSE UNIT STUDIES SECURITY ACT

WASHINGTON, August 15.—The Senate Judiciary Committee voted today to revive the

activities of the Subversive Activities Control Board rather than abolish the agency.

The action came as the House Committee on Un-American Activities opened hearings on similar legislation designed to reactivate the Internal Security Act of 1950, which the Supreme Court has rendered virtually inoperative.

The Senate legislation would bypass restrictions placed on the board by three Supreme Court decisions by amending the Internal Security Act to eliminate from the board's jurisdiction the authority to issue orders requiring Communist-affiliated groups to register with the Justice Department.

The board would retain its authority to hold hearings on charges brought by the Justice Department and, if it finds that any groups are Communist, Communist-dominated or Communist-infiltrated, to expose them publicly.

PROXMIRE ASKS SLASH

The committee vote of 11 to 2 came after Senator William Proxmire urged an Appropriations subcommittee, which is considering a $330,000 budget request for the board, to "slash every cent possible from this wasteful extravagance."

House committee hearings on a bill introduced by Edwin E. Willis, of Louisiana, the chairman, and others, appear to be calling for action similar to the Senate legislation.

The House bill would require the board to determine the identity of members of Communist organizations and would require the Attorney General to enter these names in the public register.

"Instead of requiring the member of register we would require the Attorney General to keep a list." "If I had been a member of the Supreme Court I too would have held that admitting to be a Communist is so degrading that a person should not be compelled to admit it."

ALLUDES TO PUBLICITY

Mr. Willis also said the bill would give the five-member Subversive Activities Control Board, which administers the act, something to do. He alluded to recent publicity concerning President Johnson's appointment of Simon F. McHugh Jr., the husband of a former secretary to the President, to the board at a salary of $26,000 a year.

"It disturbs me no end to hear people holler politics and go after the hide of the S.A.C.B.," Mr. Willis said. "It is not the fault of the S.A.C.B. that it is not busy"

The first witness, Representative Durward G. Hall, Republican of Missouri, suggested that the legislation be broadened to include the registration of all those "who in fact preach murder, riot, sedition and anarchy."

"In the past few years we have observed the emergence of a new type of subversive organization, the militant, violent orientated racist groups which advocate guerrilla warfare within our cities," he said.

Mr. Willis agreed that "subversive elements are far broader than Communists" but reminded Mr. Hall that the committee would go into subversive elements involved in racial rioting in separate hearings that will begin later.

He noted that the committee staff had been investigating subversion in racial disorders for 10 months.

"We are going to hold hearings and let the chips fall where they may," Mr. Willis said.

During the hearing, a group called the National Committee to Abolish H.U.A.C. distributed copies of a critique of the bill by Vern Countryman, professor of law at Harvard.

Mr. Countryman wrote that the bill would "drastically abridge freedom of speech" and was "patently inadequate to overcome the constitutional and operational defects in the McCarran Act, though they may inspire the members of the board to restir themselves for a new round of harassing but ultimately bootless activity."

[From the Washington (D.C.) Evening Star, Aug. 15, 1967]

NEW BILL MAY GIVE SACB FRESH LEASE ON LIFE

(By James J. Kilpatrick)

The Subversive Activities Control Board, or what little remains of it, occupies a pleasant suite on Vermont Avenue. From the spacious windows of their paneled offices, the board members can catch a nice glimpse of Lafayette Square. It is about all they have to look at.

Created by Congress in 1950, the board today is just about defunct. In the 17 years of its precarious existence, the agency has dealt with only 68 proceedings. Its orders languish unobeyed. The last petition it received from the attorney general, directed against the W.E.B. Du Bois Clubs, was filed in March 1966. The board has not conducted an evidentiary hearing in more than two years.

As the workload has declined from nil to nothing, the staff has dwindled sadly. Once the board had two hearing examiners; now it has none. Thirteen employes have been riffed, as the saying goes, in the last two years. Apart from the five board members, each of them drawing $26,000 a year, only nine employes remain. They rattle around in the empty offices, contemplating the puzzles of 21-down and 14-across, and praying that Congress will bring the agency back to life.

Bills now pending in the House and Senate would have that effect. The House Committee on Un-American Activities has scheduled hearings this week on one of these measures, sponsored jointly by 25 Democrats and 25 Republicans. Peering through the smoke of this summer's riots, one perceives a strong probability that the bill will pass.

In my own view, the bill ought to pass. Given a workable law, with a reasonable prospect of surviving court attack, the Subversive Activities Control Board is capable of performing a useful job. Here and there in the country, one may encounter a few children who doubt the existence of an internal Communist conspiracy. Grown men know better. In his just-published book, "Road to Revolution," former Communist Phillip Abbott Luce has provided chilling documentation of a danger that is real and not imagined.

Under existing law, the SACB is helpless to cope with the danger. The 1950 act was based on a scheme of registration. The board was to receive petitions from the attorney general, asking that organizations and individuals be tagged as Communist; if so, they were to register as such. But in a series of decisions, dragged out over 17 years, the courts now have declared the registration requirement void

In place of this requirement, the pending bills contemplate a new procedure. The board could not order anyone to do anything. It could only hear evidence and come to "determinations." If the board determined that an organization was a Communist front, or so deeply infiltrated that it was under Communist control, the board would issue a pronouncement to that effect. The stigmatized organization thereafter would have to identify its propaganda, in the fashion of foreign agents, with a notation of the SACB's finding.

There is reason to believe this scaled-down procedure might win approval from the U.S. Supreme Court. In its 5–4 decision of 1961, suspending the registration plan, the court seemed to agree that once the objection of self-incrimination was removed, a federal disclosure law might well be upheld.

Such an approach likely would command strong support in Congress. Senator Everett M. Dirksen, R-Ill., last month made it clear that he would not stand by quietly "and see the board shoved into limbo." Veterans' groups are clamoring for the board's continued existence. The general feeling on the Hill is to abolish the SACB or give it something to do. Every Molotov cocktail contributes to the board's rising prospect for survival.

As a general proposition, conservatives and liberals alike are opposed to government meddling in private organizations. Such a complaint has no relevance here. These Communist fronts are not private organizations. They are the troublemaking hands and arms of the international Communist apparatus. A Congress dedicated to truth-in-labeling should not hesitate in giving the SACB new power to pin on some labels where the people can see them.

[From the Washington (D.C.) Star, July 30, 1967]

NEW WHITTAKER

("Road to Revolution." By Phillip Abbott Luce. Viewpoint Books 165 pages. Paperback, $1)

Already called the "Whittaker Chambers" of his generation, Phillip Abbott Luce has chosen an appropriate time for the publication of his second book, "Road to Revolution."

In the midst of 1967's "long hot summer," Luce has provided us with a first-hand report of the perspective in which such events are held by Communists, to whom they are "rebellions," and not riots. Beyond this, his message is an alarming one. It describes in great detail, and with thorough documentation, the plans for guerrilla warfare in the streets of our cities already devised by domestic radicals.

Phil Luce at 29 is a former leader of the "New Left," organizer of two student trips to Cuba in 1963 and 1964, an officer of the Progressive Labor Party and editor of its monthly magazine, Progressive Labor, until his defection in January, 1965. He has written about his experiences in his first book, "The New Left," and one of the major reasons for his disillusionment with communism came when he found himself "involved in a series of plans in which the participants had no idea of the consequences . . . I left when it became obvious that the individual lives of the members of PL, let alone society, meant less than an abstract Communist catechism as envisioned by the 'gurus' of the movement." According to Luce his defection ranks him "somewhere near President Johnson and J. Edgar Hoover" as the "most maligned enemy" of PL.

STORED GUNS

Progressive Labor, the pro-Communist Chinese offshoot of the United States Communist Party, passed a resolution at its 1965 national convention stating that "black liberation" was the path for the coming guerrilla war in the United States. "The key to revolution in the United States," the convention declared, "lies within the interlocking interests in the black liberation movement and the working class struggle for socialism."

Just before the Harlem riots of 1964, William Epton, vice chairman of PL, said this to an open air rally: "We will not be fully free until we smash this state completely and totally . . . in the process . . . we're going to have to kill a lot of these cops, a lot of these judges, and we'll have to go against the army." Epton was later tried and found guilty of criminal anarchy.

Luce states: "While I was an officer of PL, I learned of a number of projects in which people where being prepared for a future guerrilla operation. Not only did we store guns in New York City, but target practice was held on Long Island prior to the Harlem riots. I was personally asked to find a hiding place suitable for target practice."

Another of the organizations planning such violent activity is the Revolutionary Action Movement, known as RAM. Max Stanford, leader of the group, said that "the black revolution will use sabotage in the cities—knocking out the electrical power first, then transportation and guerrilla warfare in the

countryside of the South. With the cities powerless, the oppressor will be helpless."

VIOLENCE PLANNED

Luce points to a third organization which, he says, is rapidly becoming a part of this guerrilla movement—the Student Nonviolent Coordinating Committee, no longer either nonviolent or dominated by students. He reports an August 29, 1966 SNCC fund-raising dinner in Harlem that featured an interesting trio of speakers—Stokely Carmichael, then chairman, along with Max Stanford of RAM and William Epton of PL. Carmichael said that in "Cleveland they're building stores with no windows. All brick. I don't know what they think they'll accomplish. It just means we have to move from Molotov cocktails to dynamite." He added: "They say we're stupid and don't do anybody any good and we deserve to be called that, because if we had any sense we'd have bombed these ghettos long ago."

Luce makes it clear that most Negro leaders have condemned the concept of "black power," and the exhortation to violence. As a result, they are as much the targets of violence as the white community. Only recently members of RAM, including Max Stanford, were arrested in an assassination plot. The targets: Roy Wilkins of the NAACP and Whitney Young of the Urban League.

Phil Luce repeatedly stresses that Communists do not begin trouble but take advantage of it, incite it, and exploit it. He understands, as some seem not to, that there are real grievances in the ghettos, lack of jobs, poor housing, inadequate recreation facilities. Yet others tend to minimize the influence of these radical organizations and their very real plans for revolution on our city streets.

In a balanced and provocative volume, he does not blame all evil on "outside agitators." Yet the public should understand the plans which Communists have for our cities. Phase one, as recent violence indicates, has already occurred. Armed with Luce's warning and our own awareness of the problems which must be solved, we may yet be able to avoid phase two.—ALLAN C. BROWNFELD.

Mr. DIRKSEN. Mr. President, I reserve the remainder of my time.

Mr. PROXMIRE. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I am happy to yield to the Senator from Wisconsin.

Mr. PROXMIRE. I should like to ask the distinguished Senator, is it not true that the letter which he received from Attorney General Ramsey Clark states:

The bill provides the Attorney General "shall file . . ." proceedings with the Subversive Activities Control Board under the standards set forth. If it becomes law, S. 2171 will be enforced. Proceedings will be initiated with the Board as evidence warrants, consistent with the Constitution and the standards of the Act.

I want to ask the distinguished Senator from Illinois, the author of this proposal, if he can conceive of any Attorney General answering this any differently.

Is it not true that, after all, when we ask the Attorney General to enforce the law, that is his job? His job is that of principal enforcing officer of the Government.

He did not say a word about whether he welcomed the bill, or whether the bill would help in the fight against internal communism; but he did say:

Proceedings will be initiated with the Board as evidence warrants, consistent with the Constitution and the standards of the act.

What we have done, last week, is to place in the RECORD argument after argument by some of the most distinguished constitutional authorities in the country that the law will still have serious constitutional defects.

The law cannot be enforced because it does have those constitutional defects. I submit that when the Attorney General says that proceedings will be initiated consistent with the Constitution, he is not telling us his opinion as to whether or not he feels that he can comply with the Constitution; that he can, in fact, enforce the law, that he will use it.

Mr. DIRKSEN. Mr. President, is this colloquy on my time?

The PRESIDING OFFICER. Yes.

Mr. PROXMIRE. Let the balance of this colloquy be on my time or the time of the majority leader.

The PRESIDING OFFICER. The time from now on will be charged against the Senator from Wisconsin.

Mr. PROXMIRE. During this colloquy.

The PRESIDING OFFICER. Very well.

Mr. DIRKSEN. In the first place, I would not expect the Attorney General to make any reply other than what he made. Had I been the Attorney General, I would have sent the same type of letter: "If you are going to put it on the law books, I will enforce it"; and obviously, within the framework of the Constitution, that must apply to every piece of legislation that goes across this floor.

Mr. PROXMIRE. Exactly. The minority leader is saying that the Attorney General, in reply to the letter of the minority leader, is not telling us whether or not the law will be enforced. He says it will be consistent with the Constitution, but the whole issue is whether this law is consistent with the Constitution.

Mr. DIRKSEN. Why should we ask the Attorney General if he is going to enforce the law? That is our business. If he does not enforce it, the minority leader is going to be around these vineyards to do something about it and take it out of his hands and not leave that discretionary power there.

Mr. PROXMIRE. But our principal business is to determine whether or not legislation we pass is constitutional and can be enforced. The great weakness of the 1950 act is that it did not comply with the Constitution. The minority leader supports the decision of the Supreme Court in the Albertson case. He says he is not arguing with that decision. We made a serious mistake at that time in not seeing to it that the Subversive Activities Control Act did not conform with the Constitution. Congress did not get adequate constitutional advice then. We certainly are not getting it now. And the constitutional authorities who have spoken out unanimously oppose this bill on constitutional grounds.

What I am saying now is that we do not have any assurance from the Attorney General that he believes this bill is in compliance with the Constitution. We should have the Attorney General's opinion on that. After all, he is the principal legal officer of this Government. He is the agent of the President of the United States. If we do not get his view on the record as to whether or not this bill is constitutional, we simply do not know whether we are passing an act which will have any effect.

Mr. DIRKSEN. I thought that was one of the responsibilities of a member of the legislative branch when he goes up to that desk, holds up his hand, and takes an oath to uphold the law and the Constitution. We have as much of an interest in that document as has the Attorney General.

It is rather strange that, in a period of 17 years, only now the question of the compulsory self-registration has come up. If that weakness was there and the former Attorney General who spoke so eloquently, but without logic, in my judgment, on the floor, put any faith in it, why, when he was Attorney General for 3 years, did he not come up here and say, "Abolish the law. Take it off the books. Repeal it"?

Can the Senator recall any moment when the distinguished Senator from New York, when he was Attorney General, came before this body and asked to have this law removed from the statute books? Certainly not. He was a johnny-come-lately in that respect. Only now does he come before us——

Mr. PROXMIRE. May I say to the distinguished Senator from Illinois that the Albertson decision was handed down after Senator KENNEDY was Attorney General. He was a Senator at the time the Albertson decision was handed down. It was only then that the statute was interpreted by the court. It was only then that there was a full opportunity to have a decision made by the court.

Mr. DIRKSEN. The Senator just got through saying that the Attorney General has to determine whether or not he is going to enforce the law, not wait for the Supreme Court. When the Senator from New York was Attorney General, was he not supposed to take cognizance of this law? That is quite aside from the Albertson decision of the Supreme Court and quite aside from the decision in the Second Circuit Court of Appeals.

Mr. PROXMIRE. The Senator knows perfectly well that this case was in the courts for years. The law was being tested. It took a long time to go the route to the Supreme Court. The former Attorney General made the statement that he did not receive one scrap of evidence from the Subversive Activities Control Board that the FBI and the Attorney General did not have. However, I think he was perfectly justified in letting the process work to its ultimate end before recommending to the Congress of the United States that the Board be abolished.

Mr. DIRKSEN. I just got through saying that this is not an investigatory board. That is the FBI's business. This Board, under the law, has to wait for a petition from the Attorney General, and then it acts by holding a hearing and ultimately making a determination.

Mr. PROXMIRE. May I say to the distinguished minority leader that he made a big issue of the argument that hearings were held on the bill; that hearings were held in June, 1966, and May 1967;

that the subcommittee held hearings. The legislation, however, at that time did not have a number. It had not been formally introduced. It was not introduced until August of this year, as I understand it.

May I say that this is very puzzling for a Member of the Senate who is not a member of the Judiciary Committee. As I understand the purpose of hearings, it is to inform Members of this body. The purpose of subcommittees is to have hearings so we can have a legislative record on specific legislation, so we can have copies of the hearings before us. I do not see anything that indicates a hearing was held on this bill. So, however useful it may have been to the Senator from Illinois to have had the hearings of last year, they have not been brought to the attention of Senators on this bill. Senators are not aware of these hearings, and after all this is the whole purpose of hearings to inform Senators who vote on the legislation.

Mr. DIRKSEN. In the first place, it is not unusual practice for the committee to work on other than printed hearings.

Mr. PROXMIRE. It may not be unusual, but why not have the hearings before us? Why the big secret?

Mr. DIRKSEN. May I add that there has been a lack of diligence somewhere along the line, because the hearings are available. I have never had difficulty in obtaining copies of hearings. I do not see any purpose in piling the hearings up high until they look like high-rise buildings. We had the hearings on the poverty bill on our desks. They were so high we could not see around the corner.

Mr. PROXMIRE. For the last week, Senator after Senator has risen in the Chamber and said, "We should have hearings on the proposed legislation." They made the point, over and over again, that we do not have a record on it.

The Senator from Illinois has been silent, until just a few minutes before we shall vote. We are going to vote on final passage today. Under the circumstances, we shall vote without having had anything in the way of a record before any Senator. Merely to say that a subcommittee had hearings on similar legislation last year and this year is not very helpful.

Mr. DIRKSEN. I never have any difficulty in getting hearings and other documents, because they are available. One little call to the clerk of the Judiciary Committee would have unearthed everything that even my distinguished friend from Pennsylvania [Mr. CLARK] wanted.

Mr. PROXMIRE. If the distinguished minority leader, who is as able and competent a legislative craftsman as we have in this body, and who has been a Member of the House and Senate for so many years, feels that those hearings really applied to the bill, I cannot understand why they are not available and brought to the attention of Senators, when day after day the Senator from Pennsylvania [Mr. CLARK], the Senator from Oregon [Mr. MORSE], the Senator from New York [Mr. KENNEDY], and the Senator from Massachusetts [Mr. KENNEDY] have asked, "Where are the hearings?" We have been kept in the dark until now.

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

Mr. DIRKSEN. On the time of the Senator from Wisconsin.

Mr. PROXMIRE. I yield.

Mr. CLARK. I want only a minute or so, since the Senator has been kind enough to mention my name.

It seems to me that my friend from Illinois is in a procedural doghouse. He brought the bill to the floor of the Senate without a report or hearings. I have the feeling that he is trying to muscle it through. I think this sets an unfortunate precedent in this body of decorum and demeanor.

Mr. DIRKSEN. The only response I have is that I hope the Senator will be around sometime when I really try to muscle a bill through the Senate.

Mr. CLARK. I should not think I would need any other experience than this one.

Mr. DIRKSEN. It will be a great adventure, I assure the Senator.

Mr. CLARK. I thank the Senator from Wisconsin for yielding.

Mr. PROXMIRE. Mr. President, I should like to invite the attention of the Senate to the opinions of some of the most competent constitutional experts. They are in addition to those whose names I stated last week.

The first telegram I shall read states:

OCTOBER 17, 1967.

Senator WILLIAM PROXMIRE,
United States Senate, Washington, D.C.:

We believe S. 2171 to revive McCarran Act is unconstitutional, wholly unnecessary, and threatens basic freedoms of thought and expression. We also protest tactics of bills sponsors in attempting rush bill through Senate without hearings.

Professors Donald Trautman, Arthur Sutherland, Jerome Cohen, Charles Nesson, David Cavers, Morgan Shipman, Livingston Hall, Verne Countryman, and Frank Michelman, Harvard Law School, Cambridge, Mass.

The second one reads:

OCTOBER 19, 1967.

Senator WILLIAM PROXMIRE,
Senate Office Building, Washington, D.C.

S. 2171 perpetuates major constitutional and policy defects of Subversive Activities Control Act of 1950. The act as amended would constitute serious threat to freedom of speech and association and would serve no legitimate or useful purpose. This bill should not be enacted without thorough reexamination of entire subject.

NATHANIEL L. NATHANSON,
Professor of Law,
Northwestern University.

This is a telegram from Harry Kalven, Jr., professor of law, University of Chicago, in the Senator's State of Illinois:

On my view Senate Bill 2171 to revive the McCarran Act has great constitutional weaknesses and represents a threat to the climate of freedom in America. These difficulties are aggravated by the fact that it appears to be a wholly unnecessary measure at this time. Moreover, it is most upsetting that a measure of this sort should come to the floor without any public hearings having been held. I hope you will continue in your vigorous opposition to the bill.

This is from Norman Dorsen, professor of law and director of the Arthur Garfield Hayes Civil Liberties Program, New York University:

Seriously concerned over Senate Bill 2171 designed to reactivate Subversive Activities Control Board. If bill passes consequences would be major inroads on freedom of expression and association. This especially harmful during wartime when pressures mount to stifle dissent. Fact that bill might be passed without hearings and opportunity for public criticism. Under score problem posed for all concerned with viable democracy.

This is from Thomas L. Shaffer, professor of law at the University of Notre Dame:

S–2171, HR 12601 promises to retard freedom of speech, thought, and association. Those who are not afraid of a free society applaud and support your courageous fight.

This is from Walter Gellhorn:

I warmly commend you for seeking committee hearings and careful Senate deliberation of Senate bill 2171. The bill seems to me to raise grave constitutional questions that need full exploration the necessity for any additional legislation at this time is highly debatable. In any event great care should be taken to avoid unintended impairment of hard won freedoms.

Finally, Mr. President, a wire from Saul Mendlovitz, professor of law, Rutgers University:

A number of my colleagues and I yesterday sent a telegram to Attorney General stating our opposition to Senate Bill 2171 which would effectively revive McCarran Act. We feel strongly that failure to hold hearings especially when there is good reason to believe the bill is unconstitutional, is highly arbitrary legislation dealing with freedom of expression.

And he specifies other reasons I have already put in the RECORD.

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

Mr. PROXMIRE. I yield.

Mr. DIRKSEN. How did it happen the Senator got seven from Harvard, and only one from Notre Dame?

Mr. PROXMIRE. Well, I am sure there would be more from Notre Dame if we had made an attempt to round up all the support. This was done in a hurry, in a very short period of time.

I should, however, like to ask the Senator from Illinois why he got none out of Notre Dame, none out of the University of Chicago, none out of the University of Illinois, the faculties of all of which, I am sure, are proud of the great Senator from Illinois and his record as minority leader. How does it happen the Senator does not have any telegrams?

Mr. DIRKSEN. In the first place, I did not even so much as turn a little finger to get any.

Mr. PROXMIRE. Neither did the Senator from Wisconsin. These are all unsolicited.

Mr. DIRKSEN. Second, it only goes to show what you can get out of a law faculty today.

Mr. PROXMIRE. Maybe it does; but I submit that the law faculties today are the best repositories of wisdom on the U.S. Constitution; among the best, certainly, together with the courts and the best of the distinguished practicing lawyers throughout the country.

After all, while I have the greatest respect for the veterans' organizations, I have talked with a number of veterans in my State during the past weekend and the weekend before about this issue, and have found a number of veterans in opposition to the distinguished Senator from Illinois, although I agree that there are some distinguished veterans who have wired the Senator supporting his position.

But I submit that when a question of constitutional law is involved, I will take the word of the outstanding constitutional authorities in this country, who have devoted their lives to the problem and have been recognized for their excellence in this area, rather than that of those who have been honored, however well deserved the honor may be, as the heads of veterans' organizations.

Mr. DIRKSEN. Well, I will just wind this up by saying that, after all, it is only a question of how liberal some of these gentry want to be, considering the Communist menace in this country.

Mr. PROXMIRE. May I say to my good friend from Illinois that there is no Senator, I am sure, Republican or Democratic, who is not deeply concerned with the Communist menace. I am sure that the Senator from Illinois is not impugning patriotism.

Mr. DIRKSEN. Oh, no.

Mr. PROXMIRE. We are all concerned with it. But I say we should fight it effectively. We should fight it with people in positions of authority who have competence to fight it, people who have had experience in the FBI, in the Central Intelligence Agency, in Army, Navy, or Air Force intelligence, or in the judicial system of our country, rather than, for example, a person who simply happens to be the husband of the personal secretary of the President of the United States, and who spent 6 months in the Small Business Administration. That is not the kind of man who is in the best position to deal with the threat of internal subversion. We have excellent personnel and organizations for dealing with such matters in the Department of justice, or, for example, in the excellently staffed Internal Security Subcommittees of the Committees on the Judiciary of the House of Representatives and the Senate.

Mr. DIRKSEN. But the Senator wanted to fight it by abolishing the Board. You do not deal effectively with a problem by abolishing the agency set up to deal with it.

Mr. PROXMIRE. Yes, and to transfer its functions to the Attorney General.

Mr. DIRKSEN. But the Senator does not want to have any instrumentality except the Attorney General?

Mr. PROXMIRE. I want an effective instrumentality. I do not want a sinecure, a board that has not controlled a single subversive in this country in the 17 years it has existed and has held no hearings in at least 20 months, which has been idle, wasting the taxpayers' money. I submit that the Mansfield-Proxmire amendment—or the Mansfield-Proxmire-Dirksen amendment, now, since I understand the Senator will support it—which is before the Senate today, will result in a death sentence for the Board, which, in my view, is what the result ought to be.

Mr. DIRKSEN. I ask the Senator to read the last sentence I have asked to have put in that amendment.

Mr. PROXMIRE. I have read the last sentence, and I think it is perfectly all right for Congress to state its legislative convictions on this matter, depending on what the Attorney General does and what the courts decide. But I still say that this will be the death sentence for the Subversive Activities Control Board and the people there who are getting $500 a week each for doing nothing.

Mr. DIRKSEN. And the Senator is greatly concerned about their jobs not being sinecures.

Mr. PROXMIRE. The amendment which I suggested to the majority leader, which is now before the Senate, will either put them to work or end their jobs. I submit that that is a logical position to take.

The PRESIDING OFFICER. Who yields time?

Mr. DIRKSEN. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Illinois has 12 minutes remaining.

Mr. DIRKSEN. I yield 5 minutes to the Senator from Colorado.

Mr. ALLOTT. Mr. President, for a moment let us examine just what is proposed by amendment 415 to S. 2171, a bill to amend the Subversive Activities Control Act of 1950, so as to accord with certain decisions of the courts. It is simply this: the possibility that Congress is once more abdicating its responsibility for legislative oversight. Passage of this amendment would establish a procedure whereby the existence of the Subversive Activities Control Board would depend upon publication in the Federal Register by the Attorney General containing his determination as to whether proceedings of hearings had been instituted before the Board from the date of the passage of this amendment to December 31, 1968. The amendment requires nothing with regard to the nature of the hearings or determinations made by the Subversive Activities Control Board during this period. I, for one, would hope that passage of this amendment would not be interpreted as an interest by the Senate to satisfy or silence recent critical pronouncements about the way the Board has been functioning during the past 17 months.

Mr. President, let us not cloud the issue. The issue is not the President's most recent appointment to the Board; the issue is simply how does Congress expect the Subversive Activities Control Board to discharge its responsibilities under the law.

Congress has already spoken on this matter. Section 12(c)—and I think this should be emphasized—requires the Board to file a report at the end of each fiscal year with both Congress and the President stating in detail the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees of the Board, and an account of all moneys it has disbursed.

Mr. President, I suggest that Congress might have precluded the pantomime and travesty which trammels the stature of the Board had it exercised the legislative oversight required by present law. Obviously, the President understood the true status of the Board when he made a $26,000 a year addition to this empty, fossilized shell.

I fear that the Senate may be going further out on a limb with the passage of this amendment when it says to the Attorney General that he may, as of a particular date, tell the Congress, by simple publication in the Federal Register, whether the Subversive Activities Control Board shall continue to exist. Thus, we may be further separating ourselves from the proper functioning of the Board in the discharge of its responsibilities. Even though I shall vote for this amendment, I want to serve notice on the Board that I shall insist on the operation of the law—referring particularly to section 12(c)—by examining in detail the report which is required to be filed by the SACB as of the end of this fiscal year. If it is necessary, I think Congress should make the conscious effort with regard to the demise of the Board. I am going to be watching this question very closely. I shall not be waiting for some publication in the Federal Register to tell me whether or not a congressional creature shall continue to exist.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. PROXMIRE. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. PROXMIRE. Mr. President, the distinguished minority leader talked about hearings before the Internal Security Subcommittee.

It is interesting, as has been pointed out, that the bill was not even introduced until long after those hearings took place. There are more or less continual hearing before the Internal Security Subcommittee. But the distinguished minority leader was unable to specify one single constitutional authority in the country, one professor of law, one judicial expert who supported the bill and stated that it is constitutionally sound.

I do not know what the hearings could have accomplished in 10 days, if they did not do this much.

The bill was introduced because of the decision by the Supreme Court declaring a provision of the law to be unconstitutional. If the hearings had any meaning at all, they would have been largely confined to developing constitutional support for an amendment to the bill.

I point out further that the Senator from Illinois challenged me to name more than one professor from Notre Dame who supported this measure. In the couple of minutes time that have intervened since the inquiry, I have found the names of some others. They are in addition to Prof. Thomas L.

Shaffer, also Prof. Bernard J. Ward, and Prof. Roger Paul Peters. I am sure that I could get many more names, but would probably be unable to do so before we vote on the measure.

Mr. President, I may be ready to yield back the remainder of my time. I would appreciate it if we could wait, however, until the majority leader is present on the floor. It is his amendment, and I should like to ask him a question about it.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time be charged equally against both sides.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. PROXMIRE. I ask this of the distinguished majority leader: If the amendment should be adopted, as I understand, this bill would go to the House, and it might be referred to the Judiciary Committee in the House or the House Un-American Activities Committee. It is possible that the amendment might not survive in the House, in which event the bill would come back for a conference. I ask the majority leader if he would feel, in view of the fact that it is his amendment—and I anticipate that the amendment will receive strong support in this body—that the Senate should take a very strong position in support of the amendment and recognize that it should be an integral part of the bill and part of the condition under which the bill is adopted by the Senate.

Mr. MANSFIELD. I feel very strongly in the affirmative about what the distinguished Senator has said about the Proxmire-Dirksen-Mansfield proposal. That amendment was offered in good faith. I would expect the Senate conferees to hold firm, and I would hope that it would be referred to the House Judiciary Committee, where I believe it would receive the consideration it deserves, as this measure, I believe, comes within the purview of that committee.

Mr. PROXMIRE. Mr. President, I thank the distinguished majority leader, and I am happy to support our amendment.

Mr. KENNEDY of New York. Mr. President, in the course of his presentation, the distinguished Senator from Illinois made several comments concerning my remarks on the Subversive Activities Control Board. I should like to respond briefly.

The Senator from Illinois asserted that the Board does not have any investigative power. I ask this body to examine section 792(c) of the original act.

That section states that the Board shall hold hearings, that it has the power to "require by subpena the attendance and testimony of witnesses and the production of books, paper, correspondence, memoranda, and other records." Its order to appear is binding—and a refusal to obey that order can be punished by contempt. It must, under the proposal of the Senator from Illinois, make final determinations concerning organizations and individuals. And then findings, supported by subpenas and required records, may subject groups and individuals to a range of civil—and perhaps criminal—sanctions.

In this sense the Board is investigating—even though it is not an FBI or congressional committee. It is in this sense that important questions, both of self-incrimination and associated freedom, arise. And it is in this sense that S. 2171 is inadequate.

The distinguished minority leader further asks why I, an Attorney General, did not come before the Congress and ask for the Board's abolition. As I pointed out twice before on the Senate floor, we tried to implement the act when I was Attorney General. It was after I left that post that the crucial decisions were handed down. It was the failure of these attempts, and the constitutional directives set down in their decisions, that convinced me that S. 2171 is inadequate.

FAVORING ABOLITION OF SUBVERSIVE ACTIVITIES CONTROL BOARD

Mr. YOUNG of Ohio. Mr. President, I will support the Mansfield-Proxmire amendment to give the Attorney General of the United States authority to abolish the Subversive Activities Control Board by 1969 if the Board has, in fact, remained inactive.

In my estimation this is a sensible attempt to place in the hands of the individual responsible for enforcing the legislation, the Attorney General, who has the wisdom and discretion and authority to make a sound and fair judgment at the end of a year as to whether or not the Board is an effective instrument of Federal policy.

Our colleague from Wisconsin should be highly commended for his efforts to work out a compromise with our distinguished majority leader after expressing so forcefully the concern felt by many of us regarding the wisdom of passing the Dirksen bill without hearings or a report from the Attorney General. The solution is by no means a perfect one. Nevertheless, Senator PROXMIRE's efforts to make sure that the Senate gave this hastily reported bill proper consideration before final passage have brought about an amendment that should result in the eventual abolition of the Board. It will result in the death of the Board, in my estimation, with substantial savings to the taxpayers of the United States.

Mr. CLARK. Mr. President, I shall vote today for the Mansfield-Proxmire amendment because I believe it will ultimately bring about the death of the Subversive Activities Control Board. The reluctance of the Attorney General to come out in support of the Dirksen bill, his deep concern over fundamental human freedoms, and his wisdom in interpreting the law, all lead me to believe that he will use the authority conferred upon him by the amendment to abolish the Board.

The amendment itself, in my estimation, is a tribute to the efforts of Senators so involved in debate on this legislation to reach some sort of compromise which will permit us to take up other business. The lengthy debate of last week surely was necessary in view of the failure of the Judiciary Committee to hold hearings on the Dirksen bill, or even to receive a report from the Attorney General. In fact, the wisdom of the debate is demonstrated by this amendment which arose out of a suggestion by Senator PROXMIRE, and was drafted and introduced by the majority leader. I commend the senior Senator from Wisconsin for his leadership, his eloquence, and his exceptional legislative adroitness in achieving this compromise which should be a death warrant for the Subversive Activities Control Board.

Mr. KENNEDY of Massachusetts. Mr. President, I find it somewhat difficult to determine what my vote on the pending motion should be. On the one hand, it might appear that by leaving the future of the Subversive Activities Control Board in the hands of the Attorney General, we are creating a situation where he will be under tremendous pressure to bring cases, whether or not the interests of internal security so require, merely in order to ensure the continued life of the Subversive Activities Control Board. Those who take this view fear that the result might be a witch hunt for subversives between now and the end of 1968.

Upon careful consideration of this matter, however, I am convinced that if the pending bill is passed, it would be better to have it passed with the Mansfield-Proxmire amendment than without that amendment. I am persuaded toward this conclusion by three factors: First, the distinguished majority leader has assured us that if this amendment is included, he will expect and seek insistence on its retention in any conference. Second, I believe that by our action in adopting this amendment, we are making clear that we are surrendering our authority to determine the future of the Subversive Activities Control Board, and we are delegating that responsibility to the Attorney General. As the distinguished minority leader has pointed out, if I understand his remarks correctly, by adopting this amendment we would indicate that we are giving the Attorney General full discretion to bring cases before the Board or not, as he sees fit. That is, he need bring proceedings against any groups or individuals only if he believes that the interests of internal security require such action. If he believes that the interests of internal security can be protected in other ways, that the bringing of proceedings would be superfluous, duplicative, unavailing, or unproductive, and would thus merely require the Department of Justice, the FBI, and the Board itself to incur a needless expenditure of manpower and money, then he can feel fully free just to wait for the expiration of the test period, and then announce his determination that the functions of the Board should be terminated.

The third, and perhaps the most compelling, reason why I am constrained to vote for this amendment, is that I can conceive of no circumstances by which the present incumbent would not continue to hold the office of Attorney General throughout the test period, and until January 10, 1969, the date when the final determination regarding the Board's future would be made by the Attorney General. Having the fullest confidence in the integrity, wisdom, and judgment of the Attorney General, I am convinced that no matter what the pressures, and from whom the pressures came, the Attorney General would not countenance anything resembling a witch hunt. He would certainly be the one who will make the determination as to the necessity for any investigations, petitions, or proceedings, and I am willing to rely on his good faith in making such determinations.

I should point out and emphasize that I oppose the pending bill, and I will vote against it on both procedural and substantive grounds. But again I say, that if this bill is going to be enacted, we are better off adding to it a provision which gives a good Attorney General a chance to terminate the Board's activities if he finds that their continuance is not justifiable.

I think the majority leader and the Senator from Wisconsin should be commended for making possible this significant limitation on what many of us consider an unjustified, but apparently unbeatable, measure.

Mr. DIRKSEN. I yield back the remainder of my time.

Mr. MANSFIELD. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

Pursuant to the previous unanimous-consent agreement, there will now be a quorum call. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Washington may be recognized for 3 minutes, notwithstanding the agreement.

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

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION APPROPRIATION BILL, 1968—CONFERENCE REPORT

Mr. MAGNUSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12474) making appropriations for the National Aeronautics and Space Administration for the fiscal year ending June 30, 1968, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings of October 23, 1967, p. 29596, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MAGNUSON. I move the adoption of the conference report.

The report was agreed to.

The PRESIDING OFFICER. The clerk will state the first amendment in disagreement.

The ASSISTANT LEGISLATIVE CLERK. The House recedes and concurs with an amendment to Senate amendment No. 1, as follows:

In lieu of the sum proposed by said amendment, insert "$3,909,500,000."

The House insists upon its disagreement to Senate amendment No. 2.

Mr. MAGNUSON. I move that the Senate disagree to the House amendment to Senate amendment No. 1; that the Senate further insist upon its amendment No. 2; that the Senate ask for a further conference thereon; and that the Chair be authorized to appoint the conferees.

The motion was agreed to; and the Presiding Officer appointed Mr. MAGNUSON, Mr. ELLENDER, Mr. RUSSELL, Mr. HOLLAND, Mr. PASTORE, Mr. ANDERSON, Mr. ALLOTT, Mrs. SMITH, and Mr. HRUSKA conferees on the part of the Senate, at the further conference.

Mr. MAGNUSON. The two amendments in question probably can be resolved in the conference in a very short time. I hope the House can meet with us tomorrow morning, so that we can then return to the Senate and complete the NASA appropriation bill.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12474) making appropriations for the National Aeronautics and Space Administration for the fiscal year ending June 30, 1968, and for other purposes; that the House receded from its disagreement to the amendment of the Senate numbered 1 to the bill and concurred therein, with an amendment, in which it requested the concurrence of the Senate, and that the House insisted on its disagreement to the amendment of the Senate numbered 2 to the bill.

AMENDMENT OF THE SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

The Senate resumed the consideration of the bill (S. 2171) to amend the Subversive Activities Control Act of 1950, so as to accord with certain decisions of the courts.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the Mansfield amendment. 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. BYRD of West Virginia. I aning voted in the affirmative). On this vote I have a live pair with the senior Senator from Rhode Island [Mr. PASTORE]. If he were present and voting he would vote "yea." If I were permitted to vote I would vote "nay." I withdraw my vote.

Mr. MANSFIELD (after having voted in the affirmative). On this vote I have a pair with the Senator from Oklahoma [Mr. HARRIS]. If he were present and voting he would vote "yea." If I were permitted to vote I would vote "nay." Therefore, I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Alaska [Mr. GRUENING], the Senator from Oklahoma [Mr. HARRIS], the Senator from Washington [Mr. JACKSON], the Senator from Oregon [Mr. MORSE], the Senator from Rhode Island [Mr. PASTORE], are absent on official business.

I also announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Connecticut [Mr. DODD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Indiana [Mr. HARTKE], the Senator from Minnesota [Mr. MCCARTHY], the Senator from South Dakota [Mr. MCGOVERN], and the Senator from Utah [Mr. MOSS], are necessarily absent.

On this vote, the Senator from Washington [Mr. JACKSON] is paired with the Senator from Oregon [Mr. MORSE]. If present and voting, the Senator from Washington would vote "yea" and the Senator from Oregon would vote "nay."

I further announce that, if present and voting, the Senator from Alaska [Mr. GRUENING] would vote "nay."

Mr. DIRKSEN. I announce that the Senators from Kentucky [Mr. COOPER and Mr. MORTON], the Senator from Michigan [Mr. GRIFFIN], the Senator from Oregon [Mr. HATFIELD], the Senators from California [Mr. KUCHEL and Mr. MURPHY], the Senator from Iowa [Mr. MILLER], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from South Carolina [Mr. THURMOND] are necessarily absent.

If present and voting, the Senator from Michigan [Mr. GRIFFIN], the Senator from Oregon [Mr. HATFIELD], the Senators from California [Mr. KUCHEL and Mr. MURPHY], the Senator from Iowa [Mr. MILLER], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from South Carolina [Mr. THURMOND] would each vote "yea."

The result was announced—yeas 74, nays 2, as follows:

[No. 296 Leg.]

YEAS—74

Aiken	Brewster	Cotton
Allott	Brooke	Curtis
Anderson	Byrd, Va.	Dirksen
Baker	Cannon	Dominick
Bayh	Carlson	Eastland
Bennett	Case	Ellender
Bible	Church	Ervin
Boggs	Clark	Fannin

Fong	Magnuson	Ribicoff
Hansen	McClellan	Russell
Hart	McGee	Smathers
Hayden	McIntyre	Smith
Hickenlooper	Metcalf	Sparkman
Hill	Mondale	Spong
Holland	Monroney	Stennis
Hollings	Montoya	Symington
Hruska	Mundt	Talmadge
Inouye	Muskie	Tower
Javits	Nelson	Tydings
Jordan, N.C.	Pearson	Williams, N.J.
Jordan, Idaho	Pell	Williams, Del.
Kennedy, Mass.	Percy	Yarborough
Lausche	Prouty	Young, N. Dak.
Long, Mo.	Proxmire	Young, Ohio
Long, La.	Randolph	

NAYS—2

Bartlett	Kennedy, N.Y.

NOT VOTING—24

Burdick	Harris	Miller
Byrd, W. Va.	Hartke	Morse
Cooper	Hatfield	Morton
Dodd	Jackson	Moss
Fulbright	Kuchel	Murphy
Gore	Mansfield	Pastore
Griffin	McCarthy	Scott
Gruening	McGovern	Thurmond

So Mr. MANSFIELD's amendment was agreed to.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to ask the majority leader, inasmuch as many Senators are in the Chamber, about the possibility of considering the so-called interim resolution with respect to those appropriation bills which have not yet been enacted into law, and whether it is likely it will be considered tomorrow.

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished minority leader, it is my understanding that the NASA and independent offices appropriation conference reports may very well be ready for consideration by the Senate tomorrow.

Mr. MAGNUSON. They very well may be; yes.

Mr. MANSFIELD. Perhaps one or two others. It is the intention of the leadership to lay down the joint resolution making continuing appropriations for the fiscal year 1968 at the conclusion of business today.

It is the leadership's understanding that the distinguished Senator from South Dakota [Mr. MUNDT] would like to make a few remarks——

Mr. MUNDT. Yes. I should like to lay down my amendment and make a few remarks thereon.

Mr. MANSFIELD. Also the distinguished Senator from New York [Mr. JAVITS], will speak for about 30 minutes on matters affecting a number of Senators in the field of certain legislation.

I therefore believe that the Senate should be on notice that even though the joint resolution making continuing appropriations for fiscal year 1968 will be the pending business, it is the intention of the leadership to bring in privileged matters such as conference reports which have been agreed to during the course of this consideration.

ORDER FOR ADJOURNMENT TO TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

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

ORDER FOR RECOGNITION OF SENATOR HARTKE, OF INDIANA, AT CONCLUSION OF MORNING BUSINESS TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of morning business tomorrow, the distinguished Senator from Indiana [Mr. HARTKE] be recognized for up to 30 minutes.

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

AMENDMENT OF THE SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

The Senate resumed the consideration of the bill (S. 2171) to amend the Subversive Activities Control Act of 1950, so as to accord with certain decisions of the courts.

Mr. BROOKE. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. On page 12, after line 17, insert the following new section:

SEC. —. Notwithstanding any amendment made by this Act or any other provision of law, the Subversive Activities Control Board shall cease to exist on January 1, 1968.

Mr. BROOKE. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. Under the unanimous-consent agreement, time is controlled by the majority and minority leaders, the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN].

Who yields time?

Mr. MANSFIELD. Mr. President, I yield 15 minutes to the Senator from Massachusetts.

Mr. BROOKE. Mr. President, the Senate has now consumed several sessions debating the merits of S. 2171, Senator DIRKSEN's bill to amend the provisions of the Subversive Activities Control Act of 1950 so as to accord with certain decisions of the courts. For the most part, the debate has transcended the questions raised by S. 2171. Rather, it has centered upon the merits of the provisions of the Subversive Activities Control Act itself, and upon the desirability of having a Subversive Activities Control Act itself, and upon the desirability of having a Subversive Activities Control Board at all.

Last week's discussion clearly polarized between those who believe that a strong Board is desirable as a defense against the Communist threat to the United States, and those who assert that the Board is not only irrelevant to the defense against communism, but also poses a positive threat to the civil liberties of the American people.

Mr. President, I believe that we have lost sight of a fundamental proposition during the discussion of S. 2171. Passage of this legislation will not strengthen the present Subversive Activities Control Board, nor broaden the scope of its activities. Defeat of the bill will neither abolish the Board, nor reduce the powers with which it is presently vested.

S. 2171 amends the Subversive Activities Control Act of 1950 so that the act will conform to two recent judicial decisions: Albertson against Subversive Activities Control Board, decided by the U.S. Supreme Court in 1965; and Communist Party U.S.A. against United States, decided by the U.S. Court of Appeals for the District of Columbia Circuit in March of this year. The Albertson case determined that the provisions of the Subversive Activities Control Act requiring registration by members of an association found by the Board to be a "Communist-action organization"—in the absence of registration by the organization itself—were invalid as in conflict with the guarantee against self-incrimination contained in the fifth amendment to the U.S. Constitution.

Pursuant to the authority of the Albertson case, the circuit court later ruled in the Communist Party case that the requirement of registration by an organization found to be a "Communist-action organization" within the terms of the act was likewise a violation of the fifth amendment. The purpose of S. 2171 is is to remove from the Subversive Activities Control Act the provisions which these courts have determined to be unconstitutional; namely, those sections which require registration by individuals and organizations found by the Board to be Communist-action or Communist-front organizations.

Consequently, I believe it is clear that action upon S. 2171 in and of itself can never conclude the debate upon the merits of the Subversive Activities Control Board. The bill alters certain sections of the Subversive Activities Control Act to conform to relevant judicial rulings. Thus, the bill really contemplates no changes which have not already been announced by the judicial decisions in question. Nor will defeat of the measure prevent the implementation of such decisions, for the statutory provisions ruled uncontitutional have automatically already ceased to be effective, and will continue so irrespective of the action or inaction of Congress.

Mr. President, action upon S. 2171 will not resolve the debate upon the Subversion Activities Control Board. If the Senate is really concerned about the Board and its powers, let us turn our attention to the statutes which created the Board and which grant it its operating authority.

Mr. President, I am convinced that the time has come to recognize the unmistakable fact that the Subversive Activities Control Board has become an expensive and totally unnecessary encumbrance. It is time that we were rid of it. And it is for this reason that I ask consideration

of my amendment, pursuant to which the Board will cease to exist as of January 1, 1968. With each passing day of this debate, it is becoming increasingly clear that the Board not only poses a potential threat to the civil liberties of the American people, but that it also has become meaningless to the defense of the United States against communism or other subversive activities.

I would like to address myself first to the question whether the Board is playing a significant part in the protection of the United States against subversives. Last Tuesday, the distinguished senior Senator from South Dakota posed certain questions on the floor of the Senate. He asked, among others, the following:

1. Is Communism a menace to our way of life and our constitutional concepts of our individual freedoms and representative democracy?

2. Is it appropriate that a free society such as ours finds a means to protect its constitutional freedoms against the subversive attacks of the Communists?

Mr. President, not a Member of this body could do otherwise than to respond with a ringing "yes" to such inquiries. But do such questions go to the heart of the issue which confronts us? Should we not ask instead whether we have developed the proper machinery to protect our free society against the admitted threat posed by Communist organization and activity?

I suggest that we have developed the proper machinery. The task of investigating Communist activities within the United States has been assigned primarily to the Department of Justice, specifically to the Federal Bureau of Investigation. The record of the FBI speaks for itself. The Bureau has the personnel, the equipment, and the expertise to undertake what is primarily a problem of investigation. If material is uncovered, the FBI is best equipped to present it to other branches of the Justice Department for presentation to grand juries and subsequent prosecution.

The Subversive Activities Control Board has been, and will continue to be, superfluous. Communist activities in the United States pose problems best handled by police and investigative agencies, not by administrative boards whose functions are public and likely to be extremely protracted. Even should the administrative agency conclude that a given organization is Communist-inspired, the Department of Justice will still have to undertake the investigative and other preparatory steps necessary before prosecution can be commenced.

It is clear that the Board has completely failed to be of even the most elementary assistance to the Department of Justice. In the 15 years of its existence prior to the Albertson decision, the Board did not manage to compel the registration of a single Communist organization or member of such an organization. The Board has not had a meeting for close to 2 years. The irrelevance of the Board's activities—to the extent that there are activities at all—to the work of the Justice Department was dramatized on the floor of the Senate last Tuesday by Senator KENNEDY of New York, the former Attorney General of the United States, when he stated:

When I was Attorney General, we did not receive, to my knowledge, one piece of information from the Subversive Activities Control Board in connection with communism in the United States that we had not uncovered in other ways.

This must inevitably be the case. The Department of Justice is equipped to investigate threats posed by Communist organizations to the security of the United States, and the Subversive Activities Control Board is not. We have been supporting with sizable appropriations an agency whose work can be, at the very best, a duplication of that already done by the Federal Bureau of Investigation.

At the same time, Mr. President, I believe that even the powers still vested in the Subversive Activities Control Board after the Albertson and Communist Party decisions are undesirable. Membership in the Communist Party makes an individual liable to prosecution. Obviously, therefore, the original registration requirements of the 1950 act placed the registrant in clear jeopardy insofar as prosecution was concerned, and it was inevitable that the provisions requiring such registration would be determined to be unconstitutional.

But it is still within the power of the Board to conduct public hearings at which witnesses may be compelled to appear to decide whether certain organizations are Communist infiltrated or otherwise Communist inspired. The very holding of such a hearing creates a threat to the individuals or organizations which are its subject. Such individuals or organizations are required to come forward and give public testimony with respect to their activities, despite the existence of Federal statutes under which association with the Communist Party or other subversive groups is designated to be criminal.

I am aware of the fact that an individual may claim before the Board the same fifth amendment right against self-incrimination which is available to him in judicial proceedings. Although this may technically satisfy the Constitution, as a practical matter it is not sufficient fully to protect the individuals involved. Assertion of fifth amendment privileges during public hearings held by the Subversive Activities Control Board will inevitably stamp the persons relying upon the privilege as Communists in the eyes of many.

If an individual or an organization is to be labeled a "Communist" and subjected to the public scorn and scrutiny which invariably follows, it should not be done by an administrative agency, but by a judicial tribunal where the rights of the defendants will be scrupulously observed, and where a final determination may be arrived at more fully and quickly.

Other undesirable provisions still remain in the Subversive Activities Control Act despite the effect of the recent judicial decisions. The definitions of the subversive groups to be examined and identified by the Board are extremely vague. They may be vague to the point of being unconstitutional themselves. The U.S. Supreme Court has been very clear to the effect that broad definitions of undesirable groups are unacceptable because of the risk that they will lead to the suppression of legitimate association and activity.

Mr. President, it is time for Congress to recognize that the Subversive Activities Control Board is contributing nothing to the protection of the United States. We already have an effective statutory framework which defines association with subversive organizations as criminal. We should continue to rely upon our regularly constituted investigative and judicial bodies to identify and to convict individuals and organizations guilty of subversive activity. It is time for Congress to admit that the Subversive Activities Control Board has been an expensive and inactive luxury, whose actions, such as they have been, have either duplicated the activities of other more skillful departments, or trespassed upon the constitutional rights and liberties of the American people.

Mr. President, I ask that the Subversive Activities Control Board be abolished. I ask for favorable consideration of this amendment.

The PRESIDING OFFICER. Who yields time?

Mr. DIRKSEN. Mr. President, I yield 3 minutes to the distinguished Senator from Mississippi.

Mr. STENNIS. Mr. President, on last Friday I made a brief statement in the Senate concerning information about the origin, planning and carrying out of the demonstration then planned for last Saturday. I said, among other things, that the demonstration was planned, at least in part, by members of the Communist Party in the United States and Communist-front organizations.

I pointed out at that time the dates and places of like demonstrations elsewhere—almost around the world; at least a dozen of them—that had been scheduled some time ago, though the fact was not known to us then, to be held on the same date, October 21, and following the same theme: anti-America; anti-Vietnam.

I believe the happenings of last Saturday—which fortunately were not more serious than they were, due to some very fine planning by the military and others to take care of the situation—bore out those predictions and confirmed them in every important respect. I believe, moreover, that the demonstrations served to open the eyes of a great many American people to the practical side of the situation we face, not only as to the war but as to other procedures, disturbing influences, propaganda, and methods of expression.

Although the power and authority of the Subversive Activities Control Board has been reduced by a series of Supreme Court decisions, it nevertheless can have a high value to our national security. There is an urgent need for some official

agency or board acting in behalf of the entire U.S. Government to identify individuals and organizations that are Communists or serve as Communist fronts.

Further, we need them if they do nothing more than make official statements for the benefit of informing the people, the editorial writers, the columnists, and other writers. Members of Congress and officials, to help foster enlightened comment on the identification of people as well as the analysis of events that occur.

We cannot close our official eyes to the fact that such information and such identification by some agency of the Government is necessary.

We must not close our eyes to the fact the Communist Party is working within our own country. For the U.S. Government to say it will not identify those persons and organizations known to be Communist or Communist fronts is to leave the American people helpless. Some Americans wish to avoid helping the Communist groups. That is a duty the movement generally. No private individual or organization can ferret out Communist groups. That is a duty the Government owes to its citizens.

This Board would render a valuable service if all it did was to point out individuals and organizations who support the Communists and who are opposed to our Government.

It is an obligation of our Government to provide this service.

We should be doing more against the spread of communism in the United States, not less.

I believe that this debate has been an illumination—although there could have been more with hearings—of the entire subject and the entire problem and for the reasons I have stated, I believe that the amendment should be defeated and the bill forthwith passed.

I ask unanimous consent to have printed in the RECORD at this point a portion of a statement I made last week, prior to last Friday.

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

Mr. STENNIS. Mr. President, I am greatly concerned that while we are sending men to fight a war against Communists ten thousand miles away, we are not fighting Communism as hard and effectively as we should be in our own country. It is a great dissappointment to me that in the 17 years since we passed the Internal Security Law of 1950, which required all Communists to register or go to jail, *not a single Communist* has been forced to register or pay the penalty for not registering.

Through a series of Supreme Court decisions in their favor the Communists have been so successful in avoiding prosecution under that law and they have become so bold that they held a national convention in New York last year and announced they will have a candidate for President of the United States in 1968.

For some time, the Communist Party has been involved in anti-American activities in this country that are calculated to hinder the war effort and to disrupt our society. The Honorable J. Edgar Hoover, Director of the Federal Bureau of Investigation, told a Congressional Committee recently that the FBI has approximately 150 *known* or *suspected Communist front* or *Communist*-infiltrated organizations under active investigation. He said further, that one of the primary recruiting targets of the Communist Party is the youth of America and that the Party has continued its intensified program aimed and directed at our youth. It is common knowledge, admitted by university officials and reported in the press, that the Communists were involved in many of the student rebellions that have rocked our campuses in recent months.

Mr. Hoover stated also that the Communists have either started or have been active in every major demonstration against the Vietnam war. They have been particularly active in Stop the Bombing demonstrations.

There is a definite Communist move on in South and Central America.

I know of no problem more urgent than controlling Communism in the U.S. for if we are to send our men into battle halfway around the world to oppose the spread of Communism, we certainly should do everything within our power to stop it here in our own country.

This threat in the next ten years may prove to be more serious than any international problem, so-called, that we may have. It is absolutely necessary that we take all steps possible to strengthen the law and stop Communist activity in this country. They will not overcome us, nor be able to infiltrate us successfully; but their attempt to do so may prove to be one of the gravest and most far-reaching problems we have on the home front.

We should pass this bill now and also follow through until it becomes the law of the land. Then our interest should continue by insisting and urging the enforcement of its terms to the utmost by the Department of Justice.

Mr. DIRKSEN. Mr. President, I yield 1 minute to the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, the timely remarks of the able Senator from Mississippi [Mr. STENNIS] again focuses our attention on the unwarranted attempts to interfere with the processes of government. I add that a key organizer, and perhaps the chief proponent of the march on the Pentagon, Mr. David Dellinger, stated while he was in the Capital City that he was a Communist.

According to news reports, he qualified his allegiance to that world doctrine by describing himself as a "non-Soviet Communist." It is a fact, however, that such elements were present in planning and carrying forward this disruptive demonstration. The impact of such leadership certainly contributed to the violence which did take place late in the afternoon of last Saturday.

Mr. DIRKSEN. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 11 minutes remaining.

Mr. DIRKSEN. Mr. President, the amendment offered by my distinguished friend from Massachusetts—who is, incidentally, a very distinguished lawyer—should be defeated.

The Senator makes the same mistake that the distinguished former Attorney General, now a Member of this body from the State of New York, made in the course of his remarks last week. He persisted in confusing the functions of this Board as including investigatory powers.

The Subversive Activities Control Board does not have investigatory powers. It relies on the Department of Justice, and specifically on the FBI. It was set up as a quasi-judicial body, to hear testimony and arrive at a judgment, and can enter an order, although, under the Supreme Court ruling, it cannot take a compulsory self-confession, because that would be self-incriminatory and in violation of the fifth amendment.

But I emphasize now what I have emphasized before, that it sits as a court, as it were; it sits as a board to take testimony and examine and evaluate all the data presented to it. The Board exposes.

That was the purpose of putting it in the 1950 act, in the first instance. The purpose was to bring these people out into the light. Why? There is a reason. Here is a list of organizations that at one time or another have come before the Board:

Communist Party of the United States of America.

Labor Youth League.

International Workers Order.

National Council of American-Soviet Friendship, Inc.

Joint Ant'-Fascist Refugee Committee.

Civil Rights Congress.

Jefferson School of Social Science.

Veterans of the Abraham Lincoln Brigade.

America Committee for Protection of Foreign Born.

California Labor School, Inc.

The Washington Pension Union.

Committee for a Democratic Far Eastern Policy.

I shall place the rest of the names in the RECORD. But the reason I submit these names now is for a very specific purpose. These are people who go out and solicit memberships as well as subscriptions. Surely, the FBI knows where they are. But the FBI does not disclose that.

The purpose of the Board is disclosure, so that this insane and nefarious business can be stopped once for all; so that such organizations cannot delude any segment of the American people and coax dollars out of their pockets, simply because they bear some very fancy, glossy, high-faluting name.

Another one is the American Peace Crusade. Who would not be overwhelmed somewhat by such a name? Are they given to a peace crusade? It is something that is easy to join until we find out that it is a "front" organization.

Another one is the Colorado Committee To Protect Civil Liberties. That is fancy, I must say. It ought to get attention out in California and coax some nuggets out of people's pockets. That is a thing that has to be stopped. That is the reason why this amendment ought to be rejected.

Mr. President, I ask unanimous consent that the names of the organizations and information pertaining to them be printed at this point in the RECORD.

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

ORGANIZATION PROCEEDINGS BEFORE THE SACB

Docket No.	Name of respondent	Petition filed	Location of hearing	Heard by—	Record pages	Number of exhibits	Completed by board	Disposition	Final court action	Disposition
51-101	Communist Party of the United States of America.	Nov. 20, 1956	Washington, D.C., New York, N.Y.	Panel	16,824	726	Apr. 20, 1953	Order of registration	Apr. 30, 1956	Reversed and remanded.
51-101	Communist Party of the United States of America (1st remand).		Washington, D.C.	Board	745		Dec. 18, 1956	Registration order of Apr. 20, 1953, reaffirmed.	Jan. 9, 1958	Remand.
51-101	Communist Party of the United States of America (2d remand).		do	Member	976		Feb. 9, 1959	do	June 5, 1961	Registration order affirmed.
102-53	Labor Youth League	Apr. 22, 1953	Washington, D.C., New York, N.Y.	do	5,583	187	Feb. 15, 1955	Order of registration	Jan. 8, 1962	Remand.
102-53	Labor Youth League (remand).		Washington, D.C.	Board	105	2	Feb. 2, 1962	Determination that there was not such a permanent dissolution so as to affect order of registration.	Apr. 25, 1963	Remand to place case in an indefinitely inactive status.
103-53	International Workers Order, Inc.	Apr. 22, 1953	do	do	343		Jan. 14, 1954	Order of registration	Nov. 19, 1954	Petition of Attorney General ordered dismissed.
104-53	National Council of American-Soviet Friendship, Inc.	do	do	Member	6,965	300	Feb. 7, 1956	do	May 16, 1963	Registration order vacated and petition dismissed.
105-53	Joint Anti-Fascist Refugee Committee.	do	do	Board	270		June 1, 1955	Order granting motion to dismiss petition without prejudice.		
106-53	Civil Rights Congress	do	Washington, D.C., New York, N.Y.	Member	7,211	372	July 26, 1957	Order of registration	Jan. 8, 1962	Remand.
106-53	Civil Rights Congress (remand).		New York, N.Y.	Board	39		July 11, 1962	Determination that CRC had not dissolved—Order of registration unaffected.	May 23, 1963	Motion to vacate order of registration denied. Order became final for failure to pursue appeal.
107-53	Jefferson School of Social Science.	Apr. 22, 1953	Washington, D.C., New York, N.Y.	Member	4,555	267	June 30, 1955	Order of registration	Jan. 8, 1962	Remand.
107-53	Jefferson School of Social Science (remand).		New York, N.Y.	Board	128	41	Feb. 2, 1962	Determination that school had not dissolved—Order of registration unaffected.	Dec. 17, 1963	Registration order affirmed.
108-53	Veterans of the Abraham Lincoln Brigade.	Apr. 22, 1953	Washington, D.C., New York, N.Y.	Members	5,557	320	Dec. 21, 1955	Order of regi tration	Apr. 26, 1965	Remand.
108-53	Veterans of the Abraham Lincoln Brigade (remand).						Apr. 20, 1966	Registration order vacated and petition dismissed on joint motion of parties.		
109-53	American Committee for Protection of Foreign Born.	Apr. 22, 1953	Washington, D.C.	Examiner	8,447	567	June 27, 1960	Order of registration	Jan. 8, 1962	Do.
109-53	American Committee for Protection of Foreign Born (1st remand).		do	Board	32	4	Mar. 8, 1962	Recommendation that order of registration be affirmed.	Apr. 26, 1965	Do.
109-53	American Committee for Protection of Foreign Born (2d remand).						Apr. 6, 1966	Registration order vacated and petition dismissed on joint motion of parties.		
110-53	Council on African Affairs, Inc.	Apr. 22, 1953					Sept. 15, 1955	Order granting motion to dismiss without prejudice.		
111-53	United May Day Committee.	do	Washington, D.C.	Member	2,036	426	Apr. 27, 1956	Order of registration	Dec. 17, 1963	Registration order affirmed.
112-53	American Slav Congress	do	do	Examiner	88	7	Apr. 14, 1955	Order dismissing petition on ground that jurisdiction was not obtained over respondent.		
113-53	Committee for a Democratic Far Eastern Policy.	do	do	do	116	5	May 9, 1955	Order dismissing petition on ground that jurisdiction was not obtained over respondent.		
114-55	Washington Pension Union	Dec. 29, 1954	Seattle, Wash	Member	5,912	201	Apr. 14, 1959	Order of registration	Jan. 8, 1962	Remand.
114-55	Washington Pension Union (remand).		do	Board	143	8	June 20, 1962	Determination that respondent had not dissolved—registration order unaffected.	June 6, 1963	Petition for review dismissed for lack of party-petitioner. Registration order become final under statutory provisions.
115-55	California Labor School, Inc.	Mar. 31, 1955	Washington, D.C., San Francisco, Calif.	Member	3,085	281	May 21, 1957	Order of registration	Mar. 2, 1962	Remand.
115-55	California Labor School, Inc. (remand).		San Francisco, Calif.	Board	79		June 20, 1962	Determination that respondent had not dissolved—registration order unaffected.		Motion to vacate registration order and dismiss retention denied. Respondent abandoned appeal and registration order became final.
116-56	International Union of Mine, Mill and Smelter Workers.	July 28, 1955	Washington, D.C.	Member	10,384	388	May 4, 1962	Determination that respondent is a Communist-Infiltrated Organization.	Nov. 1, 1965	Remand.
116-56	International Union of Mine-Mill and Smelter Workers (remand).						June 16, 1966	Order determining union to be Communist-infiltrated vacated and petition dismissed on joint motion of the parties.		
117-56	American Peace Crusade	Aug. 1, 1955	Washington, D.C.	Member	1,235	199	July 26, 1957	Order of registration	Jan. 8, 1962	Do.
117-56	American Peace Crusade (remand).		do	Board	72		July 6, 1962	Determination that there has been no change in respondent so as to affect order of registration.	June 6, 1963	Remanded to place case in status of indefinite abeyance.
118-56	National Negro Labor Council.	Sept. 28, 1955					Sept. 23, 1957	Order granting motion of Attorney General to dismiss petition without prejudice.		
119-56	United Electrical Radio and Machine Workers of America.	Dec. 20, 1955	New York, N.Y.	Member	1,107	10	Mar. 30, 1959	Order granting motion of Attorney General to dismiss petition.		
120-57	Colorado Committee to Protect Civil Liberties.	Aug. 9, 1956	Denver, Colo	do	505	19	Apr. 15, 1959	Order of registration	Jan. 8. 1962	Remand,
120-57	do		Washington, D.C.	Board	106		Julh 30, 1962	Recommendation that court fix a time within which evidence as to dissolution be taken or deny motion to dismiss and vacate order.	June 6, 1963	Remand to place case in status of indefinite abeyance.
121-57	Connecticut Volunteers for Civil Rights.	Aug. 9, 1956	Hartford, Conn	Member	255	78	Apr. 14, 1959	Order of registration. Order became final when respondent failed to appeal.		

ORGANIZATION PROCEEDINGS BEFORE THE SACB—Continued

Docket No.	Name of respondent	Petition filed	Location of hearing	Heard by—	Record pages	Number of exhibits	Completed by board	Disposition	Final court action	Disposition
122-57	Save Our Sons Committee	----------	----------	----------	------	------	Sept. 20, 1957	Order granting motion of Attorney General to dismiss petition.	----------	
123-57	California Emergency Defense Committee.	Oct. 1, 1956	Los Angeles, Calif., San Francisco, Calif.	Member	574	152	Apr. 14, 1959	Order of registration. Order became final when respondent failed to appeal.	----------	
124-57	Committee To End Sedition Laws.	do	Pittsburgh, Pa	do	943	45	Sept. 17, 1957	Order granting motion of Attorney General to dismiss petition without predjudice.	----------	
125-62	Robert F. Kennedy, Attorney General of the United States (Mine-Mill Redetermination case.)	May 31, 1962	Washington, D.C., San Francisco, Calif.	do	2,405	98	Dec. 20, 1963	Order dismissing redetermination petition.	Nov. 1, 1965	Remand.
125-62	Robert F. Kennedy, Attorney General of the United States (redetermination remand.)	----------	----------	----------	------	------	June 16, 1966	Order vacating order of Dec. 20, 1963, and dismissing proceeding as moot.	----------	
126-63	Advance and Burning Issues Youth Organization.	Jan. 10, 1963	New York, N.Y.	Examiner	2,552	36	Sept. 10, 1965	Order placing case in status of indefinite abeyance on motion of intervenor consented to by Attorney General.	----------	
127-66	W. E. B. DuBois Clubs of America.	Mar. 4, 1966	----------	----------	------	------	----------	----------	----------	

INDIVIDUAL PROCEEDINGS BEFORE THE SACB

1-1-62	William Albertson	May 31, 1962	Washington, D.C.	Board	390	4	Oct. 29, 1962	Order of registration	Nov. 15, 1965	Registration order vacated.
1-2-62	Miriam Friedlander	do	do	do	407	4	Nov. 2, 1962	do	do	Do.
1-3-62	Arnold Samuel Johnson	do	New York, N.Y.	Member	375	4	Nov. 27, 1962	do	do	Do.
1-4-62	William L. Patterson	do	do	Examiner	424	3	Dec. 18, 1962	do	do	Do.
1-5-62	Betty Gannett Tormey	do	do	Member	541	4	Dec. 19, 1962	do	do	Do.
1-6-62	Louis Weinstock	do	do	do	523	4	Jan. 16, 1963	do	do	Do.
1-7-62	Dorothy Healey	do	Los Angeles, Calif	Board	298	5	Dec. 18, 1962	do	do	Do.
1-8-62	Albert Jason Lima	do	San Francisco, Calif.	Member	263	6	Jan. 17, 1963	do	do	Do.
1-9-62	Burt Gale Nelson	do	Seattle, Wash	do	241	2	Jan. 21, 1963	do	do	Do.
1-10-62	Roscoe Quincy Proctor	do	San Francisco, Calif.	do	206	2	Jan. 18, 1963	do	do	Do.
1-11-63	Samuel Krass Davis	Dec. 6, 1962	Washington, D.C.	Board	206	7	Mar. 8, 1963	do	do	Do.
1-12-63	Claude Mack Lightfoot	do	Chicago, Ill.	do	299	4	Mar. 5, 1963	do	do	Do.
1-13-63	Flora Hall	do	Washington, D.C.	Examiner	226	2	Apr. 26, 1963	do	do	Do.
1-14-63	Samuel Kushner	do	do	do	228	2	do	do	do	Do.
1-15-63	George Aloysius Meyers	Apr. 11, 1963	Baltimore, Md	do	213	1	Dec. 4, 1963	do	do	Do.
1-16-63	Thomas Nabried	do	Philadelphia, Pa	do	251	0	do	do	May 12, 1965	Do.
1-17-63	Mildred McAdory Edelman	do	New York, N.Y.	Member	319	3	do	do	Nov. 15, 1965	Do.
1-18-63	Irving Potash	do	do	do	399	3	do	do	do	Do.
1-19-63	William Wolf Weinstone	do	do	do	373	3	do	do	do	Do.
1-20-63	Mortimer Daniel Rubin	do	do	do	235	0	do	do	do	Do.
1-21-63	John William Stanford Jr.	June 13, 1963	Washington, D.C.	do	174	2	Dec. 20, 1963	do	do	Do.
1-22-63	Benjamin Dobbs	do	do	do	140	0	do	do	do	Do.
1-23-63	William Cottle Taylor	do	do	do	200	0	do	do	do	Do.
1-24-63	Frances Gabow	do	Philadelphia, Pa	do	299	0	do	do	do	Do.
1-25-63	Aaron Libson	do	do	do	283	0	do	do	do	Do.
1-26-63	Lionel Joseph Libson	do	New York, N.Y.	Examiner	203	1	May 21, 1964	do	do	Do.
1-27-63	James Joseph Tormey	do	do	do	262	1	Sept. 28, 1964	do	do	Do.
1-28-64	Michael Saunders	Nov. 19, 1963	Chicago, Ill.	do	179	0	Nov. 13, 1964	do	do	Do.
1-29-64	Daniel Lieber Queen	do	do	do	244	0	do	do	do	Do.
1-30-64	Ralph William Taylor	do	St. Paul, Minn.	Board	113	2	May 1, 1964	do	do	Do.
1-31-64	Betty Mae Smith	do	do	do	113	2	do	do	do	Do.
1-32-64	Marvin Joel Markman	do	New York, N.Y.	Examiner	622	6	Jan. 13, 1965	do	do	Do.
1-33-64	Meyer Jacob Stein	do	do	do	620	6	do	do	do	Do.
1-34-64	Norman Haaland	do	Portland, Oreg.	Board	444	6	July 22, 1964	do	do	Do.
1-35-64	Benjamin Gerald Jacobson	do	do	do	440	6	do	do	do	Do.
1-36-64	Milford Adolf Sutherland	do	Tacoma, Wash	do	558	0	do	do	do	Do.
1-37-64	Donald Andrew Hamerquist	do	do	do	559	5	do	do	do	Do.
1-38-65	Hyman Lumer	Sept. 30, 1964	New York, N.Y.	Examiner	252	3	July 30, 1965	do	do	Do.
1-39-65	Elmer Charles Kistler	do	Seattle, Wash	do	222	0	do	do	do	Do.
1-40-65	Ralph Nelson	do	Portland, Oreg.	Member	452	0	do	do	do	Do.
1-41-65	Otis Archer Hood	do	Boston, Mass.	Examiner	420	0	do	do	do	Do.
1-42-65	Lewis Martin Johnson	do	do	do	418	0	do	do	do	Do.
1-43-65	Edward S. Teileira	do	do	do	410	0	do	do	do	Do.
1-44-65	Anne Burlak Timpson	do	do	do	418	0	do	do	do	Do.

Mr. DIRKSEN. Mr. President, we took action on the Mansfield-Dirksen-Proxmire amendment. It was approved by the Senate by a vote of 74 to 2. It gives the Board 18 months of life.

The amendment offered by the distinguished Senator from Massachusetts [Mr. BROOKE] would give it life for just about 75 days, until January 1; then the Board would be abolished.

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

Mr. DIRKSEN. I yield.

Mr. BROOKE. Eighteen months subject to the institution of proceedings; so the time might be extended indefinitely.

Mr. DIRKSEN. That is correct.

Mr. BROOKE. Eighteen months is not a time certain.

Mr. DIRKSEN. I am expecting that it will go on indefinitely. I expect to make it my business to see that it does go on, insofar as it resides within my power to give it authority, because the Government cannot be without an instrumentality to pursue people who are committed to destroy it, destroy its foundations, and destroy its very institutions. There has to be an agency to do it, and this is all we have.

Mr. BROOKE. Mr. President, will the Senator further yield?

Mr. DIRKSEN. I yield.

Mr. BROOKE. Does the Senator agree that we have the Department of Justice, the Attorney General, and the Federal Bureau of Investigation, and the entire judicial system of this great Nation to do exactly what the Board was authorized and created to do?

The names which have been called off by the distinguished senior Senator from Illinois are names which appear in the files of the Department of Justice and the Federal Bureau of Investigation.

Mr. DIRKSEN. The Senator has never been in greater error in his life. They have 6,600 field agents in the Federal Bureau of Investigation. They have all the data down there. But try to get it. Try to let the American people get the information on the front page.

When these people go around with their tin cups to collect subscriptions and sign up members, try to get a warning to the American people: "This is a Red outfit. This is a front outfit." The information never gets to them. Exposure is the only weapon I know of, and that is the very essence of the matter. We must expose them.

Mr. BROOKE. In our system of jurisprudence, is it not the position of this Na-

tion that it should provide sufficient evidence to bring about the public indictment of an individual or organization, and is it not true that our Justice Department operates under that great American tradition? The fact that it has information in its files and does not expose the concerned individual may very well mean that it does not have sufficient evidence to bring forth such an indictment.

Mr. DIRKSEN. I am afraid the Senator forgets in connection with the Federal Bureau of Investigation that it has operated in exactly the way it operates now ever since it was created and ever since J. Edgar Hoover became the Director of the Federal Bureau of Investigation. However, we do not get the exposure that is necessary and that is superbly necessary today as never before.

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

Mr. DIRKSEN. I yield.

Mr. JAVITS. Mr. President, will the distinguished Senator from Illinois put in the RECORD the role in these matters of the House Un-American Activities Committee and of the Senate Internal Security Subcommittee?

I have always felt that when we entrust these inquiries to the Judiciary Committee, at least we have lawyers and a great body of tradition with respect to the handling of witnesses, executive hearings before public hearings, and the general precautions which get us away from the sort of disclosures which characterized the worst excesses during the period Senator McCarthy held forth. I wonder if the Senator should not complete the record—however Senators may vote—by delimiting the matter.

The proposal raised by the Senator from Illinois and the Senator from Montana will probably stay with us. I may very well support the proposal of the Senator from Massachusetts. I think that it would be very useful, however, as legislative history, if the Senator were to delimit the role of the congressional committees which will continue to have jurisdiction—the House Un-American Activities Committee and the Senate Internal Security Subcommittee.

Mr. DIRKSEN. My friend, the senior Senator from New York was a member of the Judiciary Committee, and I do not recall that he offered that proposal when he was a member.

Mr. JAVITS. The proposal is not germane here.

Mr. DIRKSEN. The Senator is correct. I am speaking of the time when the Senator was a member of the Judiciary Committee.

Mr. JAVITS. The proposal is not germane here. In the Senate the question is in the hands of the Judiciary Committee.

Mr. DIRKSEN. The Senator is correct.

Mr. JAVITS. It is in the House that it is not in the hands of the Judiciary Committee.

I suggest that it might be well to have the record show, as the Senator analyzes the whole question, where he feels the work of the Internal Security Committee fits.

I have always felt that this kind of inquiry belongs in the Judiciary Committees of the House and the Senate. And I felt that it would be very useful if the Senator would outline here where the congressional committees fit in the scheme he has in mind—which would include the Board.

Mr. DIRKSEN. That is hardly my function. That ought to be the function of the Committee on Rules and Administration, if they are going to delimit a committee. But the Internal Security Committee, in the very nature of the work it does, has to carry on a good deal of the work behind closed doors. It is an investigatory body. The Subversive Activities Control Board is not. It cannot move a muscle until there is an application or a petition by the Attorney General, and that discretionary power in the law will have to be changed also in order to make it effective.

The House is dealing with the matter. They reported a bill infinitely more stringent than the pending bill, and we are going to have this matter before us whether or not. And when finally we go to conference, there will be the four corners of two bills, and within that frame we will have to work out something to satisfy both bodies.

The PRESIDING OFFICER (Mr. McGEE in the chair). The time of the Senator from Illinois has expired.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

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

Mr. JAVITS. Mr. President, I think it would be well to have the Senator state why he does not consider it incompatible to have a board and the Internal Security Subcommittee look into the same matter.

Mr. DIRKSEN. The Internal Security Subcommittee has its own investigators. For the Board, the Federal Bureau of Investigation and the Justice Department and the Attorney General and the Assistant Attorney General are the ones who appear and supply the evidence in connection with any of these organizations that the Attorney General sends to the Board. Exposure is the only answer.

It is not a case of sending them to jail. It was the very fact of exposure that caused these Reds to yelp like hit dogs. That is what they did not want. They did not mind going to jail, but they did not want to be exposed and put in the public eye, where all the world could see. Their pride was a little too much for that shame. And that is still one of the great weapons in a free country.

Mr. BROOKE. The distinguished Senator from Illinois said that public exposure is a great weapon and that it should be used by the Subversive Activities Control Board.

Exposure has been in the past, and can still be, very detrimental to this Nation, can be unconstitutional, and can violate the civil liberties and rights of American people, as it has done in the past.

It seems that we would better achieve our purposes to effectively combat the Communist menace in this country by utilizing the vast resources of the Federal Bureau of Investigation, the Justice Department, and the Attorney General who give maximum protection to the rights of all American citizens, who do not expose individuals or organizations without having sufficient evidence to warrant an indictment, and without holding public hearings, beyond the mere fact of calling witnesses before the committee to create the impression among people all over the country that persons who appear before the committee are either Communists or affiliated with Communist organizations.

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

Mr. BROOKE. I ask unanimous consent that I may proceed for 2 additional minutes.

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

Mr. BROOKE. I believe that this country is great enough to give the rights of all American citizens maximum protection and at the same time protect itself against the Communist menace. We did it prior to 1950. We have done it since 1950 without the effective support of the Subversive Activities Control Board, for that Board has not rendered a service to the American people. I defy anyone to point to any cases that the Subversive Activities Control Board has brought before the courts which have brought out any facts about Communists or Communist-front organizations which were not already contained in the records of the duly constituted law enforcement agencies of this country.

Therefore, Mr. President, I believe that this Board should be abolished, that its life tenure should not be extended for 18 months or certainly even beyond that. I believe we are justified in abolishing this Board, not only because it has not done its job, but also because it is a potential threat to the civil liberties of the American people.

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

Mr. BROOKE. I yield.

Mr. JAVITS. What does the Senator say about the congressional committees that do investigating and disclosing? Is any of his argument based upon the fact that we do have a House Un-American Activities Committee and a Senate Internal Security Subcommittee, which investigate and expose all the time?

Mr. BROOKE. Yes. I believe the distinguished senior Senator from New York has well brought out the point that we do have these committees on the House side and on the Senate side. Even these committees have investigators who make investigations and report events to them, which the Subversive Activities Control Board does not have, other than the FBI and the Department of Justice. I believe it is a duplication of effort.

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

The question is on agreeing to the amendment of the Senator from Massachusetts. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TYDINGS (when his name was called). On this vote I have a pair with the Senator from Rhode Island [Mr.

PASTORE]. If he were present, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withhold my vote.

Mr. MANSFIELD (after having voted in the negative). On this vote I have a pair with the Senator from Michigan [Mr. HART]. If he were present, he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withdraw my vote.

The legislative clerk resumed and concluded the call of the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Alaska [Mr. GRUENING], the Senator from Washington [Mr. JACKSON], the Senator from Oregon [Mr. MORSE], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Arizona [Mr. HAYDEN] are absent on official business.

I also announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Connecticut [Mr. DODD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Michigan [Mr. HART], the Senator from Indiana [Mr. HARTKE], the Senator from Minnesota [Mr. MCCARTHY], the Senator from South Dakota [Mr. MCGOVERN], and the Senator from Utah [Mr. Moss] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. GRUENING] would vote "yea."

On this vote, the Senator from Washington [Mr. JACKSON] is paired with the Senator from Oregon [Mr. MORSE]. If present and voting, the Senator from Washington would vote "nay," and the Senator from Oregon would vote "yea."

Mr. DIRKSEN. I announce that the Senators from Kentucky [Mr. COOPER and Mr. MORTON], the Senator from Michigan [Mr. GRIFFIN], the Senator from Oregon [Mr. HATFIELD], the Senators from California [Mr. KUCHEL and Mr. MURPHY], the Senator from Iowa [Mr. MILLER], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from South Carolina [Mr. THURMOND] are necessarily absent.

If present and voting, the Senators from California [Mr. KUCHEL and Mr. MURPHY], the Senator from Iowa [Mr. MILLER], and the Senator from Pennsylvania [Mr. SCOTT] would each vote "nay."

On this vote, the Senator from Oregon [Mr. HATFIELD] is paired with the Senator from South Carolina [Mr. THURMOND]. If present and voting, the Senator from Oregon would vote "yea," and the Senator from South Carolina would vote "nay."

The result was announced—yeas 17, nays 58, as follows:

[No. 297 Leg.]

YEAS—17

Bartlett	Inouye	Mondale
Brewster	Javits	Nelson
Brooke	Kennedy, Mass.	Pell
Case	Kennedy, N.Y.	Proxmire
Church	McGee	Young, Ohio
Clark	Metcalf	

NAYS—58

Aiken	Bible	Cotton
Allott	Boggs	Curtis
Anderson	Byrd, Va.	Dirksen
Baker	Byrd, W. Va.	Dominick
Bayh	Cannon	Eastland
Bennett	Carlson	Ellender
Ervin	Long, La.	Smathers
Fannin	Magnuson	Smith
Fong	McClellan	Sparkman
Hansen	McIntyre	Spong
Harris	Monroney	Stennis
Hickenlooper	Montoya	Symington
Hill	Mundt	Talmadge
Holland	Muskie	Tower
Hollings	Pearson	Williams, N.J.
Hruska	Percy	Williams, Del.
Jordan, N.C.	Prouty	Yarborough
Jordan, Idaho	Randolph	Young, N. Dak.
Lausche	Ribicoff	
Long, Mo.	Russell	

NOT VOTING—25

Burdick	Hatfield	Morton
Cooper	Hayden	Moss
Dodd	Jackson	Murphy
Fulbright	Kuchel	Pastore
Gore	Mansfield	Scott
Griffin	McCarthy	Thurmond
Gruening	McGovern	Tydings
Hart	Miller	
Hartke	Morse	

So Mr. BROOKE's amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. PROXMIRE. Mr. President, I have three technical amendments which have been cleared with the distinguished author of the bill. I understand they are necessary to clear up the bill.

The PRESIDING OFFICER. The amendments will be stated.

The legislative clerk read as follows:

On page 6, line 1, after "(a)" strike out "(I)" and insert "(1)"; at the beginning of line 8, strike out "(II)" and insert "(2)"; in line 14, after the word "part", strike out "(I)" and insert "(1)" in the same line after the word "part" where it appears the second time, strike out "(II)" and insert "(2)"; on page 12, after line 17, insert a new section, as follows:

"SEC. 12. Subsection (f) of section 4 of the Subversive Activities Control Act is amended by striking the last sentence of the subsection."

And on page 12, after the amendment just above stated insert a new section, as follows:

"SEC. 13. Subsection (3) of section 3 of the Subversive Activities Control Act is amended by striking '(a)' and by striking the whole of paragraph (b)."

The PRESIDING OFFICER. The question is on agreeing to the amendments of the Senator from Wisconsin [Mr. PROXMIRE]. [Putting the question.]

The amendments were agreed to.

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

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

Mr. DIRKSEN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD (after having voted in the affirmative). On this vote I have a pair with the Senator from Oregon [Mr. MORSE]. If he were present and voting he would vote "nay." If I were permitted to vote I would vote "yea." Therefore, I withdraw my vote.

Mr. MONDALE (after having voted in the negative). On this vote I have a live pair with the senior Senator from Rhode Island [Mr. PASTORE]. If he were present and voting he would vote "yea." If I were permitted to vote I would vote "nay." I withdraw my vote.

Mr. YARBOROUGH (after having voted in the affirmative). On this vote I have a live pair with the Senator from Michigan [Mr. HART]. If he were present and voting he would vote "nay." If I were permitted to vote I would vote "yea." I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Alaska [Mr. GRUENING], the Senator from Washington [Mr. JACKSON], the Senator from Oregon [Mr. MORSE], and the Senator from Rhode Island [Mr. PASTORE] are absent on official business.

I also announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Connecticut [Mr. DODD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Michigan [Mr. HART], the Senator from Indiana [Mr. HARTKE], the Senator from Minnesota [Mr. MCCARTHY], the Senator from South Dakota [Mr. MCGOVERN], and the Senator from Utah [Mr. Moss] are necessarily absent.

I further announce that, if present and voting, the Senator from Washington [Mr. JACKSON], would vote "yea."

On this vote, the Senator from North Dakota [Mr. BURDICK] is paired with the Senator from Alaska [Mr. GRUENING]. If present and voting, the Senator from North Dakota would vote "yea," and the Senator from Alaska would vote "nay."

Mr. DIRKSEN. I announce that the Senators from Kentucky [Mr. COOPER and Mr. MORTON], the Senator from Michigan [Mr. GRIFFIN], the Senator from Oregon [Mr. HATFIELD], the Senators from California [Mr. KUCHEL and Mr. MURPHY], the Senator from Iowa [Mr. MILLER], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from South Carolina [Mr. THURMOND] are necessarily absent.

If present and voting, the Senator from Michigan [Mr. GRIFFIN], the Senators from California [Mr. KUCHEL and Mr. MURPHY], the Senator from Iowa [Mr. MILLER], and the Senator from Pennsylvania [Mr. SCOTT] would each vote "yea."

On this vote, the Senator from South Carolina [Mr. THURMOND] is paired with the Senator from Oregon [Mr. HATFIELD]. If present and voting, the Senator from South Carolina would vote "yea," and the Senator from Oregon would vote "nay."

The result was announced—yeas 65, nays 10, as follows:

[No. 298 Leg.]

YEAS—65

Aiken	Curtis	Hollings
Allott	Dirksen	Hruska
Anderson	Dominick	Inouye
Baker	Eastland	Jordan, N.C.
Bayh	Ellender	Jordan, Idaho
Bennett	Ervin	Lausche
Bible	Fannin	Long, La.
Boggs	Fong	Magnuson
Brewster	Hansen	McClellan
Byrd, Va.	Harris	McIntyre
Byrd, W. Va.	Hayden	Metcalf
Cannon	Hickenlooper	Monroney
Carlson	Hill	Montoya
Cotton	Holland	Mundt

Muskie	Ribicoff	Talmadge
Nelson	Russell	Tower
Pearson	Smathers	Tydings
Pell	Smith	Williams, N.J.
Percy	Sparkman	Williams, Del.
Prouty	Spong	Young, N. Dak.
Proxmire	Stennis	Young, Ohio
Randolph	Symington	

NAYS—10

Bartlett	Clark	Long, Mo.
Brooke	Javits	McGee
Case	Kennedy, Mass.	
Church	Kennedy, N.Y.	

NOT VOTING—25

Burdick	Hatfield	Morton
Cooper	Jackson	Moss
Dodd	Kuchel	Murphy
Fulbright	Mansfield	Pastore
Gore	McCarthy	Scott
Griffin	McGovern	Thurmond
Gruening	Miller	Yarborough
Hart	Mondale	
Hartke	Morse	

So the bill (S. 2171) was passed.

Mr. MANSFIELD. 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.

CONTINUING APPROPRIATIONS, 1968

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 656, House Joint Resolution 888.

The PRESIDING OFFICER. The joint resolution will be stated by title.

The LEGISLATIVE CLERK. House Joint Resolution 888 making continuing appropriations for fiscal year 1968, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. MANSFIELD. Mr. President, for the information of the Senate, there will be no further votes tonight, but I understand that the distinguished Senator from South Dakota [Mr. MUNDT] intends to offer an amendment. The chairman of the committee will make some remarks at the conclusion of the morning business tomorrow.

I believe that the Senator from New York [Mr. JAVITS] also intends to make some remarks this afternoon.

Mr. JAVITS. Yes. I hope it will suit the convenience of the majority leader. It would help me greatly if I could follow the Senator from South Dakota.

Mr. MANSFIELD. It is up to the Chair.

Mr. MUNDT obtained the floor.

Mr. HOLLAND. Mr. President, will the Senator from South Dakota yield?

Mr. MUNDT. I yield.

AMENDMENT NO. 418

Mr. HOLLAND. Mr. President, I submit an amendment to the pending bill, and ask unanimous consent that it be printed and lie on the table.

The PRESIDING OFFICER. The amendment will be received and printed and will lie on the table.

AMENDMENT NO. 419

Mr. MUNDT. Mr. President, at this point, I submit an amendment and ask that it be read and printed in the RECORD in full.

The PRESIDING OFFICER. The Chair advises the Senator that the committee amendments must be agreed to first.

Mr. MUNDT. Mr. President, I am not calling up my amendment. I merely ask that it be printed in full in the RECORD.

The PRESIDING OFFICER. The Senator from South Dakota may proceed.

The amendment of the Senator from South Dakota is as follows:

In lieu of the matter proposed to be stricken by the Committee amendment on page 1, line 6, beginning with the word "and", insert the following:

"SEC. 2. (a) Subsequent to the enactment into law during the first session of the Ninetieth Congress of the appropriation bills for fiscal year 1968, the executive branch is directed, subject to subsection (b), to reduce by at least 5 per centum each line item appropriation (other than appropriations for military functions and those items determined by the Director of the Bureau of the Budget not to be subject to administrative control) contained in such bills.

"(b) In order to provide for the most effective use of appropriations reduced in accordance with subsection (a), the President may make such transfers between appropriation accounts as may be necessary, but no such transfer shall cause any item of appropriation to be increased to an amount in excess of the amount provided in the appropriation bill."

Mr. MUNDT. Mr. President, the decision before the Senate on the continuing resolution is, in my opinion, one of the most important and far-reaching decisions which Senators will be called upon to make during the remainder of this session.

As I view it, there are three possible choices before the Senate. It can take the action as reported from the committee the other day with four dissenting votes, which is a simple continuing resolution, suggesting a delayed date for making renewed consideration of the appropriation bills possible.

At this point, by the way, Mr. President, I would ask that the pages in attendance in the Senate place on the desk of each Senator, the legislation, printed amendments, and the hearings, because I think they should be made available for study overnight.

Mr. President, if we were to take only the committee action, in my opinion, we would be guilty of engaging in a sharp repudiation and rejection not only of the House of Representatives which sent the bill to us with a vote of 253 to 143—an even majority of 110 votes—but also of the House Appropriations Committee itself which labored long and hard and came up with a formula for economizing.

The particular formula brought out by the House committee was amended, changed, tightened, and expanded by amendments adopted by the House of Representatives voting as a whole.

But if the Senate were simply to say, "We are disinclined to do anything about effectuating some economies now"; if we were to pass this simple Senate continuing resolution, in my opinion we would be doing nothing more than making a blunt rejection and a rebuke both of the action of the House as a whole and the action of the House Committee on Appropriations.

I doubt very much that there are very many Senators who want to participate in that kind of repudiation of the House efforts to economize at this juncture in our fiscal history.

I expect to show, in the course of my remarks today and tomorrow, some reasons why I think that would be the height of irresponsibility on the part of the Senate of the United States.

The second alternative is to adopt the House action as a substitute for the committee's continuation resolution. I understand that the Senator from Delaware at least has contemplated making that particular proposal. I think there were good and valid reasons why the Senate committee action did not take the House action in the form in which it came to us, because, in the first place, it was a House floor amendment which had not been considered at all in the hearings of the House Appropriations Committee and its exact ramifications are not clearly evident. It involved some areas of economy which it is doubtful whether the House Members themselves desired to be implemented and, as we held hearings before the Senate Appropriations Committee, it was brought out that certain House actions would need to be corrected and changed in the national interest.

So if we were to adopt the House action without modification or alteration or amendments, we would be freezing without change that particular action on appropriations which I do not think is a prudent way to proceed in this area under the circumstances as brought out in the Senate hearings, copies of which I hope are now being distributed to the desks of Senators.

The third alternative, Mr. President, is to adopt the amendment which I have sent to the desk, which I believe is a prudent and proper compromise by Congress that will put in conference all the alternatives before the two bodies in terms of bringing about some meaningful economies in public spending. It will recognize the merit of House action—by a majority over 100 Members—in trying to effectuate some economies; it will support that purpose; and it will leave to action by the conference the precise procedures to be followed in approaching that objective.

I fully grant that there may be a fourth, or fifth, or sixth alternative in the form of amendments, of which I know nothing, but, at all events, our choice is significant and clear. In my opinion we should take some purposeful, constructive action now and equivocate no longer. Either we reject the economy drive of the House forthwith, if we accept the Senate committee's simple continuing resolution; or we accept that which they have done unquestioningly and assume the responsibility for all the ramifications flowing from a proposal which had not been subjected to hearings, and on which we had no testimony, and which, as was indicated in our hearings, would have results which I doubt many Members of the Congress would want to endorse; or we can accept my amendment or some other course which would be a meaningful demonstration of the desire of the Members of the Senate to do something effective about economy.

I speak in behalf of my amendment be-

cause it seems to me this gives us the tools required to build some economy into the current budget situation. The House has already spoken. Wisely or unwisely, the House has said it thinks there should be some reduction in expenditures. The House committee said it by an overwhelming vote, after it studied the matter. The House itself said, "This is good, but it does not go far enough," and added some cuts. But at least the House has demonstrated to the country that it wants some economy in Government and it wants it now. It is not willing to postpone action, in the middle of October, until the middle of November, or to postpone facing this issue. It has said, "We will dodge it no longer. We will duck it no longer. We will delay it no longer. We will face up to the emergency financial situation which prevails."

My plea to the Senate is that we be equally diligent in refusing to dodge, duck, and delay this most important consideration which must be made, and the most important issue which must be met. The Senate has to accept its responsibility, along with the House and the administration, for doing something meaningful about public spending, which has gotten out of hand.

My amendment assures the President and the executive departments that the Congress is willing to cooperate with them in reducing the current expenditures and the budgetary figures. The Senate will use these tools, we say to the President, to work with him at the workbench of economy, trying to do something together to bring about a reduction in expenditures.

If there are those in this body, and if there are, they are very few in number, or if there are those in the executive departments, and I hope they are also limited in number, who do not want to have any economies effectuated at all, who want to rely entirely on the prospect of higher and higher and higher taxes and costlier and costlier and costlier inflation to solve our problems, to them I submit my amendment has no appeal.

Or to those who say, "We think we should economize, but we did not do it last month when we had it before us and we gave a continuing resolution, and we do not want to do it now, so we should defer it until the 15th of November, and we will not want to do it then because the final supplementary measure will not have passed the Senate," and who will not want to do it when we finally pass the final supplementary measure at midnight or 2 o'clock in the morning before we adjourn—to those who want to kill the economy drive by delaying action on it or confusing or obscuring the issue, my amendment will have no appeal.

Finally, to those who do not want to either raise taxes or economize or take a look at whether or not this rich country can really afford to have bread and cake and guns all at the same time in this war—to them my amendment will have no appeal.

But to all others, I submit that this amendment proposes an honest, effective, across-the-board, objective formula for practical economy. It is a fair and a workable formula for breaking the logjam which the Nation knows now confronts the Congress and the country.

Mr. President, we all know what the logjam is. It has been a great buckpassing carnival. The Congress, the House, the Senate, the Ways and Means Committee, the Finance Committee—everybody says, on the congressional side, "Mr. President, you ought to economize. Tell us where you are going to effectuate some economies and engage in some cutbacks. We will not even continue hearings on taxes, as the Ways and Means Committee of the House has voted and announced, until you tell us when and where and how much you are going to economize."

The President passes the buck back to the Congress and says, "You tell me what I ought to do. You are the appropriations body. You are the tax-raising body. You make the cuts."

Congress rejoins, "We have to know the dimensions of the cloth before we can tailor the suit. We have to know just how much economy has to be made. Mr. President, you act first."

So what happens? We continue to spend. I do not think the taxpayer is too much enhanced or enchanted by this buckpassing game. I propose to bring it to an end. I propose to break the logjam. I propose to tell the President, "We want some economy. We would like at least a 5-percent reduction. We would like to have it across the board, but we recognize that in terms of competent management we cannot always horizontally wisely reduce expenditures.

"So you have the right to deviate from that a little bit. You have a right to cut some areas more than others. But the amendment provides you have no right to use any of the money to increase expenditures in any area. Your economies, your changes, your flexibility move downward only, in terms of expenditures."

Mr. President, I think it is important that this body go on record for some definite steps in terms of economy, for some specific suggestions for taking these pious speeches we all have been making for 90 days or 6 months, and doing something to give real meaning to them. I think it is time, sir, to either fish or cut bait. If we are going to fish, we shall have to say where and we shall have to say how, and we shall have to produce practical, specific, meaningful evidence of our good intentions.

So I submit that this is a good faith amendment. It is not, of course, a perfect amendment. We toyed around with different ideas. It was originally thought that perhaps we would give flexibility to the administration only to the extent of 3 percent, that we would make this a minimum 2-percent cut, right across the board, of all the controllable expenditures, and let the President move around with the 3 percent as his area of flexible determination.

There is some merit to that. I doubt that there is an agency of the Government that could not afford to save 2 pennies out of every dollar it receives. I doubt that there is a single one that could not buy a few less paper clips, turn the lights out a little earlier, do away with some overtime pay, reduce the payroll by an individual or two, or find some other way to save 2 cents out of a dollar. However, I was disappointed in the committee, where my amendment lost on a tie vote of 10 to 10.

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

Mr. MUNDT. I yield.

Mr. HOLLAND. Was that a different amendment, or this amendment?

Mr. MUNDT. For all intents and purposes, this one. We left one paragraph flexible, for the staff to fill in.

Mr. HOLLAND. It was my recollection that the Senator was calling for a $3 billion cut.

Mr. MUNDT. No; the Senator is mistaken. This was the amendment in connection with which we decided to let the clerks write in substitute language for the phrase "locked in expenditures." They have now substituted a more meaningful phrase. It applies to controllable expenditures.

There was some suggestion also that perhaps the President is going to try to abuse Congress, that maybe he is going to vent some partisan spleen on the country; that if we do not put any limit on it, perhaps he will cut too much out of one area, and not enough out of another.

He can, of course, do that. I intend to show, from the record, that he can do it anyway. We already have written that in the law.

But, speaking as one fairly partisan Republican, Mr. President, I wish to submit to the President of the United States a good-faith proposal, relying on him to do the right and proper and effective thing. We will rely on him to make those cuts, without any minimum or maximum limitation, but in conformity with the legislative history of the bill and the language of the amendment.

Let us assume the worst, that the President will say, "Well, Congress has insisted that I economize. All right, fellows, I will give it to you hard, where you do not want it," and he will try to make the economy cuts as distasteful and as malicious as he can.

He could do a pretty good job of it, Mr. President, one time. But we are not going to abolish Congress. We are not going to eliminate the Appropriations Committees of the House and of the Senate. So we have the power. We have the tools. We have the weapons; and if he should do such a thing, we would also then have the motivation to stop that kind of capricious playing around with the public interest. He could never engage in such a punitive practice again.

I do not believe the President will do it now. I am willing to trust him that far. I want to give him a good-faith proposition, and say, "Look, let's work together and break this logjam. We have suggested how much be cut, we have suggested the areas, we have spelled out the agencies and bureaus over which you and we can control expenditures. We have suggested the procedure, across the board. You go ahead and use your good judgment. If there are areas which should not be cut at all, cut some others a little more, and come up with the aggregate 5-percent reduction."

I think we ought to pay a little attention, Mr. President, to another factor which has not been considered very carefully by Congress, and that is the exact status of the Federal budget.

The question of the amount of the deficit for 1968 is a matter that has received considerable attention recently. I wish to review briefly the various estimates used by the administration.

If we look at the President's budget that was submitted in January, we find an administrative budget deficit of $8.1 billion—"if," said the President, "Congress enacts legislation providing for an additional $5.5 billion in revenue."

That was the benchmark from which we started. That was the first ante. That was the beginning of the game. You will find it in the budgetary message last January.

In August there were some changes. The President revised his estimates and told us in August that we will have an administrative budget deficit of $14 billion, provided Congress enacts legislation providing for an additional $7.4 billion in revenue.

Stated differently, he was telling us we have a deficit of $21.4 billion, which could be reduced with a request for a $7.4 billion tax bill, provided Congress enacts such a tax bill.

Time marches on. They revised it again last week. Mr. Schultze, the Director of the Budget, referred to a possible deficit of $26 billion. You will find it in the record of the hearings on your desk—and I interpolate to suggest that every Senator read those hearings. They are brief. Senators who have not had the benefit of rapid reading courses can read them in 45 minutes or an hour. If you have taken the course, you can read them in about 20 minutes, I suppose. The record is very compact, very concise, very thorough, and very significant.

In those hearings, the Director of the Budget said that we are now facing a probable deficit of $26 billion, which allows for an increase of $4 billion in expenditures for the war in Southeast Asia, and assumes that Congress does not enact an increase in taxes.

So, Mr. President, the record is pretty clear. In voting on the amendment I have proposed, Senators should bear in mind that we are facing a deficit of $26 billion, which will be the largest since fiscal years 1943, 1944, and 1945, the peak years of World War II, when the deficits ran about $54 billion a year. The figures I have recited should be enough to convey to every Senator the realization that a slowdown in appropriations is in order. We are not legislating in normal fiscal times.

But even these figures do not give the complete picture. I call attention to table 10, entitled "Balances of Obligational Authority," found on page 51 of the President's budget. It will be noted that with respect to the administrative budget, it is estimated that at the beginning of the current fiscal year, there will be an obligated but unexpended total of $75.3 billion.

At this point, I remind the Senate that those are firm obligations, made pursuant to appropriations, that will not result in expenditures during fiscal year 1968.

Now, let us take a look at the estimate of the obligated totals at the end of fiscal year 1968. We find that item listed as $83.2 billion—or another increase of $7.9 billion. Mr. President, these are the Government's figures. These are the updated items. These are the bills that will have to be paid by the Government. There is no way, unless we rescind something or reduce something, that we can curtail that tremendous $83.2 billion figure. My amendment at least starts us on a constructive and corrective course.

When these obligations are considered, while it is clear that on an expenditure basis the Government will operate in the red during fiscal year 1968 to the tune of only $26 billion—which is more than three times the estimate we were given last January for fiscal year 1968—the new total deficits are substantially higher. Surely, the least we can do now, in the Senate this week, is to call a halt to these sharp increases in expenditures, and to adopt an amendment to start retrenching on some of the expenditures which we are still able to control. That, after all, is the purpose of what we are endeavoring to do in this area, in consideration of my amendment.

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

Mr. MUNDT. I yield.

Mr. HOLLAND. The Senator from South Dakota was present and heard the very able remarks of the Director of the Budget throughout our hearings several days ago, as I recall.

Mr. MUNDT. I was present. I heard it all.

Mr. HOLLAND. The Senator remembers, does he not, that the Director of the Budget agreed that the passage of the six annual appropriation bills which have already been passed in Congress reduce the President's budget by $2 billion?

Mr. MUNDT. Yes, I do. The Senator is anticipating part of my speech, but he may go ahead.

Mr. HOLLAND. The Senator recalls, does he not, that in estimating the reductions in the President's budget on the nine remaining bills which have not yet been acted upon by both Houses of Congress and have not gone to the President, the Director of the Budget estimated that the additional reduction would be about $2.5 billion, making a total reduction of $4.5 billion from the President's budget.

Mr. MUNDT. I think the Senator has hiked the ante from $2 billion to $2.5 billion. I am not sure the Senator can charge that estimate to the Director of the Budget. I think it can be charged to the discussion had around the table among the Senators who are going to have to say something about it. It was said that we hope to effectuate another $2 billion savings. The Senator is correct.

Mr. HOLLAND. I hope the distinguished Senator will look at the record. If he does, he will find that the Director of the Budget testified that in his judgment the additional cuts would be sufficient to bring the total reduction in the President's budget up to $4.5 billion. And I insisted that I thought it would be nearer to $5 billion. Does the Senator recall that?

Mr. MUNDT. I recall the colloquy. As I say, I do not think the Director of the Budget is the world's best authority on what Congress will do. The Senator from Florida is much more competent to judge that than is the Director of the Budget.

Mr. HOLLAND. At any rate, the Director of the Budget did, if the Senator will check the record, state that in his opinion the President's budget would be reduced by a total of $4.5 billion when all the appropriation bills of this session are finally passed upon.

Mr. MUNDT. I think I heard that figure booted about. He said he thought it would be $4 billion, but certainly $4.5 billion would be a pleasant surprise and a gratifying result to me.

Mr. HOLLAND. The distinguished Senator realizes that even after we pass the appropriation bills and even if we reduce the President's budget by $4.5 billion—and it is my feeling that it will be nearer $5 billion than $4.5 billion—if Congress should agree to the amendment of the Senator from South Dakota, there would be a mandate to the President to cut 5 percent on all items—reading from the parenthesis—other than appropriations for military functions and those items determined by the Director of the Bureau of the Budget not to be subject to administrative control.

Mr. MUNDT. The Senator is correct.

Mr. HOLLAND. The distinguished Senator then feels that even after Congress has done its best, and even though we may reduce the President's budget by $4.5 billion, and the Director of the Budget thought that was the better figure—or $5 billion—as I think is probably the better figure—we should still, notwithstanding that very heavy cut, direct the President to cut all line items, except those few that are excepted, by 5 percent.

Mr. MUNDT. Subject to the transferability authority.

Mr. HOLLAND. But the total amount to be cut will amount to 5 percent on all line items other than those which are excepted.

Mr. MUNDT. The Senator is correct, and the Senator from South Dakota believes and would hope that it would amount to a substantial cut in addition, between $1.5 billion and $2 billion.

If the Senator from Florida is correct in his very optimistic prediction that we will save $3 billion more, to make a total of $5 billion, then we would have to do it by the use of items against which the 5 percent also works. So, my amendment would then produce less savings.

If we follow tradition and do not quite live up to expectations, my amendment would effect a little greater savings. If we achieve the cut which I think we should make, we would reduce the total then by an amount of between $6 billion and $7 billion, which is what the administration is now trying to raise by a 10-percent tax imposed on the taxpayers of America. It almost hits the figure on the nose.

Mr. HOLLAND. Under the wording of the Senator's amendment, is it not true

that within the amount to be cut would be included 5 percent of all appropriations for the Veterans' Administration, except those for retirement and pensions and disability payments?

Mr. MUNDT. No; it is not true that it would take 5 percent off the Veterans' Administration for the reason I gave earlier, that we leave to the President's discretion in terms of efficient management, the right not to cut any particular function or agency which in his opinion on the basis of facts supplied by the Bureau of the Budget and by the record itself, he finds to be undesirable to cut. So, if the Veterans' Administration, in his judgment, needs the money appropriated, my amendment would have no impact on that.

Mr. HOLLAND. The Senator has said that the 5 percent of all items for the Veterans' Administration, other than retirement, pensions, and disability benefits——

Mr. MUNDT. Other than all noncontrollable items.

Mr. HOLLAND. Would have to be cut either off the Veterans' Administration appropriation or off some other appropriation.

Mr. MUNDT. That is a horse of an entirely different paint job. That being a Government function, if the President should figure they need all that is appropriated, they would get it. However, if the President does not happen to like the Veterans, he could cut the amount by 20 percent. But he will not do it. He will take the money from areas where the cuts can be better made in the public interest. If the veterans need every dime appropriated, they will get it under my amendment.

Mr. HOLLAND. Is the Senator suggesting that 20 percent might easily be cut from certain appropriations less acceptable to the general public and to the Congress than is the Veterans' Administration appropriation?

Mr. MUNDT. I have voted for some substantial reductions in appropriations already made, and I believe the Senator from Florida has, too. And the RECORD will show, by our votes, that we must have felt that some meaningful cuts could be made in the appropriations already passed.

Mr. HOLLAND. The Senator must understand that in addition to the cuts voted for by him and by Congress——

Mr. MUNDT. I am talking about the cuts which failed.

Mr. HOLLAND. And many have been heavy cuts, the President would be directed by the amendment of the Senator to cut an additional 5 percent with the exception of the matters listed in the Senator's amendment.

Mr. MUNDT. The Senator runs out of breath before he gets the sentence completed. It is with the exception of the items in parentheses and with the exception of the transferability authority which enables the President to keep them at the same figure. He cannot increase them.

I recall that the Senator from Florida voted with me on cuts in some appropriation bills which did not prevail. We succeeded in getting some. However, we did not prevail on others.

I would hope that the President, in looking over those items would make some sharp cuts in those areas where a substantial number of Senators felt there should be cuts. I would put it up to him. This is a good-faith amendment.

We are trusting him to make the proper and the necessary cuts.

Mr. HOLLAND. Does the distinguished Senator feel that the adoption of his amendment would indicate that Congress has more confidence in the President's judgment than it has in the judgment of a majority of Congress?

Mr. MUNDT. I do not think that. I think it simply recognizes the facts of life, that since we passed on appropriation bills, some of them several months ago, the financial situation has gotten tighter, the war has gotten more costly, the problems involving a tax increase have gotten more complicated, the fires of inflation are substantially hotter and we are taking a second look at conditions, as we should do now, and not 60 days from now or 90 days from now.

Mr. HOLLAND. The Senator knows that we have a right to take an additional look from this time forth at the nine appropriation bills that have not yet been passed, does he not?

Mr. MUNDT. For the nine that have not been passed; that is correct.

Mr. HOLLAND. If the Senator has more confidence in what the President will do after we have taken that look and after we have acted, in the light of our view that economies should prevail, he has more confidence in the President than he has in the righteousness of what Congress will do, has he not?

Mr. MUNDT. No. Because I have this much confidence in the President, I do not want the Senator from Florida to put me in the spot of implying I have complete confidence in everything the President does. I believe it manifestly unfair to give to a selected number of government activities, on whose appropriations we may already have acted, the right to continue at that level, and to effectuate all our economies in those that come later in the priority list. I do not believe it is fair or right or essentially effective.

Mr. HOLLAND. If that is the philosophy of the distinguished Senator, why does he not confine his amendment to the six bills which have already passed?

Mr. MUNDT. Because I want this to apply equally to all the bills. This is something which I believe we can reduce. It is true that since we have nine bills still to consider, members of the Committee on Appropriations may well reflect upon that as they arrive at the final figures. But I am convinced that few, if any, items in those bills which remain should not be subjected to the same type of scrutiny.

I believe it would be salutary in this country for every activity of Government to stop expanding for awhile and start examining the costs and the consideration of the taxpayer, and I am attempting to express this in an amendment.

Mr. HOLLAND. So far as the Senator from Florida is concerned, that is one thing the Senator from South Dakota has said with which I can agree. The action of the Senator from Florida in the handling of his bill on the agricultural appropriations would so indicate, because it has been passed at a figure decidedly less than that in the Presidential budget. That attitude of the Senator from Florida is also being reflected, bill by bill, in the matters which are now being passed upon by conference.

But my question was this: If the Senator is trying to aim his action at the six bills already passed, why does he not say so in the amendment, rather than to discourage conferees on the nine remaining bills, and Senators and Representatives who are considering them, from making what they regard as maximum cuts on those bills?

Mr. MUNDT. I would hope that it would be a matter of encouragement, not discouragement, because they would have before them the mandate of Congress that it was highly interested in making some significant economy. The Senator from Florida can guess and I can guess. I do not know how our colleagues will react and neither does he. But I believe it would be encouraging to know that we have expressed this determination to have belt tightening all across the board except in those areas where the President finds it would be detrimental to the public interest. To that extent, certainly, I have confidence in the President.

Mr. HOLLAND. The Senator from Florida believes that the result in passing on the nine appropriation bills yet to be passed, the result upon the conferees, and the result upon individual Members of the House of Representatives and of the Senate would be disappointing and would be unfavorable and would not lead toward the economy which the Senator so ardently desires; because both Houses would be advised—if the Senator's amendment were adopted and the resolution as adopted were passed—that however much they cut each item, it was still going to be cut an additional 5 percent, or at least was subject to being cut an additional 5 percent.

Mr. MUNDT. In response to the Senator from Florida, I say that I respect his right to speculate as to how our colleagues will react to anything we do, as he, of course, must respect mine, because neither of us has a diploma as a crystal-ball gazer. We must guess.

On the basis of what has happened so far in our conference committees in reaction to the House, it would be my conviction that if we take this action, it will have a salutary effect in inducing, in the nine remaining bills and the conferences which remain, a new energy displayed toward economy. Even the action that the House has taken so far in resubmitting bills and passing resolutions of this nature has resulted, as the Senator knows, in some of the conferences which we jointly attend, in the House remaining adamant on positions of economy which have been greater than those we have taken on the Senate side.

I agree with the Senator that we have made some major successful efforts—not adequate to meet the conditions of the time—to reduce the President's budget.

Otherwise, we would not have saved the $2 billion we already have saved.

Mr. HOLLAND. Mr. President, the Senator from Florida has heard of legislative actions to indicate no confidence, but it was always no confidence in somebody else. But the amendment of the distinguished Senator from South Dakota appears to the Senator from Florida to be an invitation to the Senate to vote no confidence in itself, in its own actions, in the actions of the other body, and in the final actions of Congress. The Senator from Florida admits that he has not seen any such proposal ever made during his service in the Senate—more than 21 years—because, in truth and in fact, this is an admission in the RECORD that those voting for this amendment believe that Congress will not have done its duty toward economy and that, on the contrary, after they have done what they may regard as their duty, it believes that the President should cut an additional 5 percent.

It seems to the Senator from Florida that the amendment is very unfortunate, and it would be very unfortunate for it to be attached to the resolution.

Mr. MUNDT. This may reveal the difference of opinion which we have, because the Senator from South Dakota is not satisfied with the economy effort made thus far by Congress. If the Senator from Florida is, so be it; he should then oppose this amendment. If he believes we have done the best we could do or should do, he should oppose it. I do not believe we have. Under the circumstances as they confront us at this late date in October, I believe we should take another look and do some further economizing.

I believe we should set up a formula under which we can meet the problems of our times fiscally. I am unhappy with what we have done. If the Senator is happy with the situation, I can understand why he would say we should not make any change. This is not the first time we have done this. We did it in 1951 and at other times. We have passed legislation of this nature whereby we tighten our belt as we meet new conditions.

Some of the appropriation bills about which the Senator from Florida is talking were passed several months ago. Our financial conditions have vastly changed, and they have changed for the worse. Perhaps the Senator from Florida is not receiving mail from people concerned about inflation. I am. About the threat of high taxes. I am. About the fact that they, at least, are not satisfied with the job we have done up to date. And they say, "Cut it some more." I believe we should. This is one device to do it.

Mr. HOLLAND. The Senator from Florida believes that if in Congress we are successful in reducing the President's budget by $5 billion—and that is what he is working toward—we will have done a splendid job, the like of which has not been done at least in 21 years; and he would not want to put in the RECORD a confession that that is not a good job and that we want an additional 5 percent struck from all line items except a very few.

The Senator from Florida could not support this amendment because it seems to him that it is quite simply an expression of no confidence in Congress, and I do not feel that way about Congress as a whole, or about the Senate or the House of Representatives. We all know that economy must prevail.

He thinks that if we do cut the budget by $5 billion, which is what we are shooting toward, we will have done a good job which would entitle us to the commendation of the entire public.

I thank the Senator for yielding to me.

Mr. MUNDT. The difference between the point of view of the Senator from Florida and me seems to be primarily how much we should cut. We know we have cut $2 billion and I hope we can cut $2 billion more. The Senator from Florida first thought the figure should be $2.5 billion and now he thinks it should be $3 billion more. That is fine. I shall help him try to do it. I think it is still inadequate. The House of Representatives thinks it is inadequate. They proposed $7 or $8 billion and it was carried by a 110-vote majority in a rollcall vote. The other body is a little closer to the feeling of the people in connection with the economy than the Senate is.

In all events I appreciate the suggestion of the Senator from Florida. We discussed this matter on the same basis while in committee. All I can do is point out a formula which I think will save more money if it can be agreed to.

Mr. President, inasmuch as the Senator is in the Chamber who asked me how long I was going to be, and I had told him I would be finished by 5 o'clock, I think I should hurry along so that he will not be inconvenienced. However, if there is something more which my friend, the Senator from Florida, wishes to say I yield to him.

Mr. HOLLAND. I direct the attention of the Senator to page 46 of the printed record of hearings, 10 lines from the bottom, where Mr. Schultze stated:

> My own judgment would be, on a conservative basis, that it looks as if Congress will have reduced appropriations by $4.5 billion. I may be a little too conservative, a little too optimistic, but somewhere in that ball park.

Does the Senator from South Dakota find that quotation?

Mr. MUNDT. Yes. Mr. Schultze said, "somewhere in that ball park"; any place between $4 and $5 billion. I submit that he is not the best authority on that. He participates in no congressional debates, and he does not vote on appropriations. He is looking through a knothole in the fence of the ball park and making a speculation, but he is not and cannot be an authority in the field of speculating on future congressional actions. That is not his field of authority or expertise.

Mr. HOLLAND. We called him to testify because we wanted his advice.

Mr. MUNDT. The Senator is correct.

Mr. HOLLAND. I remember that the Senator from South Dakota was eager to have him testify and to have his views.

Mr. MUNDT. I was more interested in those areas in which he has expertise than where he has to look through the knothole in the fence to see the ball park. He has no way at all to know. Any one of our youngest Senators knows more about the actions in the Senate than somebody at the other end of the avenue just called to testify. He made a pretty adroit answer: He said he was being maybe a little too conservative, and maybe a little too optimistic. How can he be wrong?

Mr. HOLLAND. He told us about the $2 billion which we agreed on. Then, he suggested $2.5 billion more would be cut and he stated that was a conservative estimate.

Then, later on, in respect to my statement, I said, on page 62:

> My own feeling is that these reductions will probably be more than that; between four and a half and five billion. Are you predicting your estimate upon possible cuts in these different fields? Foreign aid, independent offices, space, military construction, antipoverty, and State, Justice, and Judiciary?

Mr. Schultze said, "Yes."

I was trying to make sure we were looking at the same picture. I wanted to call the attention of my distinguished friend very definitely to the fact that the two figures that were mentioned were $4.5 billion and $5 billion, rather than $4 billion, which he mentioned.

Mr. MUNDT. In justice to the Director, we should quote him precisely. He said:

> I may be a little too conservative, a little too optimistic, but somewhere in that ball park.

He left the matter open at both ends. That is why I say he was adroit and could not miss. He protected himself on both ends.

Mr. HOLLAND. Of course, the Director is proceeding not only on what he saw in the two bills, but on the basis of his knowledge of the difference in the House bill and the Senate bill in the six fields mentioned by me, which is what he said he was looking at. The Senator from Florida and the Senator from South Dakota are conferees on most of those additional bills.

Mr. MUNDT. The big bill is foreign aid, which I have not been estimating.

Mr. HOLLAND. It is my estimate we have a better chance to make a $5 billion cut and that is what my sights are on at this time.

Mr. MUNDT. I will help the Senator in every way I can to achieve the total $5 billion goal, which however, I believe is still inadequate. My proposal would give us $6 billion in total congressional savings which I think we should make, and that is what the President asks we provide in a new 10-percent surtax bill.

Mr. President, I ask unanimous consent to have printed in the RECORD a fact sheet concerning the Mundt amendment, indicating precisely what it does. I have set out estimated savings and how the figures go up or down.

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

FACT SHEET: THE MUNDT AMENDMENT

1. Senator Karl Mundt will offer the following amendment to House Joint Resolution 888, a Resolution to continue the authority of the existing Continuing Resolution, providing obligational authority to those

departments and agencies of the Government for which appropriation bills have not been enacted:

At the end of the Resolution, insert:

"SEC. 2. (a) Subsequent to the enactment into law during the first session of the 90th Congress of the appropriation bills for fiscal year 1968, the executive branch is directed, subject to subsection (b), to reduce by at least 5 per centum each line item appropriation (other than appropriations for military functions and those items determined by the Director of the Bureau of the Budget not to be subject to administrative control) contained in such bills.

"(b) In order to provide for the most effective use of appropriations reduced in accordance with subsection (a), the President may make such transfers between appropriation accounts as may be necessary, but no such transfer shall cause any item of appropriation to be increased to an amount in excess of the amount provided in the appropriation bill."

2. *House-passed version of H.J. Res. 888:* As it passed the House of Representatives, this Resolution—

a. Provided for a 30-day extension of the authority granted in the existing Continuing Resolution;

b. Provides for various limitations on fiscal year 1968 expenditures which the Bureau of the Budget estimates will total approximately $7 billion in reductions in 1968 expenditures.

c. Imposes new maximum level of obligations under the Continuing Resolution with respect to the programs of the Agency for International Development and Office of Economic Opportunity.

3. *H.J. Res. 888, as reported:* Recommends—

a. An extension of the existing Continuing Resolution authority to November 15, 1967; and

b. Deletion of those provisions in the House-passed Resolution limiting fiscal 1968 expenditures and imposing new levels of maximum obligations with respect to the Agency for International Development and Office of Economic Opportunity.

4. *The Mundt Amendment:*

a. *Applicability:* Appropriations for all departments and agencies of the Government—the Executive, Legislative, and Judicial Branches.

b. *Effect:* Imposes a reduction of 5 per centum in each appropriation made for fiscal year 1968, including appropriations in those bills already enacted and those to be enacted with the following two *exceptions:*

(1) Funds appropriated to the Department of Defense for *Military Functions;* and

(2) Those items determined by the Director of the Bureau of the Budget not to be subject to *administrative control.*

c. *Implementation:* Subsection (b) of the amendment authorizes the President to make transfers between appropriations as may be necessary to effect the 5% reductions, but provides that no appropriation can be increased over the enacted amount as the result of such transfers.

d. *Estimated savings:* The requests in the President's budget for appropriations (new obligational authority) for fiscal year 1968 total $145.2 billion. The Director of the Bureau of the Budget advised the Committee on Appropriations of the Senate that approximately $38 billion of this total was subject to administrative control. This total excludes appropriations of approximately $74.6 billion to the Department of Defense for *Military Functions* and $32.6 million for programs and activities that are not subject to administrative control, such as interest on the national debt, postal operations, veterans' benefits, and certain agricultural programs. When the proposed 5% reduction is applied to these controllable programs, which total $38 billion, a reduction of $1.9 billion results. However, it must be recognized that the Congress has already made some reductions in funds requested for these programs, and further reductions will be made in those appropriations included in the bills that have not been enacted. When these specific reductions are considered, it is likely that the Mundt amendment will result in further reductions of $1.6 to $1.7 billion in appropriations. It is estimated that such a reduction in appropriations will result in a reduction of from $700 million to $1 billion in expenditures, with the balance of the reduction to follow in later years.

5. *Precedent:* The Mundt amendment is in the nature of a general reduction in appropriations—not a limitation on expenditures. It is patterned after the following provision that was included in the General Appropriation Act, 1951 (Public Law 759, 81st Congress):

"SEC. 1214. Appropriations, reappropriations, contract authorizations, and reauthorizations made by this Act for departments and agencies in the executive branch of the Government shall, without impairing national defense, be reduced in the amount of not less than $550,000,000 through the apportionment procedure provided for in section 1211 of this Act."

6. *Not an "item" veto:* The proposed Mundt amendment does not grant to the President any authority that can be termed an "item" veto. The amendment does grant to the President the authority to make transfers between appropriations, to the extent necessary, to efficiently accomplish the 5% reductions required under the proposed Mundt amendment. It should be remembered that under existing statutory authority the President, through the apportionment process, can refuse to obligate funds provided by the Congress.

This authority is to be found in P.L. 759—81st Congress, General Appropriations Act of 1951.

Mr. MUNDT. I wish to point out further that we have had Congresses before which have faced up to this problem. They have not been too much concerned about whether they were criticizing themselves, the administration, or each other; but we have passed Economy Acts and rescission bills. I think this is a very serious problem. I do not think that a $5 billion cut from inflated estimates when there is a $26 billion deficit is anything to go home and brag about. I think we should do more. I think the White House should still do more if we cut this by $6 billion. If the President gets his tax bill through and raises $6 billion, that is $12 billion, at a time when we have a large national debt and a deficit which is creating certain signs of very dangerous inflation. I hope that beyond such cuts the President can slow down certain expenditures so we can begin to get the budget under control. We have more to consider than the personal feelings of each other on these problems. We must respond to the fiscal problems of our country and we must face up to them. I shall have more to say on this matter tomorrow when we come to the consideration of the amendment.

I join the Senator from Florida in hoping that Senators read the hearings which appear on pages 49 through 73, which incorporate what the Senator from Florida has said. Before that we had listened for almost 2 days to the Budget Director saying that it cannot be cut this way, that way, and so on. I said, "Mr. Budget Director, let us think ahead. This is a real problem." I told him I wanted him to say whether he thought it was a real problem or was not. The Senators will find that he did. It will be found in the hearings. We have his statements about it. I submit it is something we should consider carefully. If someone can present a better system for reducing the budget, so be it. I shall consider it and support it, but I want to get the problem understood and I believe we should take prudent and effective action now.

I was distressed by an editorial which appeared in the St. Louis Globe-Democrat under date of October 16, 1967. It said some pretty unkind things about the Senate and it said some pretty nice things about the House of Representatives. It said that the House of Representatives was facing up to the problem and that they were trying to do something about it over there, but that the Senate was thinking of one reason, one alibi, or another, for doing nothing. I hope before the Senate adjourns we do something. I have no pride in authorship in my amendment but it is an important step in the right direction.

I would welcome the support of the Senator from Florida to come up with a savings of $7 billion or any additional amount, or 8 percent instead of 5 percent, but I want to get started in the right direction. This is the most effective and reasonable way that I know. This is a good-faith approach. If any Senator has a better one, let him produce it. But by all means let us not settle now for doing nothing.

Mr. President, I ask unanimous consent that the editorial to which I have referred may be printed in the RECORD.

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

In view of its recent irresponsible behavior in approving money bills calling for even greater expenditures than President Johnson's excessive budget requests, the United States Senate has lost a great deal of prestige in the eyes of Americans who expected far better from the highest legislative body in the country.

There appears an air of unreality in the Senate. Its members show no sign that the nation faces a $29 billion deficit from President Johnson's out-of-control budget.

In its latest action the Senate approved a $4.77 billion public works bill (better known as the "pork barrel" bill) that tops the House-passed version by $1.53 billion.

The Senate has tacked on $1.57 billion to the already huge $4.95 billion agriculture money bill approved by the House. In recent days its members also have added $198 million to the anti-poverty bill, seeking $2.25 billion for this fiscal year, and have passed a space budget in excess of $4 billion that also topped the House version.

The House by contrast, is taking a stand against the President's drive to railroad through virtually all of his $143 billion budget.

Refusal of the Senate to cooperate in the House budget-cutting efforts has tipped the balance in Mr. Johnson's favor, encouraging him to turn the screws on House members by freezing all government spending for rivers and harbors projects, military housing and other programs, rather than prune the budget.

Unless members of the Senate quit playing politics with the people's money, the

near chaotic standoff between the House and the President can be expected to continue, greatly damaging the nation's economy and undermining confidence in Congress.

Members of both parties in the Senate should shake off this political stupor before the present impasse inflicts much greater harm to those they supposedly represent.

THE DOMESTIC DEVELOPMENT BANK AND THE ECONOMIC OPPORTUNITY CORPORATION

Mr. JAVITS. Mr. President, I am sorry that events have kept us to this late hour. I had hoped not to keep my colleagues so late on this matter, but I believe the bills I am introducing today are critically important to relieve the situation facing the whole war on poverty as to require some elucidation to Senators.

The PRESIDING OFFICER. Without objection, the bills will be received and appropriately referred.

Mr. JAVITS. Mr. President, I ask unanimous consent that the text of the bills may be printed at the end of my remarks.

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

(See exhibit 1.)

Mr. JAVITS. Mr. President, I introduce, for myself and Senators ALLOTT, BOGGS, BROOKE, CARLSON, CASE, COOPER, DOMINICK, GRIFFIN, HATFIELD, JORDAN of Idaho, KUCHEL, MURPHY, PEARSON, PERCY, PROUTY, SCOTT, TOWER, and YOUNG of North Dakota, a bill to establish a Domestic Development Bank to assist in the development of employment and business opportunities in certain urban and rural areas.

The second bill would amend the Economic Opportunity Act of 1964 to charter an Economic Opportunity Corporation to encourage the participation of private enterprise in the effort to rebuild urban slums and eliminate poverty in the United States.

There are 22 sponsors of this bill, which I introduce for myself and Senators AIKEN, ALLOTT, BAKER, BOGGS, BROOKE, CARLSON, CASE, COOPER, DOMINICK, GRIFFIN, HATFIELD, JORDAN of Idaho, KUCHEL, MUNDT, MURPHY, PEARSON, PERCY, PROUTY, SCOTT, TOWER, and YOUNG of North Dakota.

Now, Mr. President, it is well known that for many years I have urged the concept upon the minority of suggesting and recommending feasible alternatives. This is certainly one of the most important of those efforts which have been made and it is offered in the greatest spirit of cooperation and in the hope that it may appeal to enough members of the majority to make it law. But I think it is so important that a large body of members of my party have gathered to sponsor a very major effort in the poverty field as to very richly justify putting it forward as an alternative which was offered at this time solely by the minority.

It is most instructive, on one of these bills, that 22 Republican Senators commit themselves to an affirmative and most constructive antipoverty program, thereby, I think, answering decisively any doubts about whether the great body of Republicans will really enlist in this fight. I think it is, in that respect, extremely constructive and extremely important.

1. THE NEED FOR A NEW STRATEGY

For several decades, the phenomenon of urbanization has been the dominant domestic trend in this country—a trend far outrunning our ability to comprehend it and deal with it. Urbanization has proliferated the big city slum, the slum which over the past summer repeatedly gave birth to riot and tragic destruction of life and property.

But the crisis of the core city is also a crisis for rural America, whose people are taking flight to the cities as farm manpower needs diminish. No program or effort which seeks to resolve the problems of the city slum can stand alone—rural migration needs to be halted or at least slowed and the economy of rural America brought back into equilibrium.

The legislation which my Republican colleagues and I are offering today seeks to deal with two related problems which are fundamental to the substance of rural and urban poverty. This legislation is aimed primarily at resolving the problems of unemployment in both these areas and at raising the level of business activity owned and managed by local people in order that they may build an economic stake in the community.

But our strategy in this legislation is somewhat different from that which has dominated Federal programs to date. For in these bills, primary reliance is placed upon the forces of private enterprise with Government fund and resources being used essentially as levers to move those private forces into paths that will alleviate conditions of poverty and solve social problems.

A great many people, both citizens and politicians, are restless and impatient with the present antipoverty and welfare programs. Very few of these people would, I think, disagree with the goals of the war on poverty. Rather, they are concerned that these goals are not being reached and that we are not breaking the cycle of poverty and dependency. To some extent, such criticisms are premature, for the antipoverty programs are of only very recent origin and have been continually plagued by congressional delays in funding and by inadequate appropriations. Nevertheless, there are grounds to doubt the adequacy of the antipoverty effort, and too many of our programs are mere bandaids or palliatives which comfort the victim but offer him no cure for his condition. The bills I present today are designed to break this cycle, to advance beyond the band-aid approach.

These bills seek to tap the resources of what can be our greatest ally in the war on poverty—the private sector. Government by itself simply cannot marshal the funds nor the talent to solve this problem. But when used in conjunction with and to stimulate private efforts, Government funds can have a multiplier effect and hence a far greater impact.

Let me be perfectly clear on one point: As of now, with our present approaches, we are not winning the war on poverty and we may in fact be losing it. The gap between rich and poor is growing in this country. The unemployment rates in many rural and poverty areas are going up. It is no longer simply a matter of pious statement that it would be nice if private enterprise came to our aid in this struggle. Private enterprise should enter this struggle and Government must see to it that it does. Unless Government funds are used to this end and with this multiplier effect, results will not be forthcoming which are needed to sustain public support for the antipoverty program.

The legislation which I propose today would create two new vehicles, a Domestim Development Bank and an Economic Opportunity Corporation, to encourage and facilitate the participation of private enterprise in urban and rural antipoverty efforts. Each of these bills draws upon the experience of successful international institutions which are engaged in economic development and antipoverty activities abroad. I wish to emphasize that neither of these programs would replace the Office of Economic Opportunity or the present antipoverty program, but they would add a new dimension to it. With a greater involvement of private money and talent, Government would have a partner in the war on poverty and may find it possible to expand its own efforts more modestly.

I have received the important suggestions of a number of my Republican colleagues—suggestions which have been incorporated in these bills. Moreover, this legislation had had a great deal of study and analysis involving business, labor, foundation executives, professors, and economists. I first introduced a bill to establish an Economic Opportunity Corporation in June 1966, and these two bills being introduced today are refinements of that original measure.

II. THE DOMESTIC DEVELOPMENT BANK

First. The heart of the problem—unemployment and lack of business opportunity. The problems of unemployment and lack of business opportunity are the touchstones of this legislation.

We have been aware of massive and chronic unemployment in this country for sometime, but a series of 10 Labor Department slum surveys conducted in November 1966, gave us a first clear idea of the staggering dimensions of the problem. These surveys showed that the unemployment rate in these areas was about 10 percent, or three times the average for the rest of the country, and that "unemployment—or subemployment—in city slums is so much worse than it is in the country as a whole that the national measurements of unemployment are utterly irrelevant." Moreover, there is evidence that the situation is deteriorating—the Labor Department reports that "social and economic conditions are getting worse, not better, in slum areas."

The second fundamental problem, one which we have tended to overlook in terms of Federal programs, is the lack of involvement of the rural or urban poverty area resident in the ownership and management of the business community which serves him. The riots have shown us the depths of this alienation and resentment in the cities as white-owned

stores were burned and looted while "soul brother" establishments were spared. Though he is tragically mistaken, the slum Negro sees himself as having no stake in the economic life of his community and no realistic possibility of becoming a part of it—hence there is no community morality against destroying it.

We pride ourselves on our system of private enterprise, secure in the belief that where everyone shares in the responsibilities and benefits, all will remain guardians of the system and will prosper. We must now ask what we are prepared to do to insure that all groups do in fact participate and have a stake in the preservation of the economic system. We must now seek to train and assist men to become owners and entrepreneurs in our society with as much vigor as we are now training them to become other people's employees.

Nor is small business ownership important only for the city slum residents—in depressed rural areas too, the development of small business opportunities would aid to stabilize the local economy, check outmigration, and offer a kind of economic opportunity heretofore denied to the rural poor.

Statistics on this problem of lack of business opportunity are hard to come by, particularly in rural areas, but the Interracial Council for Business Opportunity, which provides technical assistance to minority group businessmen, has developed the following data:

New York City, with a Negro population of about 1,100,000, has only about a dozen Negro-owned or managed enterprises employing as many as 10 persons;

Over half of Newark's 400,000 residents are Negroes, but only a little over 10 percent of its 12,172 licensed businesses are Negro owned;

In Los Angeles, with an estimated 600,000 Negro residents, there are 131,039 licensed businesses of which almost an invisible fraction is owned by the Negro minority;

In Washington, D.C., where 63 percent of the citizens are nonwhite, only 13 percent of the businesses are owned by Negroes;

The Department of Labor's statistics show that of the 3,000,000 self-employed persons in the United States, only 70,000 or less than 3 percent, are nonwhite;

According to a Fortune article, from 1950 to 1960 there was actually a decline of one-fifth in Negro ownership and operation of business enterprises.

The Interracial Council for Business Opportunity concluded, after reviewing this data, that "violent appeals will be less likely to occur in communities where the stabilizing influence of a successful Negro business class exists."

Second. The role of economic development: It is apparent that if the forces that stimulate business formation and location could be put to work in or near poverty areas, we would have a technique which at one time strikes at both unemployment and lack of business opportunity. Under such an economic development strategy, the aim would be to create businesses which would be both job producing and which would open presently closed doors to business ownership for residents of urban and rural poverty areas.

We cannot, however, rely upon present private market forces and the continued growth and prosperity for the average citizen to solve the problem of rural and urban poverty. For, as the Department of Labor slum survey concluded:

> No conceivable increase in the gross national product would stir these backwaters.

And, in fact, present trends in economic development are contributing to a worsening of the situation, for businesses are leaving the core cities and the depressed rural areas.

Between 1954 and 1965, almost two-thirds of all new industrial buildings and a little over half of all new stores were constructed outside the central cities. In some cities, the flight of new construction was even greater—rising in Los Angeles to 85 percent of the new industrial buildings and 63 percent of the stores.

A report entitled "Program Planning for Economic Development," prepared by the Economic Development Administration, projected employment, income and population changes for each county in the United States and concluded that by 1975—

> Even if all the labor force absorbed by expanding job opportunities in suburban and outer-ring counties comes from the central cities, 9.8 percent of the population of the 25 largest metropolitan areas still must either migrate to smaller, rapidly growing counties or find jobs at home not projected by our analysis. This 9.8 percent is an enormous figure in absolute numbers—7.1 million persons (or 2.9 million jobs).

The situation in the depressed rural areas is just as serious, and can be measured by the migration statistics. Some 11,000,000 Americans migrated from rural to urban areas between 1950 and 1960 and there is every indication that the trend will continue at least through the mid-1970's. The effects in individual cities are startling: for example, it is estimated that 1,000 displaced farmworkers pour into Watts every month. The magnitude of the in-migration trend is staggering: between 50 and 60 percent of nonwhites in those six Northern and Western cities of greatest Negro population—New York, Chicago, Philadelphia, Detroit, Washington, and Los Angeles—are in-migrants, and about 80 percent of those came from the South.

A new strategy of economic development, balanced between rural and urban areas, is urgently called for. This strategy must be carefully developed, in my view, so that it does not point irrevocably toward black core cities surrounded by white suburbs. Great care must also be taken to insure that, in the cities, this strategy focuses upon the right kind of business development and ownership. Certain kinds of establishments are typically more able than others to thrive in the core cities. These urban industries include service companies, office buildings, construction firms, distribution companies, and light manufacturing—enterprises which do not require extensive land and/or produce massive displacement, and which do not have substantial air and noise pollution attributes.

Third. The leverage of financing: For these kinds of businesses, a key inhibition to location or development in a rural or urban poverty area is an inability to get financing for the construction or purchase of fixed assets or for working capital. This is particularly a problem for minority group businessmen. At the present time no significant amount of long-term, low-interest mortgage money is available from public or private sources for such industrial and commercial projects; a particularly severe problem is the lack of financing for most of project costs; for example, 90-percent mortgage loans. Typically, the only mortgage loans for commercial purposes which are now available would be on the order of 15- to 20-year loans of 50 percent of project costs at a "constant factor"—interest plus amortization of principal—of 9 or 10 percent. Such loans would be available in poverty areas only to well established, credit worthy borrowers. At these terms, there is no incentive to locate facilities in a poverty area and no opportunity for any other than the most credit worthy businessman to get financing.

By far the larger number of potential borrowers in poverty areas cannot get loans at all, despite the fact that a great many are excellent credit risks. Virtually no loans are available to "speculative builders" who would construct office or loft buildings without previously leased or sold all of the space. The fact is, quite simply, that the banks, insurance companies, and other lending institutions have better risks elsewhere, given the demand for money in this tight credit market. Perhaps the only companies which would not have these credit problems on moving into a slum area are the large corporations—the General Electrics and U.S. Steels—who tend to finance their expansion activities from internal capital or by selling their own notes on the market.

This analysis suggests, of course, the provision of long-term, low-cost credit as a vehicle for producing the desired economic development. An alternative approach has been suggested in two bills which would use tax incentives for economic development. Both of these tax incentive bills have been coauthored by my colleague, Senator PEARSON, of Kansas, and I myself am a cosponsor of one of them. I want, for a moment, to sketch out the connections and distinctions between this and a tax approach. I am convinced that they are not mutually exclusive. In the first place, a tax incentive will only stimulate the development or location of a business in a rural or urban poverty area if the businessman already has the credit to become established. Tax deductions and credits come into operation only after the business is established and is making a profit; such incentives do not aid the businessman to get his initial mortgage money or working capital. Since only the biggest and most credit worthy companies are eligible in today's money market for credit to establish facilities in these poverty areas, a tax incentive approach alone would tend to favor only the larger and more estab-

lished corporations. But an economic development strategy for the core cities must also appeal to other than such corporations, for large manufacturing plants with large land requirements are not always well suited to urban location. Aside from air and noise pollution problems, they would tend to produce severe relocation difficulties for displaced residents and may not be physically desirable in most ghettos, which are essentially residential areas. Moreover, they would almost always be absentee owned operations, and typically would not provide the important psychological advantages of local ownership which a small- and middle-sized business assistance program might produce. Finally, important questions arise as to the relative effectiveness of a tax approach. Tax incentives tend to be on inflexible instrument, and cannot be readily tailored to fit the needs of individual industries, businessmen, or geographic areas. Moreover, because of the size of the incentive has to be determined in advance, it may later prove to be a windfall for some businessmen or too small to provide adequate incentives for others.

At any rate, the tax incentive approach should be coupled with the credit approach so that there is encouragement both at the establishment stage and during the ongoing operation of the business. The target of these two approaches tends to be different, both in terms of the point in time at which the incentive comes into play and the nature of the business to which it is most appealing.

Credit for plant construction and purchase of machinery is just as serious a problem in rural areas as it is in the cities. Many communities have issued industrial revenue bonds to finance land purchases and plant construction, but such bonds depend on the credit worthiness of the company and hence tend to be a source of financing only for the largest and best established corporations. Moreover, this use of tax-exempt bonds is under strong attack in the Congress and may itself be eliminated. In short, the provision of long-term, low-interest financing is also a keystone of rural economic development.

An economic development approach stressing credit would not, of course, eliminate the need for Federal programs in other areas. Small business management counseling and training programs must accompany any effort to provide credit, and I am hopeful that the new small business technical assistance program which I have authored under title IV of the Economic Opportunity Act will be approved by the Congress and will help to fill that need. Manpower training programs must also be continued and expanded, for it makes no sense to induce the location of job-producing industries in areas of high unemployment unless assistance is available to employers to upgrade and train those poverty area residents.

Fourth. The Domestic Development Bank legislation: The first bill that I am introducing today would propose the establishment of a Domestic Development Bank as a source of needed low-cost financing in high-risk areas. Aside from financing, it would also provide supportive technical assistance, insurance, and the opportunity for borrowers to avoid the redtape of a governmental program. In essence, it would be very much like the highly successful World Bank in its purposes, operations, and structure. The World Bank has demonstrated that the provision of attractive credit is a powerful development tool in underdeveloped areas and that such a venture can be economically sound—the Bank earned $169 million in net profits in the year ending June 30, 1967, and has never been required to call upon its reserves of government guarantees. The World Bank has made over $10 billion in loans and has raised over $3.4 billion from private investors for its development activities.

Another example of a banking institution of this type is Pridco—the Puerto Rican Industrial Development Company. Pridco has grown from a modest beginning to a $150 million organization with a gross income of $9.6 million in 1966, and has successfully sold several bond issues. It provides industrial facilities for sale or lease to industry, develops tourist facilities, grants short- and long-term loans to industry and engages in promotion and research activities. With the help of Pridco as the financing and real estate arm of its economic development program, Puerto Rico has attracted over 1,300 manufacturing enterprises to the island.

The Domestic Development Bank would be established by an act of Congress as a profitmaking corporation authorized to finance business and commercial projects where capital is not otherwise available on reasonable terms. The Bank would be empowered, in connection with such projects, to make loans, guarantees or participate in loans for plant, equipment, and working capital, and would be authorized to undertake insurance arrangements in connection with such facilities.

Such insurance arrangements might take the form of self-insurance on a project by the Bank, coinsurance between the Bank and the borrower, or reinsurance arrangements concluded by the Bank with insurance companies to protect the facility against casualty loss. Construction loans could also be made to construction companies in connection with the development of such business and commercial facilities.

Loans could go to businesses and projects of all sizes, both the large and middle sized job-producing enterprises and small business establishments which would tend to be locally owned. With small business loans, the Bank might choose to operate through guarantees to local banking and financial institutions or by using local banks as agents in handling the loans. Financing could also be made available to public or private organizations for essential infrastructure, such as transportation or power facilities, which could not be financed through other sources and which are needed to support private development, but this would not be the major purpose of the Bank. Mortgage loans, for example, would be on the order of 30-year terms for 90 percent of project cost at rates of about 6¼ or 6½ percent interest—or 7½ percent including amortization of principle. As a condition on financing the Bank would have to be satisfied that the borrower had adequate equity or other financial interest in the facility to insure his careful and business-like management of the project and to guard against fly-by-night operations; the share which the borrower would have to put up would vary according to conditions.

The Bank would not be authorized to make mortgage loans for residential facilities, since Government agencies—FHA—are now engaged in such housing financing programs on terms which the profitmaking Bank probably could not better. But where housing is integrated with business facilities, as on the upper floors over retail stores, the mortgage loan could cover the entire project.

The Bank could take the initiative in bringing management and capital together for projects and could itself act as developer or owner of the particular facility until such time came when a private purchaser could be found. Unlike a tax incentive economic development scheme, which is essentially passive, the Bank approach would provide an active entrepreneurial agent.

The primary condition on all loans, would be that the project would have to be first, located in urban or rural poverty areas designated by the Secretary of Labor as an area having a high proportion of concentration or unemployed or low-income persons; or, second, generate new jobs of which at least 25 in number and not less than 50 percent are to be held by persons who prior to such employment were unemployed or low-income residents of eligible poverty areas. Indian reservations would qualify as eligible areas.

I think it is important to offer this alternative for at least two reasons:

First, it makes little sense to insist that a plant be located in a slum area if it could be located, at less cost and at less disruption to the community, outside that area and still provide the needed job opportunities. Transportation assistance for workers can be provided as necessary under existing Government programs.

Second, and more important, it is probably unwise in the long run simply to focus on the slum itself by bringing jobs and plants within those areas. Efforts to improve the ghetto must be matched with efforts to open opportunities for its inhabitants outside. Otherwise, we only increase the magnet of the central city for the rural migrant, and we point resolutely in the direction of Negro occupied cities surrounded by white suburbs. At the present time, the tax incentive proposals are not drawn up in a manner which offers this option and opportunity for integration, and I am hopeful that the authors of those bills will accommodate this strategy. Certainly, to take the case of New York City, it does not make sense to insist that a large manufacturing company be located in Harlem if land is available in a nearby industrial park and if transportation can be arranged to get the workers from the ghetto to the job.

The borrower would have to be certified by appropriate local officials regarding acceptability of its proposed location, architectural design, and the provision of adequate relocation assistance for any families or businesses displaced. Further conditions would require that the Bank consult with and encourage the participation of local banking institutions, that it emphasize financing for facilities which will be owned by residents of eligible areas or in which opportunity for such ownership is made available, and that unemployed and low-income persons resident in the eligible area would be given preference in employment in the facility and in its construction. Other benefits, such as the generation of new small business opportunities in the supportive service trades and the esthetic benefits of new construction, would automatically accrue to the area.

The Bank would issue $2 billion in capital stock subscribed by the Federal Government. As was true of the World Bank, 20 percent of the Government subscription would be paid in initially—$400 million—with the Bank having a call on the remaining 80 percent —$1.6 billion— as a reserve to meet the Bank's liabilities on its own borrowings on the private bond market. In this manner, there would be a guarantee or reserve for private investors in the Bank's bonds. It would sell bonds at market interest rates, just like the World Bank, in order to raise the bulk of its loan funds; expected interest rates on the bonds would be approximately 6 percent. The initial $400 million paid in by the Government would be raised by the Secretary of the Treasury through sale of United States obligations on the market, so that there would be no draw on tax revenues to finance the Bank. This is the manner in which most of the U.S. Government contributions for the international development banks have been raised, including the World Bank, the Inter-American Bank, and the Export-Import Bank. Through this technique, only the credit of the United States is called upon; all the funds for the Bank's activities would come ultimately from private investors without burden on the taxpayer. The Government stock would earn dividends for the Treasury which should more than offset the cost to the Government of paying the interest and principle due on the Treasury bonds sold to finance its subscription to Bank stock.

This method of financing, using the sale of U.S. Government bonds rather than congressional appropriations, is necessary to insure private bond holders that the Government guarantee will be made good on the Bank's bonds. Otherwise, the Bank would have to go through the risky appropriation process whenever it called upon its reserves of Government stock.

The Bank would be organized through the establishment of a commission which would appoint incorporators. The Commission would be composed of the Vice President, the Secretary of the Treasury, the Secretary of Commerce, the Secretary of Labor, the Director of the Office of Economic Opportunity, and the majority and minority leaders of the Senate and House of Representatives. The Commission would appoint incorporators, who would serve as the initial board of directors, two-thirds of whom would be representatives of the private sector and one-third Government officials or employees. The President would thereafter appoint the 18 directors, with the advice and consent of the Senate, for 4-year terms on a staggered basis—nine directors appointed every 2 years. Two-thirds of the directors would be from the private sector—six from business and finance, two from organized labor, two from private social welfare organizations or foundations which deal with the problems of poverty, and two representing the general public. The remaining six directors would be from government, including Federal, State, and local government.

The economic incentive provided by the availability of low-cost credit would be enormous. On the one hand, it would allow rents in business and commercial facilities to be up to one-third less than in areas where this financing was not available. Moreover, by providing a substantial percentage of project costs, the Bank would enable developers and industrialists to get their equity back within a very few years by use of the deductions presently available under the Internal Revenue Code. The Bank's bonds would be sold at competitive rates and I would hope that they would be particularly attractive investments for labor-management pension funds, foundations, insurance companies, and other investing organizations would like to put their capital to work in a socially useful as well as profitmaking manner.

III. THE ECONOMIC OPPORTUNITY CORPORATION

First. The need for a national technical assistance organization: Beyond encouraging a flow of private loan and investment capital into rural and urban poverty areas, there is a need to engage the talents and personnel of businesses, labor unions and other organizations in the private sector in solving the problems of poverty. A preliminary review of the degree of business interest in solving poverty problems indicates a dramatically growing willingness to participate.

There is not now any organization which is specifically concerned with encouraging such private sector participation in antipoverty related activities, despite the tremendous potential. And, of course, to the extent that the private sector can be enlisted in the war on poverty in a whole variety of local efforts across the United States, the cost burden on the Government becomes correspondingly less. At the present time, there is no central point to which businessmen, union leaders, and others can go for information on the kinds of activities which they might undertake. People in city X can discover what is happening in city Y only by chance. There is no mechanism through which local civic groups or business firms can learn from the successes and failures of similar organizations in other areas. Moreover, there are a great many individual private initiatives spotted around the country. For example, in Rochester a group of employers has organized a prevocational and training program and has hired a private corporation to deliver the basic educational services. In California, innovative techniques have been employed to persuade businesses to lower their entrance requirements and to hire the hard core poor. In one of the better known examples, a business group is working in the Bedford-Stuyvesant community of Brooklyn to promote business development and training activities in that area. In that particular case, I serve on the board of directors of that group, and have personally received comments from several of its members that they would have been materially aided had there been some national group or central source to which they could have gone for information and technical assistance in the early stages.

Not only are interested private parties inadequately aware of what is going on in other areas of the country, but they are not generally informed about the wide variety of Government aids and incentives which are now available. There has been and will continue to be a proliferation of Government incentive programs which some one organization should be in a position to communicate and interpret to the business community and to other elements of the private sector. Moreover, in establishing and refining these incentive programs, I feel that the Government badly needs a top-level institution with which it can work and which will represent the views of the private individuals and organizations which wish to become involved.

Furthermore, there is clearly a need, in my view, for some central organization which will encourage business to participate more broadly in the solution of social problems by undertaking on a contract basis what have up to now been Government functions. To the extent that industry is willing to take on these functions, we can avoid building up more Government bureaucracies and can further contribute to the strength of the private economy.

Second. The Economic Opportunity Corporation: The second bill I am introducing today would establish an Economic Opportunity Corporation whose authority would be tailored to fit these needs. It would be a nonprofit, federally chartered corporation which would concentrate in three major areas.

First. The Corporation would be an information center and provide a source of technical assistance to the private sector in connection with antipoverty activities. It would conduct the first survey of what U.S. business and labor is currently doing to combat rural and urban poverty and slum conditions and would make a wide variety of case studies of battle-tested approaches available to firms and other organizations which propose to enter the field. It would be empowered to carry on pilot or demonstration projects with businesses to develop new forms of antipoverty participation, and would make informed personnel available on request to assist private groups in the initiation of their projects. The Corporation would also provide in-

formation and assistance on Government aids and incentives to interested parties and would cooperate with Government in refining and communicating those Federal programs to the private sector. All this would be accompanied by educational efforts communicating case studies and information by way of conferences, mailings, periodical publications, and the like.

The Corporation could be particularly useful to the local urban coalitions which are now in the process of formation throughout the country and which at present have no national umbrella organization to look to for any substantial assistance. The Corporation could provide a crucial service in making available program ideas, information and technical assistance to these coalitions.

Second. The Corporation would be a center for information, research and demonstration projects designed to develop opportunities for business to undertake on contract the performance of public services. As already mentioned, contracting to perform systems analysis and management functions in social welfare programs would be particularly important. Another area of particular promise for the establishment of profitmaking public service opportunities is in the area of manpower training. The Federal Government is now experimenting on an ever greater scale with hiring private firms to undertake such training on a contract basis, and private firms themselves are letting substantial contracts to organizations which can provide them with skilled labor—for example, the steel industry has given the Board for Fundamental Education a $1 million contract for an in-plant training program.

Third. The Corporation would develop the types of business enterprise which will benefit rural and urban poverty areas and at the same time be attractive ventures for private interests. The legislation provides that the Corporation could establish profitmaking subsidiary organizations which would serve as small business development and investment companies. Such subsidiaries would perform the initial research and feasibility studies on business opportunities and then would seek out appropriate entrepreneurs to implement them. For example, such business opportunities might be developed as joint ventures between the existing companies—for example, a sewing machine company and a textile company could collaborate on establishing sewing centers for poverty area residents, who could rent the machines and purchase mill ends. Alternatively, such businesses might be initially owned by the subsidiaries of the Corporation, if they were too risky to interest any private businessmen until proven out, or they might be franchised to the local entrepreneurs on a nationwide basis. The emphasis in these activities would, of course, be on developing local entrepeneurship and management by poverty area residents. In taking on the research, feasibility studies, and demonstration projects, the Corporation would be minimizing the risk for local entreprenurs and providing the entrepreneurial talent to put projects together.

This kind of activity has been pursued successfully on the international level by the International Basic Economy Corporation. Through IBEC, new business opportunities ranging from factories to fishing fleets have been identified and developed with the help of U.S. technical assistance and capital. Similar economic research, feasibility studies, and seed money financing made available in our domestic urban and rural poverty areas could have the same productive effects.

These subsidiary organizations should be profitmaking enterprises and might even be able to issue stock or securities to the public to raise investment and seed money capital. The parent Economic Opportunity Corporation would earn dividends on the operations of the subsidiaries and these funds could support the nonprofit or loss operations of the parent company. In this manner, it is hoped that the whole venture could be self-supporting.

The Corporation itself would be established as a nonprofit organization chartered in the District of Columbia. As with the Bank, it would be organized through a Commission composed of public officials who would appoint the incorporators who would then serve as the first Board of Directors. Five members of the 15-member Board would be appointed by the President, with the advice and consent of the Senate, and 10 members of the Board would be elected by the private members of the Corporation. Any individual, corporation, labor union, or other organization could become a member of the Corporation either by making a stated minimum contribution to it, in which case the contributor would be entitled to a tax deduction, or by buying bonds of the Corporation. It is anticipated that funds would initially be raised from the private sector largely by the contributory approach, although if the Corporation were later to prove to be self-sustaining, it might be able to offer its bonds at competitive rates on the market. The initial seed money for the Corporation would be in the form of a Federal grant of $10 million, with provisions for up to an additional $10 million in Federal funds to match private contributions.

IV. CONCLUSION

I am offering these proposals today together with my Republican colleagues as what we hope to be constructive alternatives to present governmental policy and to give greater assurance than we now have that the war on poverty will succeed.

This is not, however, intended to be partisan legislation; I am hopeful that we will soon be joined by a number of our colleagues from across the aisle whom I know to be sympathetic with the goals of these bills and with the need for bringing the private sector fully into the war on poverty.

I am hopeful, too, that the administration will join us in support of these programs. Secretary Wirtz put the matter concisely in his press conference of October 3 with Secretary Trowbridge:

> I think jobs are the live ammunition in the war on poverty, and I think the right kind of jobs are jobs in private employment, and that the best kind of training of the hard-core unemployed for these jobs is what we have come to call on-the-job training.

I agree, and the provision of jobs and jobs in the private sector is one of the fundamental purposes of this legislation.

We are introducing these proposals now in the knowledge that they will probably not receive hearings and legislative action this year, but in the hope that they will spark deep consideration and analysis of the private sector role in the months ahead.

If we can give the private sector the incentives, the framework and the wherewithal in which to operate to become effectively involved in the creation of new jobs, in manpower training and in the establishment of business opportunities in poverty areas, we will have made a great advance in the war on poverty. No other approach offers greater promise of success.

EXHIBIT 1

By Mr. JAVITS (for himself, Mr. ALLOTT, Mr. BOGGS, Mr. BROOKE, Mr. CARLSON, Mr. CASE, Mr. COOPER, Mr. DOMINICK, Mr. GRIFFIN, Mr. HATFIELD, Mr. JORDAN of Idaho, Mr. KUCHEL, Mr. MURPHY, Mr. PEARSON, Mr. PERCY, Mr. PROUTY, Mr. SCOTT, Mr. TOWER, and Mr. YOUNG of North Dakota):

S. 2572. A bill to establish a Domestic Development Bank to assist in the development of employment and business opportunities in certain urban and rural areas; to the Committee on Banking and Currency:

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 "Domestic Development Bank Act".

PURPOSE

SEC. 2. It is the purpose of this Act to contribute to the elimination of poverty in the Nation by—

(1) promoting the economic development or urban slum areas and of depressed rural areas characterized by substantial outmigration of persons, by providing financing on attractive terms for the establishment and improvement of business and commercial facilities and supporting public development facilities in or accessible to such areas, in order to make job and business opportunities available for residents to contribute to the physical improvement of such area;

(2) stimulating private investment in such facilities;

(3) seeking to bring together in such areas investment opportunities, public and private capital, and capable management;

(4) providing technical and other supportive assistance to aid in such economic development; and

(5) seeking to achieve these purposes primarily by the application of the financial, management and technical assistance resources of the private sector.

DEFINITIONS

SEC. 3. As used in this Act—

(1) The term "eligible area" means a rural or urban area designated by the Secretary of Labor pursuant to section 101(a).

(2) The term "business or commercial facility" means a fixed place of business, in or from which a manufacturing, processing, assembling, sales, distribution, storage, service, or construction business is carried on, including but not limited to—

(A) an office building or place of management,

(B) a factory, plant, laboratory, service center, or other workshop,

(C) a store or sales outlet,

(D) a storage, transportation or shipping facility, and

(E) any combination thereof, including a combination of any of these facilities in the same building with residential housing.

(3) The term "supporting public development facility" means an element of infrastructure, typically developed and owned by a public agency or private utility company, which is necessary to support economic development activities under this Act, such as a transportation or power facility.

(4) The term "low-income person" means a person whose adjusted gross income (as defined in section 62 of the Internal Revenue Code) in a particular period is less than an amount specified by the Secretary of Labor as the minimum amount reasonably necessary, in the area in which he resides, to adequately support himself and his family.

(5) The term "eligible job" means a new employment position, which did not exist prior to the provision of assistance under this Act, at the business or commercial facility or the supporting public development facility assisted, and for which the wages paid shall not be lower than whichever is the highest of (A) the minimum wage which would be applicable to the employment under the Fair Labor Standards Act of 1938 if section 6 of such Act applied to the participant and he was not exempt under section 13 thereof, (B) the State or local minimum wage for the most nearly comparable covered employment, or (C) the prevailing rate of wages in the area for similar work.

TITLE I—DESIGNATION OF ELIGIBLE AREAS

SEC. 101. (a) The Secretary of Labor, in consultation with the Director of the Office of Economic Opportunity, shall identify and designate as eligible areas within the meaning of this Act—

(1) those urban areas which have high concentrations of unemployed and low-income persons;

(2) those rural areas which have high concentrations or proportions of unemployed and low-income persons and which are characterized by substantial outmigration of persons as a result of inadequate employment opportunities; and

(3) those Indian reservations which the Secretary of the Interior determines should be subject to the provisions of this Act.

The identification and designation of such areas may be made without regard to political or other subdivisions or boundaries and shall be made in coordination with similar identifications and designations under the Economic Opportunity Act of 1964 and other relevant laws.

(b) The Secretary of Labor, with the cooperation of the Bureau of the Census, shall prepare and publish maps showing the location and boundaries of such eligible areas.

(c) The Secretary of Labor shall, upon the request of the Domestic Development Bank, promptly certify whether any specified location is within an eligible area, including such an area whose boundaries might not yet have been defined.

TITLE II—ESTABLISHMENT OF A DOMESTIC DEVELOPMENT BANK—CREATION OF BANK

SEC. 201. There is hereby authorized to be created a corporation for profit to be known as the "Domestic Development Bank" (hereinafter referred to as the "Bank") which shall be an instrumentality of the United States Government. The Bank shall be subject to the provisions of this Act and, to the extent consistent with this Act, to the District of Columbia Business Corporation Act. The right to repeal, alter, or amend this title at any time is expressly reserved.

PROCESS OF ORGANIZATION

SEC. 202. There is hereby established a Commission for the appointment of incorporators of the Bank. The Commission shall be composed of the Vice President of the United States, who shall serve as Chairman, the Secretary of the Treasury, the Secretary of Commerce, the Secretary of Labor, the Director of the Office of Economic Opportunity, and the majority and minority leaders of the Senate and the House of Representatives. The Commission shall meet within thirty days after the enactment of this Act and shall appoint incorporators, by and with the advice and consent of the Senate, who shall serve as the initial board of directors until their successors are selected and qualified. The incorporators shall include appropriate representatives of business, finance, labor, Government, social welfare organizations, and other relevant fields, but not more than one-third of such incorporators may be Government officials or employees. Such incorporators shall take whatever actions are necessary consistent with this Act to establish the Bank, including the filing of articles of incorporation, as approved by the President.

DIRECTORS AND OFFICERS

SEC. 203. (a) The Bank shall have a Board of Directors consisting of eighteen individuals who are citizens of the United States, of whom one shall be elected annually by the Board to serve as Chairman. Members of the Board shall be selected as follows:

(1) The President of the United States, by and with the advice and consent of the Senate, shall appoint six members of the Board who shall be officials or employees of government, including Federal, State and local government. The terms of directors so appointed shall be for four years, except that (A) the terms of such directors first taking office shall expire as designated by the President at the time of appointment, three at the end of two years, and three at the end of four years after such date; and (B) any director so appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of such term. At the discretion of the President, any individual who ceases to be an official or employee of government during his term as director may, notwithstanding that fact, complete his term.

(2) The President of the United States, by and with the advice and consent of the Senate, shall appoint the remaining twelve members of the Board from among representatives of the private sector. Of the twelve persons so appointed, six shall be from among representatives of business and finance, two from among representatives of organized labor, two from among representatives of social welfare organizations or foundations dealing with problems of poverty, and two from among representatives of the general public. The terms of directors so appointed shall be for four years, except that (A) the terms of such directors first taking office shall expire as designated by the President at the time of appointment, one-half of the members of each category at the end of two years, and one-half of the members of each category at the end of four years after such date; and (B) any director so appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of such term and shall be chosen from among representatives of the same category as his predecessor.

(b) The Board of Directors shall appoint a president of the Bank and such other officers and employees as it deems necessary to carry out the functions of the Bank. Such appointments may be made without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and persons so appointed may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates. The president of the Bank shall be an ex officio member of the Board of Directors and may participate in meetings of the Board, except that he shall have no vote except in case of an equal division. No individual other than a citizen of the United States may be an officer of the Bank. No officer of the Bank shall receive any salary, other than a pension, from any source other than the Bank during the period of his employment by the Bank.

(c) No director, officer, attorney, agent, or employee of the Bank shall in any manner, directly or indirectly, participate in the deliberation upon or the determination of any question affecting his personal interests, or the interests of any corporation, partnership, or association in which he is directly or indirectly personally interested.

ADVISORY COMMITTEES

SEC. 204. (a) There shall be an Advisory Committee of not less than nine persons, selected by the Board of Directors on the recommendation of the president of the Bank, which shall be broadly representative of industry, commerce, finance, labor, private social welfare agencies, and government at all levels. The Committee shall meet annually and at such other occasions at the call of the president of the Bank, and shall advise the Bank on general policy and on such other matters as the Bank may direct. Members of the Committee shall serve for such terms as the Board of Directors may from time to time determine and they shall be paid their reasonable expenses incurred on behalf of the Bank.

(b) The Board of Directors may appoint such other advisory committees and councils as it deems desirable.

(c) Any official or employee of the United States Government may accept appointment and serve on any advisory committee or council established pursuant to this section, any other provision of law notwithstanding.

CAPITALIZATION OF BANK

SEC. 205. (a) Subject to the provisions of this section, the Bank is authorized to issue from time to time and to have outstanding capital stock of an aggregate purchase price not to exceed $2,000,000,000. Shares of such stock shall be nonvoting and without par value, and shall be eligible for dividends.

(b) The Secretary of the Treasury is authorized to and shall subscribe for and acquire on behalf of the United States, upon request of the Board of Directors, the full amount of the stock of the Bank of an aggregate purchase price of $2,000,000,000. The subscription of the United States shall be divided into two parts as follows:

(1) Twenty per centum shall be paid at the time of subscription shall be available as needed by the Bank for its operations.

(2) The remaining 80 per centum shall be subject to call by the Bank only when required to meet obligations of the Bank created under section 206(c), except that not more than 5 per centum of such amount may be called in any period of three months.

The Secretary of the Treasury is authorized and directed to pay the subscription of the United States to stock of the Bank from time to time when payments are required to be made to the Bank. For the purpose of making these payments, the Secretary of the Treasury is authorized to use as a public-debt transaction $2,000,000,000 of the proceeds of any securities hereafter issued under the Second Liberty Bond Act as amended, and the purposes for which securities may be issued under that Act are extended to include such purpose. Payment under this paragraph of the subscription of the United States to the Bank and repayments thereof shall be treated as public-debt transactions of the United States.

(c) Stock and other securities issued by the Bank pursuant to this section and section 206(b) shall be exempt securities under section 3 of the Securities Act of 1933 (15 U.S.C. 77c).

OPERATIONS AND POWERS OF THE BANK

SEC. 206. (a) In order to carry out the purposes of this Act, the Bank is authorized to—

(1) make, participate in, or guarantee loans or provide other financing for real or personal property or for working capital to any public agency or private organization or individual for the establishment, expansion, or preservation of any business or commercial facility or supporting public development facility which (A) is to be established or is located in an eligible area, or (B) will provide eligible jobs of which at least twenty-five in number and not less than fifty per centum shall be held by persons who prior to such employment were unemployed or low-income residents of eligible areas;

(2) make, participate in, or guarantee loans or provide other interim financing for the construction or improvement of such facilities to building contractors, subcontractors, or other persons engaged in such work;

(3) provide or assist in the provision of insurance to protect any agency, organization, or individual receiving financing for a business or commercial facility or a supporting public development facility under paragraphs (1) and (2) against damage or casualty loss in connection with such facility;

(4) plan, initiate, own, and manage such facilities where no appropriate party is available and where the Bank determines that there is reasonable ground to believe that it can later terminate its ownership on satisfactory terms;

(5) provide such technical and other supportive assistance as may be necessary in connection with its financing operations;

(6) seek to bring together investment opportunities in such facilities, capital, and capable management; and

(7) carry on such other activities as would further the purposes of this Act.

(b) The Bank is authorized to—

(1) issue bonds, debentures, and such other certificates of indebtedness as it may determine and may issue such securities on a competitive or negotiated basis at the discretion of the Board of Directors;

(2) invest funds not needed in its financing operations in such property and obligations as it may determine;

(3) buy and sell securities it has issued or guaranteed or in which it has invested; and

(4) guarantee securities in which it has invested for the purpose of facilitating their sale.

(c) Whenever necessary to meet contractual payments of interest, amortization of principal, or other charges on the Bank's own borrowings, or to meet the Bank's liabilities with respect to similar payments on loans guaranteed by it, the Bank may call an appropriate amount of the unpaid subscription of the United States in accordance with section 205(b)(2). Moreover, if it believes that a default on financing provided by it may be of long duration, the Bank may call an additional amount of such unpaid subscriptions for the following purposes—

(1) to redeem prior to maturity, or otherwise discharge its liability on, all or part of the outstanding principal of any loan guaranteed by it with respect to which the debtor is in default; and

(2) to repurchase, or otherwise discharge its liability on, all or part of its own outstanding borrowings.

(d) The Bank is authorized to establish a principle office and branch offices in such locations as it may determine. It may establish regional offices and determine the location of, and the areas to be covered by, each regional office. It may make arrangements with public or private organizations at the regional, State and local levels, including banking organizations and other financing institutions, to act as agents or otherwise to assist the Bank in the conduct of its business.

(e) To carry out the foregoing purposes, the Bank shall have such additional powers as are conferred upon a stock corporation by the District of Columbia Business Corporation Act.

OPERATING PRINCIPLES

SEC. 207. The operations of the Bank shall be conducted in accordance with the following principles:

(1) The Bank shall undertake its financing, technical assistance, and other operations on such terms and conditions and for such fees as it considers appropriate, taking into account the requirements of the enterprise, the risks being undertaken by the Bank, the benefits to the eligible area or to the residents of such areas, and the conditions under which similar financing might be available from private investors.

(2) The Bank shall consult with and shall seek to encourage local banking and other financial institutions to participate in its financing and other activities.

(3) The Bank shall, to the extent feasible, give emphasis in its activities to providing financing and other assistance to facilities owned in whole or in part by residents of eligible areas or to facilities in which such ownership is made available to such persons.

(4) The Bank shall seek to revolve its funds by selling its loans, guarantees and other investments to private investors whenever it can appropriately do so on satisfactory terms.

(5) The Bank shall, to the extent feasible, deposit or invest funds not needed in its financing operations in order to benefit eligible areas, including the depositing of such funds in local banks, credit unions, and other lending institutions serving such areas.

(6) No director, officer, attorney, agent, or employee of the Bank shall participate in the deliberation upon or the determination of any question affecting his personal interests, or the interests of any corporation, partnership, or association in which he is directly or indirectly personally interested.

(7) The Bank shall not engage in political activities nor provide financing for or assist in any manner any project or facility involving political parties or used or to be used for sectarian instruction or as a place for religious worship, nor shall the directors, officers, or employees of the Bank in any way use their connection with the Bank for the purpose of influencing the outcome of any election.

LIMITATIONS ON FINANCING

SEC. 208. The Bank shall not provide financing for any business or commercial facility or public development facility, nor shall it plan, initiate, own or manage such a facility, unless it determines that—

(1) other public or private financing could not be obtained on reasonable terms and conditions;

(2) adequate arrangements have been made to insure that the proceeds of any loan or other financing are used only for the purposes for which the financing was provided, with due attention to considerations of economy and efficiency;

(3) the borrower or other recipient of financing has an adequate equity or other financial interest in the facility to insure his careful and businesslike management of the project;

(4) the governing body of the city or, as appropriate, the governing body of the county, parish, or other political subdivision in which the facility is located or is to be established, or an agency or other instrumentality of such political subdivision designated by such body, has certified to the Bank its approval of (A) the establishment of the facility at the particular location, (B) the proposed standards of construction and design, and (C) provisions for the relocation of any residents or businesses to be displaced;

(5) the establishment, expansion, or preservation of the facility in the particular location will contribute to raising standards of living and skills levels for residents of the eligible area;

(6) unemployed or low-income residents of eligible areas will be given preference in filling employment opportunities created by the establishment, expansion or preservation of the facility, including the construction thereof; and

(7) no person shall, on the grounds of race, color, religion, or national origin, be excluded from employment in any facility, or in the construction or other physical improvement of any facility, which is financed or otherwise assisted by the Bank.

EXEMPTION FROM FEDERAL TAXES

SEC. 209. For the purpose of the Internal Revenue Code of 1954, the Bank shall be considered to be an instrumentality of the United States and exempt from Federal income taxes.

AUDIT AND REPORT

SEC. 210. (a) The financial transactions of the Bank shall be audited by the General Accounting Office in accordance with the principles and procedures applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States. The representatives of the General Accounting Office shall have access to all books, accounts, financial records, reports, files and all other papers, things, or property belonging to or in use by the Bank and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositaries, fiscal agents, and custodians. The audit shall cover the fiscal year corresponding to that of the United States Government.

(b) A report of each such audit shall be made by the Comptroller General to the Congress not later than January 15 following the close of the fiscal year for which the audit was made. The report shall set forth the scope of the audit and shall include a statement of assets and liabilities, capital and surplus or deficit; a statement of sources and application of funds; and such comments and information as may be deemed necessary to keep Congress informed of the operations and financial condition of the Bank, together with such recommendations with respect thereto as the Comptroller General may deem advisable. The report shall also show specifically any program, expenditure, or other financial transaction or undertaking observed in the course of the audit, which, in the opinion of the Comptroller General, has been carried on or made without authority of law. A copy of each report shall be furnished to the President and to the Bank at the time submitted to the Congress.

ANNUAL REPORT

SEC. 211. Not later than one hundred and twenty days after the close of each fiscal year the Bank shall prepare and submit to the President and to the Congress a full report of its activities during such year.

TITLE III—AMENDMENTS TO OTHER ACTS

AMENDMENTS RELATING TO FINANCIAL INSTITUTIONS

SEC. 301. (a) The sixth sentence of paragraph Seventh of section 5136 of the Revised Statutes, as amended (12 U.S.C. 24), is amended by inserting before the comma after the words "or obligations, participations, or other instruments of or issued by the Federal National Mortgage Association" the following: ", or debentures or other obligations of the Domestic Development Bank".

(b) Section 5200 of the Revised Statutes, as amended (12 U.S.C. 24), is amended by adding at the end thereof the following:

"(14) Debentures or other obligations of the Domestic Development Bank shall not be subject to any limitation based upon such capital and surplus."

(c) The first paragraph of section 5(c) of the Home Owners' Loan Act of 1933, as amended (12 U.S.C. 1464(c)), is amended by inserting before the semicolon in the second proviso following "any political subdivision thereof" the following: "; or in debentures or other obligations of the Domestic Development Bank".

By Mr. JAVITS (for himself, Mr. AIKEN, Mr. ALLOTT, Mr. BAKER, Mr. BOGGS, Mr. BROOKE, Mr. CARLSON, Mr. CASE, Mr. COOPER, Mr. DOMINICK, Mr. GRIFFIN, Mr. HATFIELD, Mr. JORDAN of Idaho, Mr. KUCHEL, Mr. MUNDT, Mr. MURPHY, Mr. PEARSON, Mr. PERCY, Mr. PROUTY, Mr. SCOTT, Mr. TOWER, and Mr. YOUNG of North Dakota):

S. 2573. A bill to amend the Economic Opportunity Act of 1964 to charter an Economic Opportunity Corporation to encourage the participation of private enterprise in the effort to rebuild urban slums and eliminate poverty in the United States; to the Committee on Labor and Public Welfare:

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 "Economic Opportunity Corporation Act of 1967".

SEC. 2. The Economic Opportunity Act of 1964 is amended by adding at the end thereof a new title IX as follows:

"TITLE IX—ECONOMIC OPPORTUNITY CORPORATION

"FINDINGS AND PURPOSE

"SEC. 901. (a) The Congress hereby finds that—

"(1) conditions of rural and urban poverty and widespread urban blight threaten the general welfare and domestic security of the country and require an expanded dedication of effort and commitment of resources aimed at their elimination;

"(2) the major resources and strength of this country reside in the private sector of the Nation's economy and any successful effort to eliminate poverty and urban blight must involve a massive application of private resources;

"(3) a substantial number of individuals and organizations in the private sector, including business firms, labor unions, foundations, educational institutions, and professional and civic organizations, are willing to contribute to the solution of these problems but their participation is often inhibited by the lack of any central source of information about successful private initiatives, the unavailability of talented management personnel, and a lack of seed money from private sources; and

"(4) the full and effective involvement of the private sector in the solution of these problems can be facilitated by the Federal government but the organization and control of this effort is best left with the private sector.

"(b) It is the purpose of this title to establish a private, nonprofit corporation to stimulate greater participation by the private sector—agencies, organizations and individuals—in public and private anti-slum and antipoverty programs by—

"(1) providing a central source for information and research on opportunities for private sector participation in such programs;

"(2) furnishing technical assistance to private organizations and individuals in planning and carrying out such programs;

"(3) providing financial assistance to such organizations and individuals to serve as seed money and to stimulate the provision of capital by private sources;

"(4) initiating and participating in pilot business ventures designed to provide needed products and services and to increase local business ownership in urban slum areas; and

"(5) developing, in conjunction with public and private organizations, methods of applying modern business management techniques to the solution of social problems, and otherwise encouraging increased participation by the private enterprise in such programs and in providing needed public services.

"CREATION OF CORPORATION

"SEC. 902. (a) There is hereby established a nonprofit Economic Opportunity Corporation (hereinafter referred to as the Corporation) which will not be an agency or establishment of the United States Government. The Corporation shall be subject to the provisions of this title and, to the extent consistent with this title, to the District of Columbia Nonprofit Corporation Act. The right to repeal, alter, or amend this title is expressly reserved.

"(b) No part of the net earnings of the Corporation shall inure to the benefit of any private person, and it shall qualify as an organization described in section 501(c)(3) of the Internal Revenue Code of 1954 which is exempt from taxation under section 501 (a) of such Code.

"PROCESS OF ORGANIZATION

"SEC. 903. There is hereby established a Commission for the appointment of incorporators. The Commission shall be composed of the Vice President of the United States, who shall act as Chairman, the Speaker of the House of Representatives, the Director of the Office of Economic Opportunity, the Secretary of Labor, the Secretary of Commerce, and the Majority Leader and Minority Leader of the Senate and of the House of Representatives. The Commission shall meet within thirty days after the enactment of this title and shall appoint incorporators, by and with the advice and consent of the Senate, who shall serve as the initial board of directors until the first annual meeting of members or until their successors are selected and qualified. The incorporators shall take whatever actions are necessary to organize the corporation, including the filing of articles of incorporation under the District of Columbia Nonprofit Corporation Act.

"DIRECTORS AND OFFICERS

"SEC. 904. (a) The Corporation shall have a board of directors consisting of fifteen individuals who are citizens of the United States, one of whom shall be elected annually by the board to serve as chairman. Five members of the board shall be appointed by the President of the United States, by and with the advice and consent of the Senate, for terms of three years except that (1) the terms of the directors first taking office shall be effective on the date on which other members of the board are elected and shall expire as designated by the President at the time of appointment, one at the end of one year, two at the end of two years, and two at the end of three years after such date and (2) any director so appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. Ten members of the board shall be elected annually by the members of the Corporation.

"(b) The Corporation shall have a president, and such other officers as may be named and appointed by the board of directors, at rates of compensation fixed by the board, and serving at the pleasure of the board. No individual other than a citizen of the United States may be an officer of the Corporation. No officer of the Corporation shall receive any salary from any source other than the Corporation during the period of his employment by the Corporation.

"MEMBERSHIP IN THE CORPORATION

"SEC. 905. (a) Any person may become a member of the Corporation by—

"(1) purchasing from the Corporation one or more of the debentures of the Corporation referred to in section 906(a); or

"(2) donating to the Corporation money or property (taken at fair market value) in an amount or amounts to be determined by the board, but in no event less than $100.

"(b) Each member shall be entitled to one vote regardless of the amount of debentures held by him or the amount donated by him to the Corporation.

"(c) Any donations to the Corporation shall qualify as charitable contributions within the meaning of section 170 of the Internal Revenue Code of 1954.

"FINANCING OF THE CORPORATION

"SEC. 906. (a) The Corporation may issue such bonds, debentures, or other certificates of indebtedness at such times and on such terms and conditions as the board may determine to be required for the fulfillment of the purpose of the Corporation.

"(b) The Secretary of the Treasury is authorized to make grants to the Corporation to assist it in meeting its organizational expenses and in carrying on its activities. There is authorized to be appropriated not to exceed $20,000,000 for the purpose of providing financial assistance under this subsection, except that $10,000,000 shall be made available to the Corporation at the time of its incorporation and additional amounts, not to exceed in aggregate $10,000,000, shall be made available from time to time to match donations or purchases of debentures made pursuant to section 905(a). Appropriations authorized under this subsection shall remain available until expended.

"ACTIVITIES AND POWERS OF THE CORPORATION

"SEC. 907. (a) In order to carry out the purposes of this title, the Corporation is authorized to—

"(1) establish an information and research center on how private individuals and organizations can participate in antislum and antipoverty projects, including information on existing government programs and incentives and on promising privately sponsored projects, and including research on new governmental and private incentives or forms of organization which would be helpful;

"(2) organize educational programs, including the use of conferences and mailings, to disseminate information in order to encourage private individuals, agencies, organizations and business enterprises to participate in antislum and antipoverty activities;

"(3) provide technical assistance to public and private agencies and organizations in the planning and operation of projects;

"(4) stimulate the establishment of, invest in and operate new business enterprises which, by reason of their location, employment effect, or products or services produced, would ameliorate conditions of poverty and urban blight, including new business enterprises operated for profit by the Corporation as well as enterprises which would be owned by existing firms or by other organizations or individuals;

"(5) establish one or more subsidiary corporations, including one or more corporations which qualify as small business investment companies under title III of the Small Business Investment Act of 1958 (15 U.S.C. 681 et seq.), to invest in or operate such new business enterprises;

"(6) provide technical and financial assistance to private lending institutions and other private organizations in order to stimulate the provision of capital to new and existing enterprises located in urban areas of high concentration of low-income persons or owned by low-income persons;

"(7) develop in conjunction with public and private agencies and organizations methods for the application of modern business management techniques to the solution of social problems, and otherwise encouraging the participation of private agencies and organizations in providing needed public services; and

"(8) carry on such other activities as would further the purposes of this title.

"(b) In the performance of the functions set forth in subsection (a), the Corporation is authorized to—

"(1) enter into such contracts, leases, cooperative agreements, or other transactions as the board of directors deems appropriate to conduct the activities of the Corporation;

"(2) charge such fees as the board of directors deems reasonable and appropriate;

"(3) carry out its activities, wherever desirable, on a State or local basis through such entities as the board of directors deems appropriate;

"(4) accept and use with their consent, with reimbursement, such services, equipment and facilities of agencies of the Federal government, State government or other local political subdivisions as are necessary to conduct the activities of the Corporation efficiently, and such agencies are authorized to loan, with reimbursement, such services, equipment and facilities to such corporation; and

"(5) exercise all powers conferred upon a nonprofit corporation by the District of Columbia Nonprofit Corporation Act.

"REPORTS TO THE CONGRESS

"SEC. 908. The Corporation shall transmit to the President and Congress, annually and at such other times as it deems desirable, a comprehensive and detailed report of its operations, activities and accomplishments under this title."

A REBIRTH OF RESPONSIBILITY

Mr. PERCY. Mr. President, I am pleased and proud to lend my support to two bills which the Senator from New York [Mr. JAVITS] has introduced today.

I am pleased because the Economic Opportunity Corporation and the Domestic Development Bank will provide the procedural machinery necessary to involve the private sector of our economy in the solution of important public problems. Only by such an involvement and partnership will we begin to make a significant impact on our complex and difficult urban problems.

I am proud because these two unique and original proposals represent sound Republican thinking. These bills manifest the best in Republican philosophy in that they call upon Government to do wnat it can do best and upon the private sector for what it can do better.

I have talked for many years about the need for an Alliance for Progress here at home where the public and the private sectors would cooperate in solving our domestic problems. However, rhetoric without machinery is meaningless. From my own experience in developing the National Home Ownership Foundation Act. I know that it is not always easy to conceive workable and practical procedures whereby this alliance can be accomplished. However, the distinguished Senator from New York has provided an outstanding service in thinking through the problems we face, deciding how the private sector can be most effective and then engineering the instruments through which these programs can be implemented.

The time has come for America to realize that Government cannot solve every problem. Government does not have sufficient financial resources or expertise to tackle the variety and scope of contemporary American problems. We here in the Congress must open new doors, travel new avenues, and test new programs in the hope of finding the most effective procedures with which we can meet the challenge of the future as well as the problems of the past.

If the Federal Government will take the lead in establishing quasi-public-private organizations like Comsat, the National Home Ownership Foundation, the Economic Opportunity Corporation, and the Domestic Development Bank, which will test the will and the ability of the private sector to contribute, I am confident that the American people will respond and we will see a rebirth of individual and organizational responsibility in our Nation which will result in the betterment of American life for all.

ORDER OF BUSINESS

Mr. JAVITS. Mr. President, I am prepared to move that the Senate adjourn, but in the event that any other Senators has something to say, 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. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ADJOURNMENT

Mr. JAVITS. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 52 minutes p.m.) the Senate adjourned until Tuesday, October 24, 1967, at 12 noon.

EXTENSIONS OF REMARKS

Seventy-three Percent Vote "No" on Gun Control

EXTENSION OF REMARKS
OF
HON. JOHN D. DINGELL
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, October 23, 1967

Mr. DINGELL. Mr. Speaker, pursuant to permission granted, I insert in the CONGRESSIONAL RECORD the results of a poll conducted in Columbus, Ohio, on October 9, 1967.

In that poll following the 6 p.m. news program on channel 4, the question was asked, "Do you favor gun-control legislation?" Persons in the audience were to call one telephone number to vote "yes" and another number to vote "no."

The results were announced on the 11 p.m. news that same evening. Twenty-seven percent of those responding voted "yes" and 73 percent voted "no."

This tends to indicate again, Mr. Speaker, the strong opposition of the American people to legislation restricting the right of law-abiding citizens to acquire firearms for legitimate sporting and defense purposes.

Questions in the 1970 Census

EXTENSION OF REMARKS
OF
HON. O. C. FISHER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, October 23, 1967

Mr. FISHER. Mr. Speaker, I desire to join with those who question the need and propriety of so many clearly nonessential questions being included in the 1970 Decennial Census of Population and Housing. It would seem to me that only the essential questions should call for compulsory answers; answers to any others should, at best, be on a purely voluntary basis.

Basically, the purpose of the census is to provide the Congress with information needed to decide on a basis of population how the seats in Congress should be distributed among the various States. Any other purpose that is served becomes incidental.

I have examined the 67 subject items tentatively proposed to be included, with answers to each made mandatory. One who fails to answer any of the questions becomes subject to Federal prosecution, with a possible penalty of 60 days in jail or a $100 fine.

As I see it, essential questions should be those which relate to names, addresses, relationship of the head of the household, sex, birth dates, race or color, and marital status. A bill to that effect has been introduced.

It is proposed, for example, that the census taker ask whether you share your shower, how you enter your home, where you lived at a certain time in the past, whether you use a flush toilet or a refrigerator, the amount of rent you pay, and how many of the rooms in your home have running water.

It seems clear to me that many of the

proposed questions invade the area of one's privacy. As applied to some there is danger of harassment and embarrassment.

The census should be kept as short and simple as possible, and only failure to answer those questions which are essential should subject the citizen to prosecution.

The Congress should take a close look at this.

Judge John R. Coryn

EXTENSION OF REMARKS
OF
HON. TOM RAILSBACK
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, October 23, 1967

Mr. RAILSBACK. Mr. Speaker, the State of Illinois has just lost one of its outstanding jurists in the untimely death of Judge John R. Coryn, of the third district appellate court.

Jack Coryn was only 38 years old when he was killed in a plane crash in Canada on October 5 of this year. He was the youngest appellate court judge in the State of Illinois and despite the fact that he was a young man at the time of his death, Jack Coryn had already achieved excellence in his chosen profession, and prior to assuming the bench he was generally recognized as an outstanding trial attorney in western Illinois. His record as an appellate court judge will be remembered by the many opinions that he wrote which will be his legacy to the bar.

I had the privilege of living in the same neighborhood and growing up with Jack Coryn in Moline, Ill., and I along with all of the rest of his friends and neighbors had the opportunity to watch him grow in stature from the time he attended Sacred Heart School in Moline and then graduated from St. Ambrose Academy in Davenport, Iowa. He then went on to the University of Notre Dame where he graduated with a B.S. degree, cum laude, in 1951, and received an LL.B., cum laude, in 1953, from the Notre Dame College of Law, ranking fifth in his law class. From 1953 to 1955 he served in the U.S. Army with the office of the judge advocate general in Germany.

After his military service he became an assistant State's attorney in Rock Island County from 1955 to 1956, and Moline city attorney from 1957 to 1961. He then served as assistant attorney general of Illinois from 1961 to 1964. From 1958 to his election as appellate judge in 1964, Judge Coryn was a partner in the law firm of Sinnett, Rink & Coryn, in Rock Island, Ill., acting as trial counsel for that firm. He served as a Democratic precinct committeeman in Rock Island County from 1958 to 1964.

Judge Coryn was a former member of the board of governors of the Rock Island County Bar Association, and was a member of the Illinois Bar Association, American Bar Association, and American Judicature Society. He was on the board of directors of the Notre Dame Law Association, as well as a member of the Institute of Judicial Administration.

Not only was he intelligent and professionally competent, but he had the even more important virtue of genuinely liking and respecting people, and in turn people liked and respected him. He loved to hunt and fish and was an avid fan and backer of all sports. He possessed great integrity and a very deep sense of responsibility.

Surviving are his parents, the J. Ralph Coryns, of Moline; two brothers, Jim of Rock Island, Ill., and Bob of Davenport, Iowa; and a sister, Mrs. John McGhee, of Toronto, Canada.

Illinois has truly lost one of its leading young citizens and it is with deep remorse that we mourn his passing.

Younger Voting Age and Judicial and Legislative Reform in Maryland

EXTENSION OF REMARKS
OF
HON. JOSEPH D. TYDINGS
OF MARYLAND
IN THE SENATE OF THE UNITED STATES
Monday, October 23, 1967

Mr. TYDINGS. Mr. President, I have often spoken in the Senate and in forums across the Nation on the future of State governments. I have urged that State and Federal Governments work as vigorous partners to assure the renewed success of our federal system. But to bring this about, it is evident that many State governments must reconstitute and revitalize themselves.

Just such an effort is taking place in my own State of Maryland today. A special convention has been convened, made up of delegates chosen by the people, and charged with the drafting of a new and modern State constitution. When completed and approved, this fundamental law should place Maryland's governmental structure among the most efficient and progressive in the Nation.

On three occasions in the past several weeks I have had the privilege of testifying before committees of the Maryland Constitutional Convention.

I spoke first to recommend lowering the voting age.

On the second occasion, I commented on proposals to restructure the State judicial system and on the problem of unfit judges.

My third appearance was to recommend a commission to determine legislative salaries and to urge that the length of the legislative session be determined by the general assembly rather than by the constitution.

I ask unanimous consent that my testimony on those occasions be printed in the RECORD.

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

TESTIMONY OF U.S. SENATOR JOSEPH D. TYDINGS BEFORE THE COMMITTEE ON SUFFRAGE AND ELECTIONS OF THE MARYLAND CONSTITUTIONAL CONVENTION, OCTOBER 3, 1967

Madame Chairman and members of the Committee on Elections and Suffrage, I appear here this evening to testify in favor of extending the vote in state elections to two groups now denied the vote: first, residents of Maryland who would qualify to vote except that they live on federal enclaves within the state, and, second, residents of Maryland who are over eighteen and would qualify to vote except that they have not reached twenty-one years of age.

RESIDENTS OF FEDERAL ENCLAVES

In Maryland, as in almost every state, the federal government owns a good deal of real estate. Although Maryland retains jurisdiction over much of this property, jurisdiction over some of it has been ceded to the federal government by our legislature at various times.

Frequently federal employees live on this federal land. Except for that fact, these people are indistinguishable from other residents of the state. They bear substantially all the burdens of state residence. Yet, some of them are not entitled, under Maryland law, to the most precious of state benefits: the right to vote.

Marylanders who live on federal reservations can vote if the state has retained jurisdiction over the land. But if the state has ceded jurisdiction over the land to the federal government, the federal employees on it cannot vote, even though Congress has specifically authorized the states to collect income taxes, sales and use taxes, and motor vehicle fees from the residents of these federal enclaves.

The Maryland Court of Appeals has held, in the case of *Royer* v. *Board of Education, Supervisors, Cecil County* (231 Md. 561, 191 A. 2d 446 (1963)), that residents of federal enclaves are not "residents" within the meaning of Art. I, Section 1 of the present Maryland Constitution, the article which gives the residents of Maryland the right to vote.

I think this provision of our State Constitution, which keeps some Marylanders from voting just because they live on federal land within the state, is unreasonable, unjust, and should be changed.

Withholding the vote from Marylanders who live on federal enclaves not only prevents them from voting in state elections; it also prevents them from voting in federal elections, including the election for President, because the United States Constitution leaves it to the states to establish voter eligibility in federal elections.

The Constitutional Convention Commission has wisely and justly, I believe, recommended that the new Constitution should permit residents of federal enclaves to vote in state and national elections, if they meet all other qualifications of the election laws. This recommendation of the Commission is reasonable and fair. It corrects an injustice which has accidentally arisen under the present State Constitution. I support it, because a Marylander's right to vote should not depend on legal niceties between the state and federal government.

REDUCING THE VOTING AGE

The Constitutional Convention Commission has examined the question of reducing the minimum voting age and has recommended that the voting age should not be reduced from the twenty-one years required by the present Constitution.

I respectfully disagree with the Commission's conclusion. The minimum voting age should be that age level at which the average person of that age group has attained the maturity required to make an intelligent choice from among the various candidates for the leadership of his government.

Although the twenty-one year minimum is traditional in this country, it is not sacred or immutable. Two states, Georgia and Kentucky, long ago reduced the voting age to eighteen; Alaska allows voting at nineteen; and Hawaii at twenty.

I believe Maryland should reduce the voting age. I believe that the age of eighteen—the age of high school graduation—is a reasonable minimum voting age. This Convention may choose a higher age. But I urge you to

reduce the twenty-one year requirement, because no argument can justify it.

As the Constitutional Convention Commission explicitly recognized, "any decision as to voting age must be arbitrary." But some ages are more arbitrary than others.

In its report, the Commission enumerated the primary arguments for retaining twenty-one as the voting age. I believe an examination of those arguments will show that none of them offer valid reasons against lowering the voting age.

TRADITION

First, the Commission noted twenty-one is the traditional age in forty-six of the states.

Whatever justification existed for imposing twenty-one as the minimum age a century ago, the fact is that today's American young people are achieving physical, emotional and mental maturity at an earlier age than ever before. While the traditional twenty-one year old voting age has remained unchanged, the character of our population has changed dramatically, especially with regard to the education, maturity, and responsibilities assumed by our young people.

Indeed, tradition itself is no reason at all for maintaining the voting age. If tradition were a good reason to maintain a constitutional provision, we would not be holding this Convention today to revise our traditional, but badly outdated Constitution.

We should deal with the facts as they are today. The fact is that most eighteen year olds are as personally qualified to vote as most of their elders. Indeed, in some instances they are more qualified.

OTHER 21-YEAR REQUIREMENTS

Some argue that since the common age for legal majority is twenty-one, the minimum age for voting should be twenty-one. There is no compelling connection between the age set as the minimum for voting and the age set as the minimum for other state-regulated activities, such as the purchase of alcohol or the administration of an estate. The law in each case should be shaped to the subject matter involved.

In the case of voting, the question is whether eighteen, nineteen, or twenty year olds are mature enough to make an intelligent choice in the voting booth for the government leaders who tax them, regulate their lives, and can send them to war. I think the answer is clearly that these young people are as qualified to make such political judgments as most of their elders.

TOO MUCH IDEALISM

In its report, the Commission notes the argument that lowering the voting age would add to the voting population many whose idealism has not been tempered by practical experience in adult society.

I do not think that we should fear a little idealism in politics. I think we should welcome it.

Moreover, although precise figures are unavailable, the Census Bureau has given me statistics which indicate that more than one of every five Marylanders between eighteen and twenty-one is a full-time wage earner. Many others work part-time while putting themselves through college. Thousands of Maryland boys between eighteen and twenty-one are not only getting practical experience in "adult society," they are getting it in a very hard school—in the jungles and and on the battlefields of Vietnam.

OUTSIDE INFLUENCES

The argument is made that reducing the voting age would add to the voting population persons highly influenced by their parents, schools, television, and special interests.

I reject the notion that young Americans are any more susceptible than their elders to parental political influence, political pitchmen, or special interests. My experience, as a Senator speaking to high school and college groups and answering their questions in every corner of Maryland, has been that these young people—as a group and as individuals—are as acutely aware of the world as anyone in society. They know their history and current events; they are earnest and informed; they are skeptical and searching; they are no more likely to be taken in by demagogues than anyone else. As a matter of fact, they are less likely. As for undue parental influence, if eighteen to twenty-one year olds take the advice of their parents on whom to vote for, it will be, if the testimony of many parents is to be believed, the only aspect of life on which a parent's advice is the prevailing factor at that age.

If a perfect test could be devised for determining who should be able to vote, so that arbitrary age limits could be eliminated, surely some eighteen to twenty-one year olds would fail it. But, I submit that a far greater percentage of present voters over twenty-one would fail it. Because no such perfect test can be devised, we will have to continue to have an arbitrary minimum age limit. But that age limit should be based on today's realities, not those of a century ago or legalistic concepts developed during the Middle Ages.

COLLEGE COMMUNITIES

Another argument offered against lowering the voting age is that small college communities might find their municipal governments overrun by college students. Of course, the same argument can be made against having the voting age at twenty-one. Perhaps it should be increased to twenty-two or twenty-three, since most people do not graduate until that time.

But basically this argument deserves little weight because the new Constitution will certainly provide residency and registration requirements which will discourage, and probably prevent, the registration of most college students in any but their home districts. A phantom fear about a few places should not prevent the extension of the franchise to thousands of qualified young people throughout the state.

All the arguments made against giving young adults the vote have been made against every expansion of the franchise. All of them were made, for example, against the 19th Amendment, which gave women the right to vote.

The tradition of nearly every state was against it.

Other state laws were against it. Women had been legally deprived of certain rights—such as the right to make contracts—for centuries, and, it was argued, this same legal inferiority should be continued in the case of the vote.

Giving the vote to women, it was said, would add to the voting population many persons whose idealism has not been tempered by practical experience. Women would be highly influenced by their parents, schools, and handsome rogues and demagogues.

Women, it was said, would affect elections even though they had little knowledge of, or interest in, local affairs.

Fifty years have now passed since these prophecies of doom, but the Republic still stands. I believe few would argue against the point that our political system is much richer and wiser because of the participation of women in the electoral process.

I think the fears expressed against extending the vote to persons under twenty-one are just as invalid today as these same arguments were a half century ago when they were used against the universal suffrage.

I hope this Committee will recommend a lowering of the voting age, if not to eighteen, at least to some more realistic level than twenty-one. But even if you decide against lowering the voting age in the Constitution, I urge you to do as New York's convention has done in the new Constitution to be voted on in that state in November: to leave to the legislature the setting of the minimum voting age, and not foreclose the question by specifying twenty-one in the Constitution.

[Appendix to testimony of U.S. Senator JOSEPH D. TYDINGS before the committee on suffrage and elections of the Maryland Constitutional Convention, October 3, 1967]

THE NATIONAL CURRENT EVENTS TEST

(Results of CBS news special as broadcast over the CBS television network, Tuesday, January 3, 1967)

On January 3, 1967, the CBS Television Network broadcast "The National Current Events Test," an hour long television program to test American public knowledge of the events of 1966, on the theory that "The decisions this country makes depend upon the sum total of what we know."

Prior to the broadcast, CBS employed the Opinion Research Corporation to administer the same test to a sample of adult Americans across the country. *In addition to this pre-broadcast testing, during the broadcast CBS simultaneously administered the same test to one hundred college journalism students, including some from Morgan State College in Baltimore.*

The test itself was composed by CBS and the Educational Testing Service of Princeton, New Jersey. The test contained thirty-three questions on current events including such questions as those set out below.

In scoring the nation wide sample of adults and the one hundred college students who took the test, CBS counted each correct answer as three points, so that a perfect score on all 33 questions was 99. *The average score in the national sample of adults was 48, with only 2% over 84. In contrast, the studio audience of journalism students had an average score of 78, more than 50% better than the average adult in the nation wide sample.* The average college journalism student did almost as well (78%) as the *best 2%* of the adult national sample.

3) The Viet Cong control more of the land in South Vietnam. True or False?

9) Premier Ky of South Vietnam was elected to his office by the South Vietnamese Parliament. True or False?

11) How many seats did the Republican party gain in the United States House of Representatives in the 1966 elections? A) 7. B) 27. C) 47.

16) The newest position in the President's Cabinet is Secretary of Transportation. True or False?

23) Communist China has successfully developed and tested a missile capable of carrying a nuclear warhead. True or False?

26) There is an international treaty prohibiting nations without nuclear weapons from developing them. True or False?

30) The leader is Sukarno. What is the name of his country? A) Malasia. B) The Philippine Islands. C) Indonesia.

TESTIMONY OF SENATOR JOSEPH D. TYDINGS BEFORE THE COMMITTEE ON THE JUDICIAL BRANCH OF THE MARYLAND CONSTITUTIONAL CONVENTION, OCTOBER 4, 1967

I would suppose that the average citizen never crosses the threshold of a courtroom for more than a tourist's visit. We are fortunate that entanglements with the law in court are not an intimate part of our daily lives. But as a result it is all too easy for any one of us to assume, without further thought, that our courts are functioning fairly and smoothly. Indeed, we have indulged that casual assumption for a long time and we have paid a high price for our sluggishness.

As Chairman of the United States Senate Subcommittee on Improvements in Judicial Machinery, my daily work has made me

starkly aware that the judicial systems in this country are struggling through a period of crisis. In some States, court dockets are so congested and the machinery of justice so clogged that people must wait for periods of up to six years to have their disputes resolved. Maryland citizens are more fortunate, but the situation is hardly ideal; and the future, far from promising. In 1965–66 the average litigant in this State had to wait almost 18 months from the date of filing before a jury could decide his case. And in some parts of ths State, the period of delay ran as high as two and one-half years. The poet's complaint of the "law's delay" is not mere poetry. In these times, it is a clear description of reality and, though we have long ignored it, it is now a call for reform.

In some measure, the people of this nation are responding to the call. In the last decade projects for judicial reform have been completed in more than half the States.[1] In some states such as New Jersey and California these projects have met with electrifying success. In still others, more modest gains have been made. But unfortunately, in many areas proposals for reform have been blocked and stifled at every turn.

The State of Maryland now has an opportunity, unparalleled in its history, to meet the mounting demands of our times with an effective program for judicial modernization. I am here to render what help I can to ensure that we do not miss the opportunity or respond to it with less than the full measure of our capacity. With that in mind, I truly appreciate the opportunity to comment upon the proposed Judicial Article of the Maryland Constitution.

After two years of work, the Constitutional Convention Commission has proposed changes in the structure of the court system and in the selection and tenure of judges that I heartily endorse. I have one or two questions to raise that I think worthy of further consideration, but I want to stress my support for the Article as a whole.

If these proposals are adopted, Maryland will join the ranks of those States that have established a unified judicial system. The present multiplicity of courts, varying from locality to locality, bewildering to lawyer and litigant, and unnecessarily expensive, would be replaced. In their stead, Maryland would have a simple system, governed by uniform standards of jurisdiction throughout the State, ultimately financed economically by one authority, and administered on a daily basis under clear and simple lines of responsibility.

The principle of a unified judicial system in this country is over 50 years old.[2] But age alone does not warrant its adoption. Although details of the optimum structure may vary from State to State the unified judicial system is gradually gaining acceptance across the land because it has proved to be the only sensible and efficient way to run the courts. No modern corporation would dream of conducting its business with less than a streamlined structure and clear channels of responsibility. No modern State court system should expect to do the business of justice properly with less than such an organizational framework.

My only question with respect to the proposed court structure concerns the wisdom of establishing and freezing the four tier system with two trial courts in the Constitution. The second trial court, the District Court, would have jurisdiction comparable to that now conferred upon the trial magistrate and the People's Court. These are so-called "lower courts". The proposed fourth tier, then, would be a single "lower court".

Maryland should give the most careful attention to the future of the judicial institution that will deal with the problems of seemingly lesser magnitude. As the President's Crime Commission recently documented, conditions in the so-called lower courts in this country have been allowed to deteriorate disgracefully, and that can only have an aggravating impact upon the crime problem that concerns us all.[3] It is in these institutions, not in the appellate courts, that most of the people will have their contact with the law. What they see there of justice or injustice, efficiency or bumbling, will determine whether they look upon the courts and the law with respect or cynicism. How can we expect to promote respect for the law, if the courts that have the most direct impact upon the people are forced by shabby conditions and standards to treat the people crudely?

Your Commission recognizes that other States, Illinois and Indiana, have adopted or are working on court structures involving 3 tiers. In these States, the third tier is a trial court of unlimited jurisdiction with various divisions designed to handle special kinds of cases, including those ordinarily dealt with in the "lower courts". Such a structure promotes administrative economy and efficiency and it tends to ensure that all matters on the trial level will be handled by judges of comparable competence and community reputation. Although your Commission acknowledges that the fourth tier cannot justifiably be regarded as a "lower court," we must acknowledge certain realities. For example, it will tend to be manned by judges of lesser stature.

It is true that some states have adopted the four tier system with two trial courts pursuant to the American Bar Association's Model Judicial Article of 1962. And that degree of streamlining is so significant an advance over the present maze of courts in Maryland that I would hesitate to state a firm objection to it. But the fourth tier may prove as unnecessary here as it has in States such as Illinois that have adopted more simple structures. For that reason, I would oppose enshrining the fourth tier in the Constitution. In my view the wiser step would be to establish a three tier system with a single trial court, leaving the power to the legislature to create the fourth tier if the simpler structure proves unwieldy in our State.

I might add that the elimination of the so-called lower court is a recommendation of the President's Crime Commission as well.[4] And the Journal of the American Judicature Society has already predicted that three and even two tier court systems are the wave of the future.[5] The basic point is that there is no such thing as a lower problem, a lower dispute or a lower crime, although we sometimes tend to think so. Likewise there should be no lower trial court, unless experience proves that a single trial court is unworkable. By honoring the concept of the lower trial court with the constitutional seal of approval we would make it very difficult for Maryland to establish and test the merits of a single trial court system.

Before I leave the subject of reform in the system's structure, let me touch upon one point that has given rise to an objection in some circles. One of the principle advantages of a unified judicial system is its flexibility. By contrast with the rigid structure of the system as a whole, the parts within a unified system can move about more freely. For example, a system designed for administrative efficiency can discover and transmit information quickly when needs for judicial manpower develop in certain localities. Using his powers as administrative head of the system, the Chief Justice may then promptly assign judges for temporary services in the areas of need. And under the pending proposals, he will no doubt receive important assistance from the chief judges of the appellate and trial courts acting in their administrative capacities.

Some people have expressed concern that under the transfer power their local judges will be whisked away recklessly and too often. It should be noted, however, that transfers of judges of the circuit courts already take place in this State, although the authority for them, said to be found in Article IV, Sec. 18A of the present Constitution has been questioned.[6] The pending proposal clarifies the existence of the power to transfer any judge but it also provides a streamlined administrative structure for the courts that will tend to guarantee that the power is used more intelligently. The informed use of the transfer power is an essential of an efficient judicial system. There is no reason to set up a system so inflexible that it is paralyzed to act when temporary, remedial action is called for.

Ultimately, however, any fears we may have about the use and misuse of power within the judiciary can be quieted only by assuring that we select and maintain judges of the highest quality and integrity. The pending proposals take a long step toward providing that assurance by recommending important reforms in the selection process. I regard these reforms as critical to the success of the projected modernization of the Maryland system. And we should note as well that they are fully consistent with the recommendations of the President's Crime Commission for stepping up the efficiency of our war on crime.[7] Although some have questioned the wisdom of embodying new selection procedures in the Constitution, I have no such doubt. The procedure for choosing our judges is so fundamental a feature that it deserves a central place in our fundamental document.

There is no sound reason for maintaining the present diversity of methods by which Maryland judges are selected.[8] And even less reason for retaining those features of the present system that permit contested popular elections for judicial office. The present system unfortunately permits the least attractive features of our political system to come into play in the least appropriate form. Although the proposals before you would provide for certain differences in the structure of the nominating commissions responsible for suggesting the names of candidates to the Governor, they would essentially establish a uniform process of judicial selection modeled upon the Niles Plan and known nationally as the Missouri Plan. The proposed Niles Plan resembles in every major principle the plans for judicial selection that are gradually being adopted in a greater number of states. And it should be noted that in a significant number of states and localities, the people themselves have chosen to adopt some such plan when they were given the option at the polls. In recent years, the voters of Kansas; Iowa; Nebraska; Dade

[1] See, Winters, *The National Movement to Improve the Administration of Justice*, 48 J. Am. Jud. Soc. 17, 19–21 (1964).

[2] See Pound, The Causes of Popular Dissatisfaction with the *Administration of Justice*, 29 Rep. Bar Ass'n. 395 (1906).

[3] See, The Challenge of Crime in a Free Society 128 (1967).

[4] *Id.* at 128.

[5] 50 J. Am. Jud. Soc. 185 (1967).

[6] Annual Report of the Administrative Office of the Courts 1965–1966, p. 31.

[7] The Challenge of Crime in a Free Society 146 (1967).

[8] Judges are not only selected by different methods from level to level, but selection of judges within the lower levels differs from political subdivision to subdivision. Judges in the Orphans' Courts are popularly elected, but Trial Magistrates and Committing Magistrates are appointed by the Governor with the advice and consent of the Senate. And the City Council appoints People's Court judges in Montgomery County.

County, Florida; and Colorado have elected to install some variant of the Missouri Plan. And in other major States, governors and mayors have voluntarily used nominating commissions for judicial selection.[9] In short, judicial selection reform along the lines of the Niles proposal has failed of adoption for the most part in cases where state legislatures have smothered it.[10] There is no question in my mind that the citizenry of Maryland would vote overwhelmingly in favor of replacing political factors with merit and competence in the selection of our jurists.

The Niles Plan would ensure perfection in judicial selection. Everyone agrees that no plan could do that. But it would minimize the negative impact upon selection and tenure that partisan political elections are bound to have and have historically had in Maryland and elsewhere.

Modern surveys demonstrate conclusively, for example, that the people have little or no idea of the names of judicial candidates in partisan elections.[11] And, as a result, able State judges have been swept out of office for no better reason than that they belonged to the political party suffering a landslide defeat in a general election.[12] The Commission's proposal would allow the people to evaluate a judge's performance by rejecting or reconfirming him at the polls. But since the judge would run only against his record, he need have no fear of being washed out of office in the wake of shifting political tides. Eliminating this fear can only help to attract men of high quality to the bench.

Both the nominating commission and the modified form of popular election are thus features of the Niles Plan well calculated to improve the quality of Maryland judges. Accordingly, I urge that the selection and tenure provisions of the Commission's draft be embodied in the document submitted to the people of Maryland for approval. The electorate of our State should have the opportunity that has been given to the people of other States to evaluate by ballot an important suggestion for reform in the selection of those who administer justice.

Once a process for selecting judges of high quality is set up, an effective judicial system should be equipped to retire and remove judges who are not longer fit to serve. The proposed Judicial article contains two such devices.

The first is the provision for mandatory retirement at age seventy, carried over from the present Constitution and extended to cover every judge in the system. Coupled with an important provision authorizing the temporary designation of a retired judge to perform judicial duties, the mandatory retirement age seems well suited to ensure the maintenance of an able bench.

Age alone is not a certain index of judicial disability, but it cannot be denied that disability frequently does accompany advancing years and most men in that position will not easily admit that to themselves. A mandatory retirement age, however, enables the aging and tiring judge to step down without having to make such an admission. It also avoids the necessity for the potentially embarrassing case-by-case investigations that may be conducted, formally or informally, when allegations are made that particular judges are fading into senility. The provision for temporary assignment of retired judges, on the other hand, tends to ensure that the law will not lose the service of those judges who can continue to function well, in limited or extended capacities, beyond the retirement age. It is true that decisions to designate or not to designate retired judges in particular instances may occasion some of the embarrassment that the across-the-board retirement age is designed to avoid. But the difficult situations are likely to be few once all judges over 70 are retired. And the provision for Supreme Court approval of these decisions will ease some of the discomfort that the chief justice might otherwise feel in relation to particular judges. In any event, I would be willing to pay that small price for a system that retains the service of older able judges.

In another important provision of the proposed Constitution, the new Supreme Court would be empowered to remove or retire judges no longer fit to serve. Again, I think a provision of this kind is so essential to a sound judicial system that it deserves Constitutional status. Maryland's present Constitution already provides for a Commission on Judicial Disabilities that may recommend removal or retirement of a judge to the General Assembly. Insofar as the proposed provision would shift removal and retirement power from the legislature to the Supreme Court, I think it would bring about an important change. An allegation of judicial misconduct or disability is a grave allegation indeed and it deserves the considered judgment of a body all of whose members have the time to devote full attention to it. As the history of impeachment proceedings in the United States Senate unmistakably demonstrates, it is highly unlikely that all the members of a legislative body can turn their full attention to such a matter when an occasion for judgment arises. Moreover, final removal and retirement power should properly be lodged with the judges themselves in order to preserve as nearly as possible the independence of the Judiciary.

In another respect, however, I regard the proposed provision as seriously deficient. It fails to give Constitutional status to a Commission that would receive and review complaints as well as recommend action to the Supreme Court. The draftsmen of the proposal indicate that they contemplate establishment of such a Commission under the new Supreme Court's rule-making power. But I would not leave any such uncertainty about the need for a preliminary reviewing body. In a real sense, it is the heart of an effective removal and retirement procedure.

The Commission is indeed the heart of the California system whose remarkable success has inspired the creation of similar institutions in Colorado, Florida, Nebraska, Oklahoma, Texas and Utah. No doubt the happy results of the California Commission also fostered the development of Maryland's interest in an effective removal and retirement process.

In connection with our work on fitness in the Federal judiciary, my Subcommittee held two days of hearings in San Francisco and Los Angeles to investigate the workings of the California system. And we learned there how critical to the process the initial Commission review is. I have presented materials from those hearings in the Appendix to my testimony, including the annual reports on its system that California has published thus far. But let me give you just a brief idea here of what the Subcommittee learned during its visit.

California voters adopted their constitutional amendment creating removal and retirement machinery in 1960. The preliminary Commission, of mixed lay and legal membership, receives complaints and investigates allegations. It does no more than inform the complainant if it finds his charge frivolous. If a substantial problem of judicial fitness appears, however, the Commission may act either of two ways. It may simply inform the offending judge without publicity, if it determines that a charge is sound but not of the magnitude that would warrant removal or retirement. Or if the graver sanctions are called for, it permits the judge to retire or resign on his own. In the event the judge refuses to step down, the Commission provides for a hearing, held in confidence, and subject to rules designed to ensure fairness. Rules such as these could properly be left to the rule-making power of a State's highest court. If the hearing convinces the Commission to recommend retirement or removal, the judge is entitled to a full hearing before the Supreme Court of California.

The genius of the California system is that the existence of the process at the Commission level encourage voluntary and confidential solution of most judicial fitness problems. Thus far, only one case has reached the Supreme Court whereas from seven to ten judges each year have voluntarily left office under investigation. I think you can see, too, that the confidential workings of the process are particularly appropriate for the troublesome case in which a judge must be persuaded that he has become physically or mentally unable to perform his duties. And the presence of the Commission serves a very important purpose even in frivolous cases. People are assured that someone will listen to grievances they may feel in connection with the behavior of an otherwise seemingly authoritarian judge.

One witness before my Subcommittee summarized the value of the Commission as follows:

"Thus . . . besides providing a fair and effective method for terminating office where cause exists there are important corollary effects.

"First, the very existence of the commission . . . is an important deterrent. This is with respect to situations which never become cases before the commission. It fosters a high level of performance and encourages retirement when bad health prevents carrying out the judicial function.

"Secondly, violations of ethics and derelictions which are of a minor nature not warranting removal can be dealt with.

"Thirdly, irresponsible and baseless accusations against judges can be disposed of without harm to the judiciary or without harm to the judge.

"In summary, the judicial branch is given a tool so that it can exercise its judgment for the public good on matters of fitness and conduct. This cannot help but raise public confidence in the judicial process." [13]

I cannot stress too strongly the importance of the healthy impact of the Commission upon "public confidence in the judicial process." Public confidence in the courts is a key to public respect for the law. It is no wonder, then, that the President's Crime Commission has focused upon it so sharply. Just as its report urges the upgrading of the lower courts, so it recommends adoption by the States of "commissions on judicial conduct taking the approach used in California. . . ." [14]

Accordingly, I heartily endorse the pro-

---

[9] See Voters Back Judicial Reforms 50 J. Am. Jud. Soc. 115 (1966).

[10] North Dakota is the one instance in which the people have failed to approve such a selection plan at the polls. The vote was very close: 82,644 to 73,231. And the State legislature has submitted another similar proposal for voter evaluation in September 1968.

[11] See e.g. Nelson, Variations on a Theme—Selection and Tenure of Judges, 36 So. Cal. L. Rev. 4, 5, at n. 10.

[12] See Traynor, Rising Standards of Courts and Judges, 40 J. State Bar of Cal. 677, 684 (1965).

[13] See, Statement of Jack E. Frankel, Executive Secretary, California Commission on Judicial Qualifications, in *Hearings*, "Judicial Fitness," Part 2, before the Subcommittee on Improvements in Judicial Machinery, Committee on the Judiciary, U.S. Senate, 89th Congress, 2d Sess., p. 162.

[14] The Challenge of Crime in a Free Society, p. 147 (1967).

posals for removal and retirement pending before you but I would not leave any uncertainty about the need for a Commission as the front line of defense against unfitness in the judiciary. So critical is it to the effective functioning of a sound judicial system, that it deserves a specific place in the new Constitution. To leave this important area out of the Constitution would in my judgment very likely result in the failure of the removal machinery.

TESTIMONY OF SENATOR JOSEPH D. TYDINGS BEFORE COMMITTEE ON THE LEGISLATIVE BRANCH OF THE MARYLAND CONSTITUTIONAL CONVENTION, OCTOBER 11, 1967

Mr. Chairman and members of the Committee on the Legislative Branch. I appreciate this opportunity to express my views on the proper structure of the Maryland legislature. I am here specifically to make two points. First, I do not believe that a limitation on the length of the legislative session has any place in a modern state constitution. Second, I do not believe that the setting of legislative salaries should be solely the prerogative of the legislature, but rather that there should be a constitutionally-created Commission to propose adequate compensation scales to the legislature for approval.

I. THERE SHOULD BE NO LIMIT ON THE LENGTH OF LEGISLATIVE SESSION

As we all know, the present Maryland Constitution provides an absolute limitation of seventy days on the session of the General Assembly. The draft constitution would relax this limitation somewhat. The seventy-day session could be extended for not more than thirty days upon the three-fifths vote of each house. Furthermore, the Governor could be forced to convene a special session upon written request of three-fifths of all the members of each house.

While the draft constitution would give the General Assembly greater control over the length of its session than presently allowed, I do not believe it provides sufficient control to the legislature. Like the Constitutional Convention's Committee on the Legislative Department, I believe there should be no constitutional limitation on the length of the legislative session. I endorse the concept of the General Assembly as a continuing body.

The constitutional limitation on the length of state legislative session has been, along with malapportionment, inadequate compensation, and insufficient staff and resources, one of the prime impediments to the effectiveness of state legislatures. The restricted legislative session has been a strait jacket which has constricted the legislature's ability to analyze and act to correct state problems and which, consequently, has nullified to a great degree legislative initiative. Worse, the limited legislative session has been a favorite tool of the obstructionist who need only delay legislation until the clock runs out to foil the will of a legislative majority. The constitutional limitation on the length of the legislative session allows time, not votes, to decide the fate of proposed legislation.

The constitutional restriction on the length of the legislative session is premised upon the falacious assumption that a state legislature can competently deal with an increasingly complex budget and growing state problems if it works less than one-fourth of the year. Legislating for Maryland's welfare can no longer be such a part-time job. When I entered the House of Delegates in 1955, the state operated on a budget of but $136 million. Yet, I found that my legislative responsibilities required almost all of my time during the session and about one-third of it during the remainder of the year. Today, the Citizens Conference on State Legislatures, a national organization composed of business, labor, and educational leaders, estimates that the typical legislator spends half of his time the year round on legislative duties. This increased demand on a legislator's time is not difficult to understand. State responsibilities are ever-expanding. For example, the Maryland budget jumped from $136 million in 1955, to more than $564 million by fiscal year 1965.

For fiscal year 1967 Governor Tawes presented an $888 million budget to the General Assembly for consideration, and, as we all know, Governor Agnew proposed a billion dollar budget to the last session of the legislature. Adequate review of these growing budgets cannot be expected of a legislator who must watch the clock as well as the budget. Adequate review is not assured by placing a time limit on the opportunity to analyze and act.

An unrestricted legislative session would give the members of the legislature, not the clock, control of the session. It would provide a heretofore unknown flexibility to the legislature. It would allow the legislature to meet either for a condensed, consecutive period, as now, or several days a week throughout the year. It would allow the legislature to determine its working conditions rather than having them frozen in the constitution.

I am certain that no one would believe it wise to constitutionally restrict terms of court or gubernatorial activities to seventy days a year. Yet, there was probably a time in Maryland history when a judge or chief executive could work such a relaxed schedule without causing a breakdown in governmental machinery. But today we all know that such a time has long since passed. We expect our judges and chief executive to work full time by setting their own schedules. This Convention is even considering a provision for removal of judges who persistently fail to perform their duties and for retiring one permanently disabled. There is also under consideration a provision for determination of a governor's disability. What makes legislating such an easy task that the legislature should be only a restricted, disabled branch of government? Do we want only a rubber stamp legislature which can only react to executive initiative rather than take its own initiative?

Of course, merely ending the time restriction on the legislative session will not assure a vigorous, effective branch of government. The General Assembly must also be properly apportioned, adequately compensated, and served by a competent, professional staff. But, by removing the constitutional restriction on the length of the legislative session, this Convention can remove a real as well as psychological impediment to an improved legislature.

In opposition to a constitutionally unrestricted legislative session, it will be argued that a restriction on the length of the session provides an "impetus for prompt and efficient conduct of legislative affairs." I do not agree with this argument. The restriction on the length of the legislative session inevitably means a flood of hasty and ill-considered enactments as the concluding hour draws near. And it means, as I have argued, that an obstructionist can thwart the legislative will by time when he cannot by a vote.

The notion of a restricted session really is a vestige of an era when legislatures, as all government, were distrusted, as much because there was little information available about legislator's activities during the session as for any other reason. The people feared sending representatives to far-away Annapolis where little could be known of their activities. But that day is gone. With modern transportation, Annapolis is no longer "far away," and our modern news media keep us well-informed of activities in Annapolis.

I urge this committee to recommend to the Convention a provision making the General Assembly a continuing body. The General Assembly, not the Constitution, should determine the working time of the legislature. The will of the legislators, not the clock, should terminate a session. The legislature should have as much flexibility in setting its work schedule as the Constitution will allow the other co-equal branches of government.

II. ASSURING ADEQUATE SALARIES FOR LEGISLATORS

Legislators in Maryland and most other states receive abysmally small compensation for their public service. In thirty-five of our states, legislators receive less than $5,000 a year and in eighteen they receive less than $2,000 annually. Compensation of legislators in most states, therefore, is markedly less than the median annual salary of $25,000 for governors, $22,000 for judges of the highest state courts and $8,500 for city councilmen of cities with more than 500,000 population.

As you know, our Maryland legislators receive $4,185 annually in salary and expenses. Maryland thus ranks twenty-fourth among the states in legislative compensation, although it stands eleventh in per capita income and fifteenth in terms of economic growth. The compensation of the Maryland legislator does not begin to approach that paid to members of the executive and judicial branches. Maryland's Governor quite properly receives $25,000 per annum and associate judges of the Court of Appeals get a $32,500 salary. The compensation of the Maryland legislator also lags behind that paid in most progressive states. For example, California provides $16,000 annual salary to its legislators; Michigan pays $15,000; Pennsylvania provides $12,000; Ohio gives $8,000; and New Jersey pays $7,500. Our neighboring state of Delaware just raised the legislative salary to $6,000, and even Georgia pays $5,388 per annum to its legislators.

Why have we Marylanders allowed state legislative salaries to lag so far behind those of other state officials and other state legislators? Undoubtedly, one reason has been the concept of part-time work that surrounds the legislature and is perpetuated by the restriction on the length of the legislative session. I have already testified on the growing demands on our legislator's time.

He is continually faced with ever-increasing budgets and evermore complex problems. We expect him to develop a legislative program of his own, to introduce bills, to attend floor sessions and to participate in debate, to vote, to exercise surveillance over the state governmental bureaucracy, to answer correspondence, to perform liaison between his district and the state government and to take part in ceremonial activities. Being a state legislator is no easy or part-time task and it is time the compensation of a Maryland legislator reflected more accurately this fact and his responsibilities.

Perhaps another reason why we have allowed legislative salaries to lag has been the low esteem which many people, I fear, have for state legislators. As Adlai Stevenson said a few years ago, "To a deplorable degree, the public lacks confidence in state government, particularly the legislature." This lack of confidence has been bred by accounts of legislative incompetence and buffoonery, bribery and conflicts of interest which all too often have been true. Citizens who hear, as Marylanders did in 1965, that their state Senate had spent the last hours of its session debating the location of a garbage incinerator instead of pressing issues of vital state-wide significance, can hardly be expected to view their legislature with pride. In addition, due to malapportionment, most state legislatures have been unresponsive to the growing urban and suburban problems causing the public to look to the federal government whenever it looked beyond the local government for help. This has bred an ever-expanding and over-centralized national government whose continued growth can be attributed largely to the failure of the states to meet their responsibilities.

But all of this is beginning to change, particularly in Maryland. Reapportionment has revitalized the Maryland legislature and allowed it to come to grips with vital statewide issues.

The record of the last session of the General Assembly has been widely acclaimed. Perhaps its most important action was to enact the enabling legislation necessary to convene this Constitutional Convention.

These signs of life in Annapolis are gaining public attention and raising the prospect of truly effective state government in Maryland. More and more competent and civic-minded citizens are being struck with the idea of seeking public office in the state legislature. Yet for most of them the decision to run is a difficult one, in light of the present financial sacrifices required.

Because legislative salaries are so low, the prospect of state legislative office means severe financial sacrifice to the conscientious person not blessed with independent wealth. Many potentially excellent state legislators—family men without private means—simply cannot afford to seek and hold legislative office. Others will inevitably decide that they cannot afford to lose time from active and promising private careers for public office offering meager compensation. Our state cannot afford to lose the legislative services of these citizens.

We must realize that legislating for Maryland's welfare is no longer a part-time job and we must pay our legislators enough so that they can devote substantially all of their energies to public duties. We must compensate our legislators commensurate with the great and growing importance of their office. And we must begin to measure legislative compensation against the amount a Senator or Delegate would expect from the same time spent at his private occupation. In 1964, attorneys nationally averaged almost $14,500 a year. Even if we were only willing to compensate a legislator as well as the "average" attorney, Maryland would have to more than triple the compensation of legislators.

This Convention must take the action necessary to give hope of increased compensation for our legislators. The draft constitution takes a great step forward by removing the constitutional freeze on legislative salaries. But I do not think this is enough particularly in view of the popular rejection in 1966 of a constitutional amendment to the same effect. I believe the risk of the draft proposal is not that our legislators will give themselves too great a salary but rather that the salaries they enact will continue to be too small. An astute legislator will remember that in 1962 the Maryland electorate rejected a constitutional amendment to raise the legislative salary by $600 to $3,000 a year.

By leaving to the General Assembly the job of deciding legislative salaries, we ask each legislator to evaluate his own worth to the state—a task we do not ask of our governor, our state judges, or, indeed, any state official other than the legislator.

I do not believe we should ask any man in public life to set his own salary. I do not believe that we can leave the General Assembly with the sole responsibility for setting legislative salaries. Therefore, I propose a device which will relieve the legislator of the onus of determining what he is worth.

I propose that the new constitution establish a Commission which would meet every two years in order to review and set compensation the state provides its legislators and, indeed, all statewide elected officials. I would have the Commission selected from private life by the Governor with the advice and consent of the Senate. I would suggest that the Commission have approximately fifteen members and I would hope that they would represent a broad spectrum of the community.

I believe that this Commission should forward its recommendations on legislative and other compensation to the General Assembly. These recommendations could be raised or lowered by the General Assembly but only by two-thirds vote of each House.

In setting legislative salaries, I suggest that the Commission be guided by the following general criteria:

(1) That legislative compensation should be set at a level which would attract the best qualified citizens to public service; and

(2) That legislative compensation should be competitive with what legislators could expect to receive for work of comparable importance and responsibility in private life.

The notion of a citizen's commission to study the adequacy of legislative and executive pay is not unknown to Maryland's sister states. Such commissions exist now or have finished their ad hoc work in Colorado, Georgia, Idaho, Illinois, Indiana, North Carolina, Oregon, Utah and Washington. While each of these commissions was created by executive order or legislation, I believe we in Maryland now have the opportunity at this Convention to create a viable continuing body to constantly reappraise the salary levels of legislators and state-wide elected officials to assure they are in line with rising living costs and growing legislative responsibilities.

Such a commission would not be without precedent in Maryland. The State Employees Standard Salary Board (Maryland Code, Art. 64A, §§ 26–30) was first created in 1941, although it was reorganized in 1953 and again in 1956. The Board prepares and recommends to the Governor a pay plan for all state employees to assure that comparable salaries are paid for comparable duties, experience, responsibility and authority. In establishing rates of pay the Board must give consideration to, among other things, prevailing rates for comparable public and private employment, living costs, and the State's financial condition. If the Governor accepts the plan, the plan has the force of law at the enactment of the next State budget if funds for the plan are provided in the budget as enacted.

I have offered but a basic framework of a Commission I consider a vital element of our Constitution. Such a Commission has ample precedent—both in Maryland and her sister states. I urge you to give it every consideration.

SENATE

TUESDAY, OCTOBER 24, 1967

The Senate met at 12 noon, and was called to order by the Acting President pro tempore (Mr. METCALF).

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

O God, our Father, we are grateful for the unquenchable impulse for things high and holy which Thou hast planted within us. As in the heat and burden of this epochal day we are called to serve the Nation and all struggling humanity, lead us for Thy name's sake to the abiding springs of fresh hope and confidence for a better tomorrow, a new faith in Thy goodness which faileth never, and in the unrealized possibilities of Thy erring children, in spite of the stupid folly by which they have devastated the good earth.

God the all-righteous one, man hath defied Thee, yet to eternity standeth Thy word.

We pray for fidelity not to shirk the issues of these momentous days. Where our deeds can help to make this a fairer world, where our words can keep despondent men on their feet, where our prayers can hasten the coming of a cleansed social order in which Thy will shall be done among men, let us speak and act and pray.

We lift our prayer in the dear Redeemer's name. **Amen.**

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that the President had approved and signed the following acts:

On October 20, 1967:

S. 2310. An act to provide more effectively for the regulation of the use of, and for the preservation of safety and order within, the U.S. Capitol buildings and the U.S. Capitol Grounds, and for other purposes.

On October 23, 1967:

S. 2121. An act to extend the provisions of the act of October 23, 1962, relating to relief for occupants of certain unpatented mining claims.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, October 23, 1967, be dispensed with.

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

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

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

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

EXECUTIVE SESSION

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

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